



Southern Nevada Rapid Rehousing Written Standards

Draft [February 24, 2020/4/12/19](#)

Table of Contents

I. INTRODUCTION	1
Overview	1
HMIS Participation	3
Coordinated Entry	3
Housing First	3
II. DEFINITIONS	4
Common Terms	4
Homeless Definition	4
III. ELIGIBILITY CRITERIA AND TARGET POPULATION	6
Eligibility for CoC and ESG Programs	6
Eligibility for SSVF Program	7
Target Population	8
IV. RENTAL ASSISTANCE	9
Overview and Baseline Standards	9
CoC and ESG Programs	10
SSVF Program	12
V. FINANCIAL ASSISTANCE	14
Overview and Baseline Standards	14
CoC and ESG Programs	14
SSVF Program	15
VI. CASE MANAGEMENT	18
Overview and Baseline Standards	18
CoC and ESG Programs	20
SSVF Program	20
VII. SUPPORTIVE SERVICES AND OTHER ASSISTANCE	22
CoC and ESG Programs	22
SSVF Program	25
VIII. RECORDKEEPING REQUIREMENTS	30
Homeless Status	30
Annual Income	30
Record of Imminent Threat of Harm	31
IX. OTHER REQUIREMENTS FOR COC AND ESG GRANTEEES	32
Housing Standards	32
Environmental Review	33
Lease Agreements	33
Rental Assistance Agreements	34
Termination Policies	34
Grievance Policy	35

I. Introduction

In accordance with Title 24 of the Code of Federal Regulations (24 CFR) 91.220(l)(4)(i), 576, and 578, the cities of Las Vegas, North Las Vegas, and Henderson, Clark County, and the Southern Nevada Homelessness Continuum of Care (SNH CoC) have developed the following written standards, which are applicable to all rapid rehousing (RRH) projects that receive Continuum of Care (CoC), Emergency Solutions Grant (ESG), and Supportive Services for Veteran Families (SSVF) funding in Southern Nevada. These written standards are intended to set basic, minimum requirements, and grantees are permitted to build upon these expectations and establish more stringent standards applicable to their own projects, if so desired. Projects remain bound by the terms of the programs under which they are funded and nothing in these standards should be construed to relieve projects of this responsibility. In addition, all RRH projects must comply with the applicable Notice of Funding Availability (NOFA) under which the project was originally awarded.

The goal of these standards is to synthesize key regulatory elements with the processes and priorities of the SNH CoC and to ensure that RRH projects are administered fairly and methodically. Note that rapid rehousing programs are subject to differing requirements, depending upon the funding source of the program, and this document attempts to clearly lay out those differences. The above-listed jurisdictions will continue to build upon and refine this document.

Overview

Rapid rehousing is designed to assist homeless individuals and families quickly transition into permanent housing. RRH providers are expected to implement a case management approach designed – through connection to mainstream benefits, agency partners, and other community resources – to increase household income and ensure long-term housing stability for project participants. In short, rapid rehousing should focus on helping people move as quickly as possible into permanent housing and achieve stability in that housing.

Rapid rehousing grant funds may be used to provide short- and/or medium-term rental assistance, case management, and accompanying supportive services, as needed, to help individuals or families experiencing homelessness move as quickly as possible into permanent housing and achieve long-term stability (see below for additional detail).

Eligible Use of Program Funds

CoC-RRH	ESG-RRH	SSVF
<u>Rental Assistance</u> <ul style="list-style-type: none">• Short-term rental assistance (up to 3 months)• Medium-term rental assistance (4-24 months)	<u>Rental Assistance</u> <ul style="list-style-type: none">• Short-term rental assistance (up to 3 months)• Medium-term rental assistance (4-24 months)• Rental arrears (one-time payment of up to 6 months of rent in arrears, including any late fees on those arrears)	<u>Outreach Services</u> <ul style="list-style-type: none">• Identifying Veteran families• Eligibility screening and evaluation• Street outreach and marketing materials• Developing and maintaining housing partnerships and landlord relationships

<p><u>Financial Assistance</u></p> <ul style="list-style-type: none"> • Security deposits (up to 2 months) • First and last month's rent • Property damage 	<p><u>Financial Assistance</u></p> <ul style="list-style-type: none"> • Security deposits (up to 2 months) • Last month's rent (up to 1 month's rent) • Rental application fees • Utility deposits and payments (up to 24 months, including up to 6 months of arrears) • Moving costs 	<p><u>Case Management Services</u></p> <ul style="list-style-type: none"> • Intake • Needs assessment • Housing stability planning • Coordination of supportive services <p><u>Assistance in Obtaining VA Benefits</u></p>
<p><u>Supportive Services</u></p> <ul style="list-style-type: none"> • Annual assessment of service needs • Assistance with moving costs • Case management • Child care • Education services • Employment assistance and job training • Food • Housing search and counseling services • Legal services • Life skills training • Mental health services • Outpatient health services • Outreach services • Substance abuse treatment services • Transportation • Utility deposits 	<p><u>Supportive Services</u></p> <ul style="list-style-type: none"> • Housing search and placement • Housing stability case management • Mediation • Legal services • Credit repair 	<p>Assistance obtaining:</p> <ul style="list-style-type: none"> • Income assistance • Vocational and rehabilitation counseling • Employment and training services • Educational assistance • Healthcare services <p><u>Assistance in Obtaining and Coordinating Other Public Benefits</u></p> <p>Connection to:</p> <ul style="list-style-type: none"> • Healthcare and daily living services • Affordable housing via housing counseling • Employment and vocational services • Income support (public and VA benefits) • Legal services • Transportation • Personal financial planning and credit counseling services • VA fiduciary and representative payee services • Child care services <p><u>Temporary Financial Assistance</u></p> <ul style="list-style-type: none"> • Rental assistance • Utility payment assistance • Deposits • Moving costs • General housing stability assistance • Emergency housing assistance • Transportation assistance • Child care assistance

SSVF Assistance. Grantees must use a minimum of 60 percent of the temporary financial assistance (TFA) portion of their supportive services grant funds to serve very low-income Veteran families who either (i) are homeless and scheduled to become residents of permanent housing within 80 days pending the location or development of housing suitable for permanent housing or (ii) have exited permanent housing within the previous 90 days to seek other housing that is responsive to their needs. Grantees should establish the appropriate level of rapid rehousing assistance within the context of these Rapid Rehousing Written Standards, crafted in collaboration with their partners in the CoC and the VA. Frequently grantees will target use of TFA well in excess of 60 percent to meet the needs of homeless Veterans and ensure no gaps in the availability of rapid rehousing assistance. Determinations regarding

the allocation of funds are announced in the SSVF Notice of Fund Availability (NOFA). Note: Grantees may request a waiver to decrease this minimum amount.

HMIS Participation

All grantees are required to participate in the Homeless Management Information System (HMIS), per the HEARTH Act, the ESG and CoC Interim Rules, and SSVF Program regulations (38 CFR Part 62). Victim-service providers are exempt from this requirement, but must participate in a comparable database. For more information on HMIS requirements (including requirements around data entry, privacy, releases of information, complaint processes, etc.), please see the Southern Nevada HMIS Policies and Procedures.

Coordinated Entry

All grantees are required to participate in and receive referrals solely through Southern Nevada's Coordinated Entry System. Through the coordinated entry process, all persons experiencing homelessness in Southern Nevada are assessed for vulnerability/need, prioritized for housing/services on that basis, and matched/referred to appropriate homeless and mainstream resources.

Housing First

Housing First is a proven approach in which all people experiencing homelessness are believed to be "housing-ready" and are provided with permanent housing immediately, with minimal or no preconditions, behavioral contingencies, or barriers (e.g., income, sobriety, etc.). Effectively implementing a Housing First approach requires prioritizing people with the highest needs and vulnerabilities, engaging more landlords and property owners, and making projects client-centered without barriers to entering or remaining in the project. All grantees are expected to minimize barriers to entry to the maximum extent permitted under their individual grant agreements and take appropriate steps to implement the Housing First approach. All rapid rehousing should be offered without preconditions (e.g., employment, income, absence of criminal record, or sobriety).

II. Definitions

Common Terms

Grantee(s). “Grantee(s)” refers in this document to recipients and subrecipients of Federal Continuum of Care (CoC), Emergency Solutions Grant (ESG), or Supportive Services for Veteran Families (SSVF) funding dedicated to providing rapid rehousing assistance. The term may also include any recipients or subrecipients of rapid rehousing funding furnished through other federal, state, local, or private sources that participate in the SNH CoC.

Participant(s). “Participant(s)” refers to all individuals and families receiving assistance through a Continuum of Care, Emergency Solutions Grant, or Supportive Services for Veteran Families-funded rapid rehousing provider, or a rapid rehousing program funded through other federal, state, local, or private sources.

Veteran. A person who served in the active military, naval, or air service, regardless of length of service, and who was discharged or released there from, excluding any one who received a dishonorable discharge or was discharged or dismissed by reason of a General court-martial. The period of active service must include service in active duty for purposes other than training.

Homeless Definition

For eligibility purposes, this document utilizes the HUD definition of homelessness, as follows:

Literally Homeless (Category 1 of the HUD Homeless Definition). An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

- (1) 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;
- (2) 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,
- (3) 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.

At Imminent Risk of Homelessness (Category 2 of the HUD Homeless Definition). An individual or family who will imminently lose their primary nighttime residence, provided that:

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

- (3) 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 Under Other Federal Statutes (Category 3 of the HUD Homeless Definition). 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:

- (1) 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);
- (2) 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;
- (3) 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,
- (4) 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.

Fleeing Domestic Abuse or Violence (Category 4 of the HUD Homeless Definition). Any individual or family who:

- (1) 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;
- (2) Has no other residence; and,
- (3) Lacks the resources or support networks, e.g., family, friends, and faith-based or other social networks, to obtain other permanent housing.

III. Eligibility Criteria and Target Population

Eligibility for CoC and ESG Programs

Statutory eligibility criteria at entry and continued eligibility depend upon the funding source (see Table 1 for additional detail). **Additional eligibility requirements may be imposed by the terms of the NOFA under which the project was originally awarded.¹**

Statutory Eligibility Criteria for CoC-RRH and ESG-RRH

		INITIAL EVALUATION		RE-EVALUATION	
		COC-RRH	ESG-RRH	COC-RRH	ESG-RRH
ELIGIBILITY	Category 1: Literally Homeless	X	X		
	Category 2: Imminent Risk of Homelessness	X			
	Category 3: Homeless Under Other Federal Statutes	X			
	Category 4: Fleeing/Attempting to Flee Domestic Violence	X	X*		
NEEDS	Amount and Type of Assistance Needed	X	X	X	X
	Income Evaluation Required				X
	Lacking Resources and Support Networks			X	X

*Note: In ESG-RRH, clients meeting statutory eligibility requirements under Category 4 must also be literally homeless.

Initial Eligibility for CoC-RRH Assistance. CoC-funded RRH projects are required to complete an initial evaluation of a participant's eligibility and needs prior to program entry. Initial eligibility requirements depend upon the terms of the applicable NOFA under which the project was originally funded, which can be more restrictive than the statutory eligibility criteria. As such, it is critical that each grantee determines eligibility according to the applicable NOFA in addition to following statutory requirements. In addition, during the initial evaluation, grantees must determine the amount and types of assistance needed by the participant to obtain and maintain permanent housing stability. The determination of assistance needed (e.g., length of time and actual amount of financial assistance) may change over time, as long as any such changes are communicated to the participant.

Initial Eligibility for ESG-RRH Assistance. ESG-funded RRH projects are required to complete an initial evaluation of a participant's eligibility and needs prior to program entry. ESG-RRH is available to individuals and families whose income is less than or equal to 30 percent of Area Median Income(AMI)

¹ For example, although statutory eligibility criteria for CoC RRH funds include those who are homeless under any of the four categories, to date, due to NOFA requirements, CoC funds for RRH cannot be used for people who qualify as homeless under Categories 2 or 3.

and who are literally homeless under Category 1 of the Homeless Definition Final Rule. In addition, during the initial evaluation, grantees are required to determine the amount of assistance and type of assistance needed by the participant to obtain and maintain permanent housing stability.

Continued Eligibility for CoC-RRH and ESG-RRH Assistance. At a minimum, grantees must re-evaluate participant eligibility and the amount and type of assistance required at least once annually for all participants receiving assistance. To continue to receive CoC- and ESG-RRH assistance, a participant's re-evaluation must demonstrate eligibility based on:

- Amount and Type of Assistance Needed (Both CoC and ESG): The grantee must determine the amount and type of assistance needed by the participant to (re)gain stability in permanent housing.
- Lack of Resources and Support Networks (Both CoC and ESG): The participant must continue to lack sufficient resources and support networks necessary to retain housing without assistance.
- Income (ESG Only): The participant's income must be less than or equal to 30 percent of Area Median Income (AMI).

Grantees should require participants to notify the project in the event of material changes in their income or other circumstances that affect their need for assistance (e.g., changes in employment income or in household composition). When notified of any such material change, grantees must re-evaluate eligibility, as well as the amount and/or types of assistance needed by the participant.

Eligibility for the SSVF Program

Initial Eligibility for SSVF Assistance. To become a participant household under the SSVF Program, the following conditions must be met:

- A member of a "Veteran family": Either (a) a Veteran; or (b) a member of a family in which the head of household, or the spouse of the head of household, is a Veteran. (Note: the head of household should be identified by the Veteran family.)
- "Very low-income": Household income does not exceed 50% of area median income. Unless VA announces otherwise in the NOFA, the median income for an area or community will be determined using the income limits most recently published by the Department of Housing and Urban Development for programs under section 8 of the United States Housing Act of 1937 (42 USC 1437f), which can be found at: <http://www.huduser.org/portal/datasets/il.html>
- "Occupying Permanent Housing": A very low-income Veteran family is considered to be "occupying permanent housing" if they fall into one of two categories:
 - Category 1: (not eligible for SSVF rapid rehousing)
 - Category 2: Is *literally homeless*, and at risk to remain in this situation but for grantee's assistance, and scheduled to become a resident of permanent housing within 90 days pending the location or development of housing suitable for permanent housing; or
 - Category 3: Is *literally homeless* after exiting permanent housing within the previous 90 days to seek other housing that is responsive to the very low-income Veteran family's needs and preferences.

Continued Eligibility for SSVF Assistance. There are time restrictions and limitations on uses of grant funds with respect to the categories of participants grantees may serve. The following table describes the three categories of "occupying permanent housing" as well as the time restrictions related to each.

Continued Eligibility and Time Restrictions for SSVF Assistance

Category of "Occupying Permanent Housing"	Time Restriction
<p>Category 1: If a very-low income Veteran family is residing in permanent housing and at risk of becoming <i>literally homeless</i> but for grantee's assistance.</p>	<p>(Not eligible for SSVF rapid rehousing assistance)</p>
<p>Category 2: If a very-low income Veteran family is <i>literally homeless</i>, and at risk to remain in this situation but for grantee's assistance, and scheduled to become a resident of permanent housing within 90 days pending the location or development of housing suitable for permanent housing.</p>	<p>A grantee may continue to provide supportive services to a participant within Category 2 so long as the participant continues to meet the definition of Category 2, even if the participant does not become a resident of permanent housing within the originally scheduled 90-day period.</p>
<p>Category 3: If a very-low income Veteran family is <i>literally homeless</i> after exiting permanent housing within the previous 90 days to seek other housing that is responsive to the very low-income Veteran family's needs and preferences</p>	<p>A grantee may continue to provide supportive services to a participant within Category 3 until the earlier of the following dates:</p> <ul style="list-style-type: none"> • The participant commences receipt of other housing services adequate to meet the participant's needs; or • 90 days from the date the participant exits permanent housing.

SSVF grantees are required to certify the eligibility of each participant at least once every three months.

Target Population

All RRH projects located in Southern Nevada are required to participate in and receive referrals solely through Southern Nevada's Coordinated Entry System. Through the coordinated entry process, individuals and families experiencing homelessness are: (1) assessed on the basis of vulnerability/need using a designated assessment tool; (2) prioritized for housing and services on the basis of that assessment; and, (3) matched to and referred for vacant beds or units as they become available. For more information, please see the Southern Nevada Coordinated Entry System Policies and Procedures.

Through the Coordinated Entry System, persons experiencing homelessness are prioritized for and referred to rapid rehousing where assessment of individualized vulnerability/need indicates that the individual or family would benefit from a time-limited intervention and is likely to (re)gain long-term housing stability as a result of the assistance.

IV. Rental Assistance

Overview and Baseline Standards

The intent of the rental assistance component of rapid re-housing is to enable the quick resolution of the immediate housing crisis. Rental assistance should be flexible and tailored to the varying and changing needs of a household while providing the assistance necessary for households to move immediately out of homelessness and to stabilize in permanent housing. It is expected that the level of assistance will be based on the goal of providing the minimum level of support necessary for each household to achieve long-term housing stability. Grantees should start by assuming households, even those with zero income or other barriers, will succeed with a minimal subsidy and support rather than a long subsidy, and extend or increase rental assistance if/when necessary. Households with higher housing barriers or no income may need assistance for different depths or durations, but such households should still be assisted in immediately attaining permanent housing.

Grantees should make efforts to maximize the number of households they are able to serve by providing households with rental assistance in a progressive manner, providing only the assistance necessary to stabilize in permanent housing. By not over-serving households, programs can maximize the impact of available resources to serve the largest number of people possible. The flexible nature of the RRH model enables agencies to be responsive to the varied and changing needs of program participants and the community as a whole.

Rental assistance may only be provided if the payment of such assistance is necessary to enable the participant to obtain or retain permanent housing. Grantees must help participants develop a reasonable plan to address their future ability to pay rent. Grantees should assist participants to implement such a plan by directly providing necessary supports or by helping participants to obtain necessary public or private benefits or services. If a Grantee determines that the rent is not reasonable or sustainable, grant funds should not be used to provide rental assistance. In such cases, Grantees should assist the participant in locating housing that better meets the participant's needs or, if such housing is not readily available, attempt to connect the participant with a program that offers long-term rental assistance (e.g., HUD-VASH, CoC funded supportive housing programs, etc.). If necessary, Grantees should attempt to connect participants with short-term support if long-term support is not readily available.

Determining Rental Assistance Amount

Based upon the initial evaluation of a participant's housing barriers, periodic re-evaluation, and the participant's progress meeting the goals of his or her housing stability plan, grantees have the discretion to determine and provide the appropriate level of rental assistance. Grantees should determine the level of assistance provided on a case-by-case basis, based on the minimum amount necessary for the participant to obtain and maintain stability in permanent housing.

A progressive approach should be used to determine the duration and amount of rental assistance for each participant. It should be flexible enough to adjust to households' unique needs and resources, especially as participants' financial circumstances or housing costs change. Grantees must have

policies detailing their approach that include clear and fair decision guidelines and processes for reassessment for the continuation and amount of financial assistance. Policies and procedures must also detail when and how rapid re-housing assistance is used as a bridge to a permanent subsidy or permanent supportive housing placement.

Grantees may find it beneficial to require participants to share in the cost of rent payment as a condition of receiving assistance. Grantees are also encouraged to negotiate with landlords and utility companies to waive fees, security deposits, and, where possible, accept partial payments to satisfy arrearages. In this way, Grantees conserve grant funds for future use and also empower participants to share in the responsibility. If a Grantee expects participants to pay an amount toward their housing, it must have written policy and procedures for determining that amount, and it must be an amount that is reasonable for their income, including \$0 for those with no current income.

Shared Housing. Shared housing is defined as two or more people who live in one permanent rental housing unit, sharing costs associated with maintaining housing such as rent and utilities. If a participating household elects to share housing with another, the assisted participant must be listed on the lease and their portion of the rent must be proportional to the amount of private space that participant has in relation to the other tenants. The overall size of the unit is dictated by the co-housing tenants' preferences, available income, and the cost of rent and utilities. While many tenants will want their own bedroom, they may, in some cases, voluntarily agree to share a bedroom.

Other Requirements and Restrictions by Funding Source

CoC and ESG Programs

Depending on the terms of the project's individual grant agreement, grantees may provide participants with up to 24 months of rental assistance during any three-year period. Assistance may include any combination of:

- Short-term rental assistance (up to 3 months);
- Medium-term rental assistance (4-24 months); or,
- For ESG-funded projects only, rental arrears (consisting of a one-time payment of up to 6 months of rent in arrears, including any late fees).

Participants may receive additional assistance if they have received less than 24 months of rental assistance during any three-year period.

Participants who have complied with all project requirements during their residence and have been a victim of domestic violence, dating violence, sexual assault, or stalking, and who reasonably believe they are imminently threatened with 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 CoC's geographic area if they move out of the assisted unit to protect their health and safety. See recordkeeping requirements to ensure proper documentation of imminent threat of harm.

Amount of Rental Assistance.

- Maximum Rental Assistance Amount: Grantees may provide up to 100% of the cost of rent to participants.
- Maximum Participant Share of Rent: Participants may pay up to 100% of the cost of rent.

Payments. Grantees must make payment to each owner in accordance with the rental assistance agreement. All rent payments must go directly to a third-party (i.e., the landlord). Participants and grantees are responsible for paying any late-payment penalties that they incur, using non-federal funds.

Administration of Funds. Participants receiving rental assistance funds pay their portion of rent directly to the landlord. The difference between the total rent and the amount paid by the participant is then paid by the grantee. Grantees may never cover the cost of the participant's rent if the participant fails to pay his or her mutually agreed upon portion of the rent.

The Consolidated Appropriations Act of 2017 (Public Law 115-31, approved May 5, 2017) authorizes nonprofit organizations to administer rental assistance to landlords in permanent housing. Administering rental assistance in the CoC Program is defined as: (1) contracting for and making rental assistance payments to the landlord/landowner; and, (2) conducting the Housing Quality Standards inspections. The costs of administering rental assistance are considered service delivery costs of rental assistance and are eligible under the rental assistance budget line-item of the CoC Program.

Restriction for Participants Already Receiving Rental Assistance. Rental assistance cannot be provided to a 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.

Rental assistance must be sufficient to ensure long-term housing stability for the participant, both for the duration of his or her participation and upon exit. Thus, the purpose is to place participants into housing that will be sustainable in the long-term. In addition, case managers are expected to work with participants to review household budgets and ensure that households can maintain their housing upon completion of the program.

Rental Assistance Requirements for CoC-RRH and ESG-RRH

CoC-RRH	ESG-RRH
<p><u>Rent Requirements</u></p> <p>The amount of CoC funds expended on a unit:</p> <ul style="list-style-type: none">• Cannot exceed HUD's rent reasonableness standards• If reasonable rent is higher than the Fair Market Rent (FMR), projects may use rental assistance funds up to reasonable rent (so long as the project continues to serve the contracted number of participants through the remainder of the grant term)	<p><u>Rent Requirements</u></p> <p>The amount of ESG funds expended on a unit:</p> <ul style="list-style-type: none">• Cannot exceed HUD's rent reasonableness standards• Cannot exceed Fair Market Rent (FMR)

Rent Reasonableness (CoC RRH Only). For participants receiving rental assistance, unit rent may not exceed HUD's rent reasonableness standard. This means that the rent charged for a unit must be reasonable in relation to rents currently being charged for comparable units in the private, unassisted market and must not be in excess of rents currently being charged by the owner for comparable unassisted units. These rent restrictions are intended to help ensure that participants can remain in their housing after assistance ends.

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

Fair Market Rent (ESG RRH Only). Household rent for participants receiving ESG-funded rental assistance must not exceed the FMR established by HUD. Current FMR guidelines may be found online at <https://www.huduser.gov/portal/datasets/fmr.html>.

As with rent reasonableness, FMR requirements do not apply when a participant receives only financial assistance or services under the ESG Program's Housing Stabilization and Relocation Services.

SSVF Program

Rental assistance includes the payment of rent, mobile home lot rent when participant owns or rents the mobile home, and penalties or fees to help a participant remain in or obtain permanent housing. (Note: Where a rental fee is inclusive of utilities, the entire amount will be considered "rental assistance" and will be subject to the applicable conditions). Rental assistance payments can be provided for amounts that are currently due (including first month or prorated rent paid prior to or at move in) or are in arrears, and for the payment of penalties or fees that have been incurred by the participant and are required to be paid under an existing lease or court order. Such allowable fees are typically late rent fees that are paid directly to a landlord. Note that debts owed by the Veteran on former leases, related to housing where the Veteran no longer resides, are not an allowable TFA expense for rental assistance.

Grantees should also consider that formerly homeless households remain at higher risk for becoming homeless. If a household has remaining TFA eligibility after program exit, that resource may help prevent that household's homelessness at a later date.

Rental assistance may be provided to eligible participants using SSVF grant funds, with the following restrictions:

Restrictions on SSVF Rental Assistance (per 38 CFR 62.34(a))

Component	Restriction(s)
Payment	<ul style="list-style-type: none"> Must be paid by the grantee directly to the third-party provider to whom rent is owed.

Rent Reasonableness	<ul style="list-style-type: none"> • Grantee must determine reasonableness of rent, penalties or fees prior to providing assistance by conducting a market study. • A market study involves documenting details of three comparable advertised rental units. Grantees may substitute a letter from the property manager of the unit under consideration that cites details of three comparable units within the manager's portfolio. Note that citing Fair Market Rents (FMRs) is insufficient for market study purposes. • Must be completed for Veterans receiving financial assistance and either staying in or moving into a new housing unit. • Rent reasonableness is not required in SSVF files where participants are using a HUD-VASH voucher. However, for other subsidized housing placements (e.g., Housing Choice Vouchers), rent reasonableness is required either from the administering agency, or completed by SSVF staff. • Details documented for each comparable unit cited in the market study must include rent, location, number of bedrooms, and if utilities are included. • In general, the assisted unit must be comparable to rents charged during the same time period for similar units in the private, unassisted market. • In general, the assisted unit must not be in excess of rents charged by the property owner during the same time period for other unassisted units. • Online platforms that assess rents for a specific area, such as Rent-o-meter, are only allowable as a tool to evaluate rent reasonableness if they examine all of the required elements listed above.
Shared Housing	<ul style="list-style-type: none"> • Rent charged for a participant must be proportional to the size of the participant's private space in comparison to other private space in the unit (i.e., excluding common space). • Participation in shared housing arrangements must be voluntary.
Cost-Sharing with Other Programs	<ul style="list-style-type: none"> • Rental assistance payments cannot be provided on behalf of participant households for the same period of time and for the same cost types that are being provided by any and all other Federal, State, or local subsidized affordable housing programs such as HUD-VASH, public housing, and other subsidized programs. This restriction includes a tenant's own portion of rent owed when in subsidized housing. SSVF may not pay the tenant's portion of rent under these circumstances. • When the cost type is different than what is paid by the housing subsidy, SSVF rental assistance may be used. This means SSVF may pay for a security deposit for a Veteran who is receiving HUD-VASH or receiving another form of subsidized rental assistance. Furthermore, SSVF may be used to pay rent arrears for a Veteran who is receiving HUD-VASH rental assistance or receiving other forms of subsidized housing. These costs are both considered a different cost type.
Assistance Limit	<ul style="list-style-type: none"> • Eligible for payments currently due or in arrears (Note: the number of months in arrears paid for through rental assistance counts towards the maximum allowable months of assistance). • Maximum of 10 months in a 2-year period. • Maximum of 6 months in a 12-month period. • Must be in compliance with rent reasonableness.
Assistance Limit for Extremely Low Income Families	<ul style="list-style-type: none"> • Maximum of 12 months in a 2-year period. • Maximum of 9 months in a 12-month period. • Must be in compliance with rent reasonableness.

TFA may be provided in consecutive or non-consecutive months. For example, a Veteran family may receive 3 months of rental assistance before they have financial resources to support full rent but then at a later date in program enrollment receive an additional month of assistance if financial circumstance changed.

V. Financial Assistance

Overview and Baseline Standards

As with rental assistance, provision of other financial assistance should be based on each participant's individualized need. Based upon the initial evaluation of a participant's housing barriers, periodic re-evaluation, and the participant's progress meeting the goals of his or her housing stability plan, Grantees have the discretion to determine and provide the appropriate level of financial assistance. Participants should be offered the minimum amount of financial assistance necessary for the participant to obtain and maintain stability in permanent housing.

Financial assistance should be provided using a progressive assistance approach. Grantees should focus on the most critical threats to the participant's housing stability in providing the "minimum necessary" level of assistance. Grantees should keep in mind that funds for financial assistance are limited. Providing a disproportionate amount of temporary financial assistance to one participant will limit the total number of participants grantees will be able to serve. All participants should be referred to mainstream income supports and financial assistance sources for which they may qualify. By leveraging and utilizing public sources of emergency and ongoing financial assistance, grantees can minimize the temporary financial assistance payments made with grant funds. Each Grantee should be aware of the applicable NOFA for their program(s) for the maximum percentage of total supportive services grant funds that can be used for this purpose. Wherever possible, Grantees should attempt to connect participants to community resources, such as the federal Emergency Food and Shelter Program, to obtain comparable assistance.

Grantees must have clearly defined policies and procedures for determining the amount of financial assistance provided to a participant, the payment of financial assistance, and defined and objective standards for when case management and financial assistance should continue and end, and should ensure that participants receiving financial assistance are informed of such guidelines. Guidelines should be flexible enough to respond to the varied and changing needs of program participants, including participants with zero income.

Other Requirements and Restrictions by Funding Source

CoC and ESG Programs

Grantees may provide the following financial assistance to participants:

- **Security Deposits.** CoC and ESG grantees may provide up to 2 month's rent as a security deposit for a housing unit.
- **First and Last Month's Rent.** CoC grantees may provide both first and last month's rent. ESG grantees may provide an amount equal to 1 month's rent.
- **Rental Application Fees.** ESG grantees may use grant funds to pay rental housing application fees that are charged by the owner to all applicants. CoC grantees may use supportive service funds to pay rental application fees.

- **Utility Deposits and Payments.** ESG grantees may use grant funds to pay for a standard utility deposit required by the utility company for all customers for gas, electric, water, and sewage service. In addition, ESG funds may pay for up to 24 months of utility payments per participant, per service. No participant may receive more than 24 months of utility assistance within any three-year period. CoC supportive service funds may be used to pay one-time utility deposits directly to the utility company.
- **Property Damages (CoC Only).** CoC grantees 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 participant. This shall be a one-time cost per participant, incurred at the time a participant exits the housing unit.

SSVF Program

Grantees may choose to provide Temporary Financial Assistance (TFA) to participant households. However, not all households require such assistance. Supportive services grant funds should only be used as direct financial assistance when "but for" criteria are met and, for homelessness prevention, when a participant meets or exceeds a grantee's approved targeting threshold score. That is, after first considering readily available homeless and mainstream benefits (such as TANF, general assistance, and food stamps), the grantee must explore whether the household would become or remain literally homeless "but for" the provision of SSVF TFA. When grantees do choose to provide TFA, it should be used as a supplement to services provided to a participant as part of a plan to increase the participant's housing stability. Per 38 CFR 62.34, eligible forms of temporary financial assistance are:

- Rental assistance;
- Utility-fee payment assistance;
- Deposits (security or utility);
- Moving costs;
- Transportation (public transportation or car repair);
- General Housing Stability Assistance;
- Emergency Housing Assistance; and
- Child care

Utility Payment Assistance. Utility payment assistance includes the payment of utility costs (i.e. heat, electricity, water, sewer and garbage collection) to help the participant obtain or retain permanent housing. Utility assistance may consist of payments for multiple types of utilities. Telephone or cell phone services are not eligible expenses. Utility assistance can be provided for amounts that are currently due or are in arrears. Where amounts in arrears are too great to be eliminated through SSVF assistance, grantees to explore options that might include a negotiated reduction in the amount owed; developing a repayment plan; including the utility payment in the rent (so the utility is in the landlord's name). Amounts owed for telephone, cable, and other utilities not listed above are not eligible. A grantee may choose to require participants to share in the cost of utility-fee payments as a condition for receiving assistance.

Note that SSVF may use TFA to pay outstanding utility arrears pertaining to a previous rental situation where the Veteran no longer resides provided that the old utility debt now prevents the participant

household from obtaining utilities in a new housing arrangement. This debt may only be paid directly to the third party, the utility company, under whom the debt was incurred.

Utility payment assistance may be provided to eligible participants using supportive services grant funds, with the following restrictions:

Restrictions on SSVF Utility Payment Assistance (per 38 CFR 62.34(b))

Component	Restriction(s)
Payment	<ul style="list-style-type: none"> • Payment must be made by the grantee directly to a utility company. • Participant, legal representative, or a member of the household must have an account in his/her name with a utility company or proof of responsibility to make payments.
Cost-Sharing with Other Programs	<ul style="list-style-type: none"> • Payments for utilities cannot be provided on behalf of participants for the same period of time and for the same cost types that are being provided through another Federal, State, or local program.
Assistance Limit	<ul style="list-style-type: none"> • Maximum of 10 months utility payments in a 2-year period. • Maximum of 6 months utility payments in a 12-month period. • Arrears may be paid up to, but not exceed, the maximum allowable months of assistance. In other words, each month of payment past due is counted individually towards the maximum number of allowable months.
Assistance Limit for Extremely Low Income Families	<ul style="list-style-type: none"> • Maximum of 12 months utility payments in a 2-year period. • Maximum of 9 months utility payments in a 12-month period.

As with all temporary financial assistance payments made under the SSVF Program, utility payment assistance necessitates the development of a reasonable plan to address the participant's future ability to make utility payments. The grantee should assist the participant to implement such a plan by providing necessary assistance directly or by helping the participant to obtain any necessary public or private benefits or services. In the creation of the plan, grantees must consider that many regions have seasonal fluctuations in the cost of utilities. If the grantee cannot help the participant to develop a reasonable plan to address the participant's ability to pay future utility payments, supportive services grant funds should not be used to provide utility-fee payment assistance. Instead, the grantee should attempt to connect the participant with a program offering long-term assistance.

Deposits. Deposit payment assistance includes the payment of security or utility deposits to help the participant obtain permanent housing. Deposit payment assistance may be provided on behalf of eligible participants using SSVF grant funds, and do not count towards the monthly assistance restrictions for both rent and allowable utilities, and have the following restrictions:

Restrictions on SSVF Deposit Payment Assistance (per 38 CFR 62.34(c))

Component	Restriction(s)
Payment	<ul style="list-style-type: none"> • Payment must be made by the grantee directly to the third party to whom the security or utility deposit is owed.
Cost-Sharing with Other Programs	<ul style="list-style-type: none"> • Payments for deposits cannot be provided on behalf of participants for the same period of time and for the same cost types that are being provided for by any and all other

	<p>Federal, State, or local subsidized affordable housing programs such as rapid rehousing programs that pay for security deposits.</p> <ul style="list-style-type: none"> • When the cost type is different than what is paid by the housing subsidy, SSVF deposit payment assistance may be used.
Assistance Limit	<ul style="list-style-type: none"> • Maximum of one security deposit during a 2-year period. • Utility deposit assistance is limited to one time during a 2-year period. In cases where water and power are not included in the rent and are billed separately, deposits can be paid on each utility.

A grantee may choose to require participants to share in the cost of a deposit payment as a condition for receiving assistance. A deposit equivalent of no more than two months' rent is typically considered to be the maximum reasonable level. Grantee must adhere to state laws, in areas that prescribe maximum deposits.

Deposit payment assistance may only be provided if the payment of such assistance will directly allow the participant to obtain permanent housing. The grantee must work with the participant to develop a reasonable plan to stabilize housing so that additional deposits are not needed, and should assist the participant to implement a housing stability plan by directly providing necessary assistance or by helping the participant to obtain necessary public or private benefits or services. If the grantee cannot help the participant to develop a reasonable plan to address the participant's future housing stability, supportive services grant funds should not be used to provide deposit payment assistance.

Grantees have discretion to determine how to handle security deposits if and when an assisted household moves from the assisted unit (assuming the landlord has not retained the deposit to pay for damages incurred by the tenant). The grantee may recover the security deposit (in which case it must be treated as program income) or the grantee may allow the Veteran family to keep the deposit and use it towards their next unit.

More information on other financial assistance available through the SSVF Program can be found in the "Supportive Services" section.

VI. Case Management

Overview and Baseline Standards

Housing-Focused. To effectively assist participant households in achieving housing stability, Grantees must provide ongoing housing-focused case management services. The primary objective of housing-focused case management is to extend support to participants, through an individualized case management relationship, that will ultimately translate to increased housing stability. Housing-focused case management delivery should include regular consultations with participants in individualized meetings, dedicated to assessing and reassessing needs, educating participants on program and community resource opportunities, developing housing stability plans, scheduling appointments, and providing necessary follow up to ensure housing stability plans are progressing on schedule and needs are adequately being addressed. Grantees should also use housing-focused case management to determine how to allocate financial assistance to participants on the basis of relative need. Except where dictated by a funder, program participants should direct when, where, and how often case management meetings occur. Meetings should occur in a participant's home and/or in a location of the participant's choosing whenever possible.

Structurally, housing-focused case management is central to Grantees' collection of supportive services. It establishes a foundation upon which linkages with public benefits and mainstream community resources can be layered. To create such linkages, Grantees should research the availability of local programs including healthcare, affordable housing, employment, income support, legal assistance, transportation, and other services to address identified needs and goals. The trusting relationships, cultivated in case management, position grantees to effectively build connectivity between their participants and these resources. Case managers should help to develop a plan to assist the participant retain permanent housing after the assistance ends, taking into account all relevant considerations, such as the participant's current or expected income and expenses, other public or private assistance for which the participant will be eligible and likely to receive, and the relative affordability of available housing in Southern Nevada.

Client-Driven and Flexible. RRH case management should be client-driven. Case managers should actively engage participants in voluntary case management and service participation by creating an environment in which the participant is driving the case planning and goal-setting based on what they want from the program and services, rather than on what the case manager decides they need to do to be successful. Case managers should use a strengths-based approach to empower clients, identifying inherent strengths of a person or family instead of diagnoses or deficits, then building on those strengths to empower the household to succeed.

RRH case management should be flexible in intensity – offering only essential assistance until or unless the participant demonstrates the need for or requests additional help. The intensity and duration of case management is based on the needs of individual households and may lessen or increase over time.

Evolving Focus. Initially, RRH case management should be primarily focused on assisting a participant in obtaining and moving into a new housing unit. Case managers should help participants resolve or mitigate tenant screening barriers like rental and utility arrears or multiple evictions, obtain necessary identification if needed, support other move-in activities such as providing furniture, and prepare participants for successful tenancy by reviewing lease provisions.

After moving in, RRH case management should be home-based and help participants stabilize in housing. Based upon their needs and requests, it should help participants identify and access supports, including family and friend networks, mainstream and community services, and employment and income. Case managers should resolve issues or conflicts that may lead to tenancy problems, such as disputes with landlords or neighbors while also helping participants develop and test skills they will use to retain housing once they are no longer in the program. Case managers must respect a program participant's home as their own, scheduling appointments ahead of time, only entering when invited in, and respecting the program participant's personal property and wishes while in their home. Grantees must have clear safety procedures for home visits that staff are trained on and that are posted and clearly visible in office space and shared with program participants at intake, and shared with participants and staff whenever changes are made.

Rapid re-housing assistance should end and the case should be closed when the participant is no longer going to be imminently homeless. In some instances, case management may continue after financial assistance ends if appropriate or requested by the household. For those who will require ongoing support after exiting the rapid re-housing program, case managers should provide participants with warm handoffs to mainstream and community-based services that will continue to assist them.

Closing a case. When closing a case, case managers should ensure that all appropriate referrals have been made and information on available community assistance has been shared with the participant household. When a referral to on-going supports is made while a case is open or in the process of closing, case managers should provide a "warm handoff" and follow up to assure that assistance is satisfactory.

Case managers should provide information to participants about what kind of follow-up assistance may be available and how they can access assistance from the program again if needed. In instances when a participant household is at imminent risk of returning to homelessness, Grantees should make every effort to either directly intervene or provide referral to another prevention resource. Grantees should also provide information to landlords about how they can contact the program again if needed and what kind of follow-up assistance may be available.

Grantees should have defined policies and objective standards for when case management should continue and end. These guidelines must be flexible enough to respond to the varied and changing needs of program participants. In instances where cases are continued outside of these defined policies and objective standards, there should be a review and approval process.

Other Requirements and Restrictions by Funding Source

CoC and ESG Programs

Participants of rapid rehousing programs must meet with a case manager not less than once per month to assist the participant in ensuring long-term housing stability. Additional case management will be provided on a case-by-case basis as necessitated by demonstrated need.

Case management consists of costs associated with assessing, arranging, coordinating, and monitoring the delivery of individualized services (see Table 3 for additional detail).

Limitations on CoC-Funded Case Management. CoC-RRH participants may receive case management assistance for no more than six months after rental assistance concludes.

Limitations on ESG-Funded Case Management. ESG-RRH participants may receive housing stability case management (i.e., assessing, arranging, coordinating, and monitoring the delivery of individualized services to overcome immediate barriers to obtaining housing or facilitate housing stability) for no more than 30 days during the period in which the participant is seeking permanent housing and no more than 24 months during the period in which the participant is living in permanent housing.

SSVF Program

Intake: Needs Assessment. Once the participant's eligibility has been confirmed, the case manager begins by consulting with the participant to determine his/her household's needs and priorities and performing an assessment of the participant's needs. Participants entering the grantee's program will be experiencing varying degrees of housing instability, from those who require temporary support in getting through a difficult period to those who require long-term support in overcoming a combination of challenges. As such, case managers gather as much information as possible about the participant's health, income, eligibility for public benefits, employment skills, background, family relationships and support, and living situation in order to identify and coordinate those services that will be most effective and acceptable to the participant in improving housing stability. Some of this information will also be required for HMIS data collection.

Housing Stability Planning. To maximize the effectiveness of services provided to or coordinated on behalf of the participant, the case manager will work with the participant household to develop an individualized housing stability plan that will be based upon the household's strengths, weaknesses and priorities, as identified through the needs assessment. This plan should use a progressive assistance approach, whereby a minimum, but adequate, level of assistance needed to end the housing crisis is offered first, and then scaled up or increased if and when the participant demonstrates a need for such increased assistance.

In some situations, the participant will have entered the program with a well-defined idea of their discrete needs and goals. In other situations, the participant may not understand how the options available through SSVF might contribute to housing stability. The case manager should explain the SSVF, VA and community services that are available and, with the participant, establish reasonable

milestones for obtaining greater housing stability. These milestones will become a set of actionable goals intended to address the participant's obstacles to housing stability. Goals should be appropriate, time oriented, and reasonable. The plan should include overall goals with specific action steps, measurable objectives, and techniques used to achieve the objectives. The case manager should ensure that proposed goals and objectives are manageable and focused on the immediate needs of securing and sustaining housing as an overly ambitious plan can overwhelm participants. The plans should have steps for both the client and SSVF staff person to complete in order to reach the goals together. Participants should drive their housing stability plans and be given choice and control in the plan; however, grantees should strive to offer only such assistance as necessary to promote housing stability. Empowered participants are more likely to remain involved in activities after their placement, particularly if these activities have been mutually identified, with their case managers, as supporting their housing stability.

Once goals have been set, the case manager and participant will monitor the progress toward achieving the established goals, including requesting updates from the participant's service providers, as necessary. The housing stability plans should be updated as action steps and goals are met. As participants' needs change, new goals and action steps should be developed.

Role of Case Manager in Coordinating Provision of Supportive Services. The case manager will be the participant's primary point of contact within the grantee's SSVF program. In addition to assisting the participant to assess his/her needs, the case manager will be responsible for coordinating the provision of supportive services. The case manager will coordinate supportive services that are offered by the grantee and provide referrals for other supportive services not offered by the grantee (or more efficiently or effectively provided elsewhere). An effective case manager should be familiar with the area or community in which the program operates and actively cultivate a working knowledge and connections to relevant area resources such as affordable housing providers; emergency, mental and physical health care professionals; public benefits offices; employment training and job placement programs, etc.

VII. Supportive Services

CoC and ESG Programs

Case managers will assist each participant, as needed, to obtain appropriate supportive services, including assistance in obtaining permanent housing, medical and mental health treatment, counseling, and other services essential for achieving independent living. Grant funds may be used to pay for eligible supportive services that address the specific needs of participants (see Table 3 for additional detail).

Eligible Supportive Services

CoC-RRH	ESG-RRH
<p><u>Housing Services and Related Services</u></p> <p>Assisting participants in locating, obtaining, and retaining suitable permanent housing, including:</p> <ul style="list-style-type: none"> • Housing search • Tenant counseling • Understanding leases • Arranging for utilities • Making moving arrangements • Mediation with property owners and landlords • Credit counseling, accessing a free personal credit report, and resolving personal credit issues 	<p><u>Housing Services and Related Services</u></p> <p>Assisting participants in locating, obtaining, and retaining suitable permanent housing, including:</p> <ul style="list-style-type: none"> • Housing search • Tenant counseling • Understanding leases • Arranging for utilities • Making moving arrangements • Assessment of housing barriers, needs, and preferences • Development of an action plan for locating housing • Outreach to and negotiation with landlords • Assessment of housing for compliance with ESG requirements for habitability, lead-based paint, and rent reasonableness • Assistance with submitting rental applications
<p><u>Case Management</u></p> <p>Assessing, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of participant(s), including:</p> <ul style="list-style-type: none"> • Providing ongoing risk assessment and safety planning to victims of domestic violence, dating violence, sexual assault, and stalking • Using the coordinated entry system • Counseling • Developing, securing, and coordinating services • Obtaining Federal, State, and local benefits • Monitoring and evaluating participant progress • Providing information and referrals to other providers • Developing an individualized housing and service plan, including planning a path to permanent housing stability • Conducting required annual re-evaluation(s) 	<p><u>Case Management</u></p> <p>Assessing, arranging, coordinating, and monitoring the delivery of individualized services to facilitate housing stability for a participant who resides in permanent housing or to assist a participant in overcoming immediate barriers to obtaining housing by, for example:</p> <ul style="list-style-type: none"> • Conducting the initial evaluation, including verifying and documenting eligibility • Using the coordinated entry system • Counseling • Developing, securing, and coordinating services • Obtaining Federal, State, and local benefits • Monitoring and evaluating participant progress • Providing information and referrals to other providers • Developing an individualized housing and service plan, including planning a path to permanent housing stability • Conducting required annual re-evaluation(s)

<p><u>Legal Services</u></p> <p>Costs of legal advice and representation in matters that interfere with the homeless individual's or family's ability to obtain/retain housing, including:</p> <ul style="list-style-type: none"> • Receiving and preparing cases for trial • Provision of legal advice • Representation at hearings • Counseling • Filing fees and other necessary court costs <p>Legal services are subject to the following provisions:</p> <ul style="list-style-type: none"> • Eligible Billing Arrangements: CoC funds may be used only for legal advice from and representation by licensed attorneys and by person(s) under the supervision of licensed attorneys. Costs may be based on: (1) hourly fees; or (2) fees based on the actual service performed (i.e., fee-for-service) but only if the cost would be less than the cost of hourly fees. • Ineligible Billing Arrangements: Funds must not be used for legal advice and representation purchased through retainer fee arrangements or contingency fee arrangements. • Eligible Subject Matters: Landlord/tenant disputes; 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; resolution of outstanding criminal warrants. • Ineligible Subject Matters: Legal services related to immigration and citizenship matter, or related to mortgages and homeownership. 	<p><u>Legal Services</u></p> <p>Costs of resolving a legal problem that prohibits a participant from obtaining or retaining permanent housing, including:</p> <ul style="list-style-type: none"> • Client intake • Preparation of cases for trial • Provision of legal advice • Representation at hearings • Counseling • Filing fees and other necessary court costs <p>Legal services are subject to the following provisions:</p> <ul style="list-style-type: none"> • Eligible Billing Arrangements: CoC funds may be used only for legal advice from and representation by licensed attorneys and by person(s) under the supervision of licensed attorneys. Costs may be based on: (1) hourly fees; or (2) fees based on the actual service performed (i.e., fee-for-service) but only if the cost would be less than the cost of hourly fees. • Ineligible Billing Arrangements: Funds must not be used for legal advice and representation purchased through retainer fee arrangements or contingency fee arrangements. • Eligible Subject Matters: Landlord/tenant disputes; 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; resolution of outstanding criminal warrants. • Ineligible Subject Matters: Legal services related to immigration and citizenship matter, or related to mortgages and homeownership.
<p><u>Moving Costs</u></p> <ul style="list-style-type: none"> • Reasonable one-time moving costs, including truck rental and hiring a moving company 	<p><u>Moving Costs</u></p> <ul style="list-style-type: none"> • Costs such as truck rental or hiring a moving company, including payment of temporary storage fees for up to 3 months
<p><u>Utility Deposits</u></p> <ul style="list-style-type: none"> • Payment of utility deposit, which constitutes a one-time fee paid to utility companies 	<p><u>Utility Deposits</u></p> <ul style="list-style-type: none"> • Standard utility deposit that the utility company requires of all customers
<p><u>Mediation</u></p> <ul style="list-style-type: none"> • Mediation with property owners and landlords on behalf of eligible program participants 	<p><u>Mediation</u></p> <ul style="list-style-type: none"> • Mediation between the participant and the landlord/landowner or person(s) with whom the participant is living
<p><u>Credit Repair</u></p> <ul style="list-style-type: none"> • Credit counseling • Accessing a free personal credit report • Resolving personal credit issues 	<p><u>Credit Repair</u></p> <ul style="list-style-type: none"> • Credit counseling • Accessing a free personal credit report • Resolving personal credit issues • Other services needed to assist with critical skills related to household budgeting and money management
<p><u>Additional Supportive Services (CoC-RRH Only)</u></p> <ul style="list-style-type: none"> • Child Care: The costs of establishing and operating child care and providing child care vouchers for children from families experiencing homelessness. 	

- Education Services: The costs of improving knowledge and basic educational skills.
- Employment Assistance and Job Training: The costs of establishing and operating employment assistance and job training programs.
- Food: The costs of providing program participants with meals or groceries.
- 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 but that are necessary to function independently in the community.
- Mental Health Services: The direct outpatient treatment of mental health conditions by licensed professionals.
- Outpatient Health Services: The direct outpatient treatment of medical conditions by licensed medical professionals.
- Outreach Services Activities: to engage persons for the purpose of providing immediate support and intervention and for identifying potential program participants.
- Substance Abuse Treatment Services: The costs of program participant intake and assessment, outpatient treatment, group and individual counseling, and drug testing.
- Transportation: Costs of program participant's travel on public transportation or in a vehicle provided by the grantee to and from medical care, employment, child care, or other eligible services.

Other Federal, State, Local, and Private Assistance. Grantees must assist each participant, as appropriate and needed, to obtain other Federal State, local, and private assistance available to assist the participant in obtaining and maintaining housing stability, including but not limited to the following federal, state, and local assistance programs:

- Medicaid
- Supplemental Nutrition Assistance Program (SNAP)
- Women, Infants, and Children (WIC)
- Federal-State Unemployment Insurance Program
- Social Security Disability Insurance (SSDI)
- Supplemental Security Income (SSI)
- Child and Adult Care Food Program
- Public housing programs
- Housing programs receiving tenant-based or project-based assistance
- Supportive Housing for Persons with Disabilities
- HOME Investment Partnerships Program
- Temporary Assistance for Needy Families (TANF)
- Health Center Program
- State Children's Health Insurance Program
- Mental Health and Substance Abuse Block Grants
- Services funded under the Workforce Investment Act, including resume services
- Child care assistance
- Energy Assistance Programs (EAP)
- Food pantries
- Confidential Address Program (CAP)
- Other appropriate services for which the participant may be eligible

SSVF Program

Moving Costs. Moving costs payment assistance includes costs necessary to help the participant obtain permanent housing. Moving costs may include reasonable costs such as truck rental, hiring a moving company, or short-term storage fees for a maximum of 3 months or until the participant is in permanent housing, whichever is shorter. Note: A one-time moving cost for truck rental means one episode of moving to permanent housing. A truck rental may be needed to move participant's belongings to storage unit and then moved again once permanent housing is secured. Relocation expenses are an allowable use, when a solid housing stability plan is in place. Moving costs payment assistance may be provided on behalf of eligible participants using supportive services grant funds, with the following restrictions:

Restrictions on SSVF Moving Costs Payment Assistance (per 38 CFR 62.34(d))

Component	Restriction(s)
Payment	<ul style="list-style-type: none">• Payment must be made by the grantee directly to the third party.
Cost-Sharing with Other Programs	<ul style="list-style-type: none">• Payments for moving costs cannot be provided on behalf of participants for the same period of time and for the same cost types that are being provided through another Federal, State, or local program.
Assistance Limit	<ul style="list-style-type: none">• Maximum of one move to permanent housing during a 2-year period.

As a condition of providing moving costs assistance, the grantee must help the participant develop a reasonable plan to address the participant's future housing stability and assist the participant to implement such a plan. Grantees may require participants to share in the cost of moving as a condition of receiving assistance with moving costs.

General Housing Stability Assistance. General Housing Stability Assistance refers to provision of goods or payment of expenses not included in other SSVF categories but which are directly related to supporting a participant's housing stability. All such expenses relate to a participant's ability to gain or keep employment or permanent housing. Such assistance is offered only when it is not available through existing mainstream resources. Note that this assistance must be paid directly to a third party (not to a participant).

There are four classes of Housing Stability Assistance expenses, outlined below, that can be authorized up to a maximum of \$1,500 per participant household during any 2-year period.

- Expenses associated with gaining or keeping employment: Eligible items include but are not limited to uniforms, tools, driver's license fees, license/certification costs required for employment, documentation acquisition fees such as for Social Security Number or birth certificate, document court filing fees, and short term training leading to employment, where other funding is not available.
- Expenses associated with moving into permanent housing: Eligible items include but are not limited to furniture delivery costs, furniture bank fees, bed frames, conventional mattresses, air

mattresses, box springs, bedding (sheets, pillowcases, and pillows), basic kitchen utensils, and cleaning supplies.

- Expenses necessary for securing appropriate permanent housing: Eligible items include but are not limited to fees for rental applications, background checks, housing inspections, credit score checks, credit counseling, criminal background check, tenancy screening reports, financial literacy class, document court filing fees, and documentation acquisition such as for Social Security Number or birth certificates.
- Items necessary for life or safety provided on a temporary basis to address an emergency: Eligible items include food, baby formula, diapers, and winter clothing. These items are allowable up to \$500 per participant household in a 2-year period and are included in the overall \$1,500 cap.

In addition, SSVF funds may be used to provide a reasonable amount for a realtor broker's fee. This may be paid once during a 2-year period. The reasonableness of this fee must be determined based on the condition of the local housing market.

Items that cannot be funded under General Housing Stability Assistance are: phone cards, gift cards of any kind, and furniture (except beds). Major appliances are also generally non-eligible with the rare exception of circumstances when the VA allows such an item for an individual case.

Restrictions on SSVF General Housing Stability Assistance

Component	Restriction(s)
Payment	<ul style="list-style-type: none"> • Payment must be made by the grantee directly to the third party.
Cost-Sharing with Other Programs	<ul style="list-style-type: none"> • Payments under General Housing Stability Assistance cannot be provided on behalf of participants for the same period of time and for the same cost types that are being provided through another Federal, State, or local program.
Assistance Limit	<ul style="list-style-type: none"> • Items in the four classes add up to a maximum total of \$1,500 per participant household during any 2-year period. Items for life and safety add up to a maximum of \$500 within the overall \$1,500 limit. • Rental broker fees are once in a 2-year period and are not included in this \$1,500 limit.

Emergency Housing Assistance. Emergency Housing Assistance is a category of assistance that allows SSVF programs to provide temporary housing for eligible literally homeless participants who are awaiting permanent housing if no other shelter is available. As SSVF resources must be focused on securing and sustaining placement in permanent housing, grantees are expected to exercise great care in committing resources to emergency housing, ensuring no alternative VA resources (such as Grant and Per Diem or Healthcare for Homeless Veterans residential contract housing) or community resources exist.

Emergency housing may be provided to short-term commercial residences, not already funded to provide on-demand emergency shelter, that does not require the participant to sign a lease or occupancy agreement (private residences are not eligible). Note that the Emergency Housing Assistance Verification is used to confirm eligibility.

If permanent housing, appropriate shelter beds, and transitional housing are not available and subsequent rental housing has been identified generally but is not immediately available for move-in by the participant, then a grantee may place a participant in emergency housing, subject to the following limitations:

- Placement for a single Veteran may not exceed 72 hours, unless the grantee can certify that shelter beds and transitional housing are still unavailable at the end of 72 hours. Extensions beyond the 72 hours may not exceed 45 days.
- Placement for a Veteran and his or her spouse with dependent(s) may not exceed 45 days.
- A participant may be placed in emergency housing only once during any 2-year period, beginning on the date the grantee first pays for emergency housing.
- The cost of the emergency housing must be reasonable in relation to the costs charged for other available emergency housing considering the location, quality, size, and type.
- At least one viable option for a permanent housing unit must be identified for the participant who is temporarily receiving emergency housing assistance.

Emergency Housing Assistance (EHA) may also be provided by the SSVF grantee under 38 CFR 62.34(f) to offer transition in place when a permanent housing voucher, such as one offered through HUD's Housing Choice Voucher Program (aka. Section 8), is available from any source, but access to the permanent housing voucher is pending completion of the housing inspection and administrative processes necessary for leasing. In such circumstances, the EHA payment cannot exceed what would otherwise be paid when the voucher is utilized. Note that the Emergency Housing Assistance Verification is NOT used for this request.

Restrictions on SSVF Emergency Housing Assistance

Component	Restriction(s)
Payment	<ul style="list-style-type: none"> • Payment must be made by the grantee directly to the third party.
Cost-Sharing with Other Programs	<ul style="list-style-type: none"> • Payments for emergency housing assistance cannot be provided on behalf of participants for the same period of time and for the same cost types that are being provided through another Federal, State, or local program.
Assistance Limit	<ul style="list-style-type: none"> • Maximum of 45 days for Veterans with spouse and/or dependents. • Maximum of 72 hours (extensions for up to 45 days) for a single Veteran. • No more than once in a 2-year period for all participants.

Transportation Assistance. A grantee may provide transportation assistance if it will enhance housing stability. For example, a participant may require assistance with transportation to a job interview or a medical appointment. Because the use of public transportation is generally less expensive than the use of private vehicles and may be more sustainable in the long-term, grantees should consider providing public transportation tokens or vouchers before offering financial assistance for personal vehicles. If sufficient public transportation options are not locally available, a grantee may provide car repair or maintenance assistance on behalf of a participant. The following table outlines restrictions applicable to temporary transportation financial assistance:

Restrictions on SSVF Transportation Payment Assistance (per 38 CFR 62.33(d))

Component	Restriction(s)
Payment	<ul style="list-style-type: none"> • Payment must be made by the grantee directly to the third party.
Cost-Sharing with Other Programs	<ul style="list-style-type: none"> • Payments for transportation cannot be provided on behalf of participants for the same period of time and for the same cost types that are being provided through another Federal, State, or local program.
Assistance Limit	<ul style="list-style-type: none"> • No financial limit on amount of public transportation assistance for participants. • No time limit on public transportation assistance. • Maximum of \$1,200 car repairs/maintenance in a 2-year period on behalf of a participant.

The provision of money or gift cards to a participant to pay for gasoline is not permitted with SSVF funds. However, in rural areas with limited to no public transportation, the issuance of Gas Vouchers may be allowable under the conditions listed below:

- A gas voucher is allowable as transportation cost only towards needs directly related to housing stability and is incorporated in the participant's Housing Plan.
- Payment must be made by the grantee directly to a third party. For example, the grantee may make arrangements with a local gas station by pre-paying for gasoline only, require gas station to view identification of participant prior to approval of any gasoline purchase, and provide grantee with receipts for all gasoline purchases.

As with all temporary financial assistance payments made under the SSVF Program, the provision of transportation assistance requires the development of a housing stability plan. The grantee should consider a participant's unique situation, as well as the area's transportation options in creating such a plan, weighing the costs and benefits of different options. If the grantee cannot help the participant develop a reasonable plan to address the participant's future ability to pay for transportation, supportive services grant funds should not be used to provide transportation assistance. In that case, transportation assistance should be limited to the grantee's efforts to connect the participant with a program offering long-term assistance.

Child Care Assistance. A grantee may make payments on behalf of a participant to an "eligible child care provider" providing child care services. Such child care payments should only be provided by the grantee if the assistance will improve a participant's housing stability (e.g., if the provision of child care assistance will allow the participant to obtain or maintain employment). The following table outlines restrictions applicable to child care assistance payments:

Restrictions on SSVF Child Care Payment Assistance (per 38 CFR 62.34(h))

Component	Restriction(s)
Payment	<ul style="list-style-type: none"> • Payment must be made by the grantee directly to an "eligible child care provider." An "eligible child care provider" is a provider of child care services, including a provider of care for a school-age child during non-school hours, that: (1) is licensed, regulated,

	registered, or otherwise legally operating under state and local law, and (2) satisfies the state and local requirements applicable to child care services the provider provides.
Cost-Sharing with Other Programs	<ul style="list-style-type: none"> • Payments for child care services cannot be provided on behalf of participants for the same period of time and for the same cost types that are being provided through another Federal, State, or local program.
Assistance Limit	<ul style="list-style-type: none"> • Maximum of 10 months in a 2-year period, per child in household. • Maximum of 6 months in a 12-month period, per child in household (Note: household may include multiple children). • Begins on the date grantee first pays for child care on behalf of participant. • Child care assistance can be provided for children under the age of 13, unless a child has a disability. Child care assistance can be provided for children with a disability under the age of 18.
Assistance Limit for Extremely Low Income Families	<ul style="list-style-type: none"> • Maximum of 12 months in a 2-year period, per child in household. • Maximum of 9 months in a 12-month period, per child in household. •

As with all temporary financial assistance payments made under the SSVF Program, the provision of child care assistance requires the development of a reasonable housing stability plan to address the participant's future ability to pay for child care. Grantees should assist the participant to implement such a plan by providing any necessary assistance or helping the participant to obtain any necessary public or private benefits or services. If the grantee cannot help the participant develop a reasonable plan, child care assistance should be limited to the grantee's efforts to connect the participant with a program offering long-term assistance.

VIII. Recordkeeping Requirements

Grantees must establish and follow written intake procedures to ensure compliance with relevant homeless definition and recordkeeping requirements.

Homeless Status

The SNH CoC uses the following order of priority for establishing homeless status:

1. **Third Party Documentation.** Either: (1) source documents provided by a third-party; or, (2) records contained in HMIS or comparable database used by victim service or legal service providers.
2. **Staff/Intake Worker Observations.** Observations documented by grantee staff or intake workers.
3. **Self-Certification.** Grantee staff must document and certify attempts made to obtain third-party documentation prior to allowing applicants to self-certify as homeless.

Lack of third-party documentation must not prevent an individual or family from accessing emergency shelter, receiving street outreach services, or from accessing and receiving services from a victim service provider.

For individuals residing in an institution (including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility) for fewer than 90 days, acceptable evidence includes:

- **Discharge Paperwork or a Written or Oral Referral.** Discharge paperwork or a written or oral referral from a social worker, case manager, or other appropriate official of the institution, stating the beginning and end dates of the time residing in the institution that demonstrates that the person resided there for less than 90 days. Oral statements must be recorded by an intake worker; or
- **Self-Certification.** Where evidence is unobtainable, a written record of the intake worker's due diligence in attempting to obtain the evidence described in the paragraph above and a certification by the individual seeking assistance that states they are exiting or have just exited an institution where they have resided for 90 days or less; and
- **Evidence of Homeless Status Prior to Entry.** Evidence that the individual was homeless and living in a place not meant for human habitation, a safe haven, or in an emergency shelter immediately prior to entry into the institutional care facility.

Survivors of Domestic Violence

For individuals who are survivors of domestic violence, acceptable evidence includes:

1. Source documents provided by an outside source (Written Third Party Verification of Homeless Status form or Oral Third Party Verification of Homeless Status); or Records contained in an HMIS or comparable database used by victim service or legal service providers are acceptable evidence of third-party documentation and intake worker observations.
2. Staff/Intake worker observations. Documentation by Subrecipients' staff is considered observation of Homeless Status.

3. Certification from the person seeking assistance. Subrecipient staff must certify efforts made to obtain third party documentation before allowing applicant to self-certify.

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

Annual Income (ESG RRH Only)

At least once annually after initial intake/evaluation, ESG Grantees must re-evaluate program participants to determine eligibility for ESGH RRH assistance and the amount and types of assistance the individual or family needs to regain stability in permanent housing. At a minimum, each RRH re-evaluation must establish that the participant household's annual income is less than or equal to 30 percent of the Area Median Income (AMI) as evidenced by supporting documentation and that the participant household lacks sufficient resources and support networks necessary to retain housing without ESG assistance. Eligible documentation to establish income (in order of preference) is as follows:

- 1. Source Documents.** Source documents for the assets held by the participant and income received over the most recent period for which representative data is available before the date of the evaluation (e.g., wage statement, unemployment compensation statement, public benefits statement, bank statement).
- 2. Third-Party Verification.** A written statement by the relevant third party (e.g., employer, government benefits administrator) or the written certification by the grantee's intake staff of the oral verification by the relevant third-party of the income the participant received over the most recent period for which representative data is available.
- 3. Self-Certification.** If source documents and third-party verification are unobtainable, a written certification by the participant of the amount of income the participant received for the most recent period that is representative of the income that the program participant is reasonably expected to receive over the 3-month period following the evaluation.

Record of Imminent Threat of Harm (CoC RRH Only)

For each participant who moved to a different CoC due to an imminent threat of further domestic violence, dating violence, sexual assault, or stalking, grantees must retain documentation of the original incident and documentation of the reasonable belief of an imminent threat of further harm.

Documentation of the Original Incident. Documentation of the original incident of domestic violence, dating violence, sexual assault, or stalking, only if the original violence is not already documented in the participant's case file. This may include any of the following:

- A written observation of the housing/service provider.
- A letter or 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.
- Written certification by the participant to whom the violence occurred by the head of household.

Documentation of the Reasonable Belief of Imminent Threat of Further Harm. Documentation of the reasonable belief of imminent threat of 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. This may include any of the following:

- A written observation of the housing/service provider.
- A letter or 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.
- Current restraining order.
- Recent court order of the other court records.
- Law enforcement records or reports.
- 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.
- Written certification by the participant to whom the violence occurred by the head of household.

IX. Other Requirements for CoC and ESG Grantees

Under both the CoC and ESG Interim Rule, rental assistance is subject to additional requirements, including housing standards, lease agreements and rental assistance agreements, and termination policies.

Rental Assistance Requirements for CoC-RRH and ESG-RRH

CoC-RRH	ESG-RRH
<p><u>Housing Standards</u></p> <p>Units assisted with CoC funds must:</p> <ul style="list-style-type: none"> • Meet HUD Housing Quality Standards (HQS) • Meet suitable dwelling size requirements • Pass environmental review • Meet lead-based paint requirements 	<p><u>Housing Standards</u></p> <p>Units assisted with ESG funds must:</p> <ul style="list-style-type: none"> • Meet HUD Habitability Standards • Meet lead-based paint requirements • Pass environmental review
<p><u>Lease Requirements</u></p> <p>Participants must:</p> <ul style="list-style-type: none"> • Sign a lease of at least one year; • That is renewable for a minimum term of one month; and, • Terminable only for cause 	<p><u>Lease Requirements</u></p> <p>ESG-RRH projects require:</p> <ul style="list-style-type: none"> • A written lease between the owner and participant • For participants receiving tenant-based rental assistance, there is no minimum lease period • For participants receiving project-based rental assistance, the lease must have an initial term of at least one year

	*The only exception to the written lease requirement is for rental assistance provided solely to satisfy rental arrears.
	<p><u>Rental Assistance Agreements</u></p> <ul style="list-style-type: none"> • Written agreement between the owner and grantee including the terms under which the rental assistance is provided and the requirements that apply to ESG rental assistance • Agreement must include a provision that a copy of any notice to vacate or complaints be provided to the grantee

Housing Standards

Housing Quality Standards (CoC RRH Only). Housing for all CoC participants receiving rental assistance must meet the applicable Housing Quality Standards (HQS) under 24 CFR 982.401. Before any assistance is provided, each unit must be physically inspected to ensure that the unit meets HQS. In addition, grantees must inspect all units at least annually during the grant period to ensure that the units continue to meet HQS.

Assistance will not be provided for units that fail to meet HQS, unless the owner corrects any deficiencies within 30 days of the date of the initial inspection and the grantee verifies that all deficiencies have been corrected.

Suitable Dwelling Unit Size (CoC RRH Only). Each CoC-funded unit must have at least one bedroom or living/sleeping room for each two persons. Children of the opposite sex, other than very young children, may not be required to occupy the same bedroom or living/sleeping room. If household composition changes during the term of assistance, grantees may relocate the household to a more appropriately-sized unit. The household must still have access to appropriate supportive services.

Lead-Based Paint Requirements. All HUD-funded programs with housing units occupied by participants are required to incorporate lead-based paint remediation and disclosure requirements. Generally, these provisions require the recipient to screen for, disclose the existence of, and take reasonable precautions regarding the presence of lead-based paint in leased or assisted units constructed prior to 1978.

CoC-funded units are required to incorporate HUD regulations in 24 CFR part 35, subparts A, B, K, and R. ESG-funded projects are required to incorporate the Lead-Based Paint Poisoning Prevention Act (42 USC 4821-4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 USC 4851-4846), and 24 CFR part 35, subparts A, B, H, J, K, M, and R in the unit.

Habitability Standards (ESG RRH Only). Housing for all ESG program participants receiving rental assistance must meet HUD minimum habitability standards for permanent housing. Grantees must document compliance with this standard by signing and completing a Habitability Standards Checklist before the participant signs the lease and before the grantee provides any ESG rental assistance or services specific to the unit. In addition, grantees must inspect all units at least annually to ensure that the units continue to meet habitability standards.

Environmental Review

Before any funds are committed, the governmental jurisdiction in which the unit is located will conduct an environmental review of all grantee project sites to demonstrate there are no hazardous materials present that could affect the health and safety of the occupants. Environmental reviews will be conducted by the responsible entity and are acceptable for a five-year period. The costs of carrying out environmental review responsibilities are an eligible use of administrative funds.

Lease Agreements

Each participant receiving rental assistance must have a legally-binding, written lease for the rental unit. The participant must be the tenant on a renewable lease for a term of at least one year (CoC tenant-based rental assistance and ESG project-based rental assistance only) and terminable only for cause. The lease must be renewable for a term of at least one month (CoC RRH only).

Participants receiving rental assistance may move to another unit or building and continue to receive rental assistance, as long as he/she continues to meet program requirements.

Rental Assistance Agreements (ESG RRH Only)

In addition to a lease between the participant and owner, the ESG Interim Rule also requires a rental assistance agreement between the grantee and the property owner. The grantee may make rental assistance payments only to an owner with whom the grantee has entered into a rental assistance agreement. To help establish a relationship with a participant's landlord, CoC grantees may also choose to require a rental assistance agreement.

The rental assistance agreement must set forth the terms under which rental assistance will be provided, including the requirements of ESG assistance. In addition, the rental assistance agreement must provide that, during the term of the agreement, the owner give the grantee a copy of any notice to the participant to vacate the unit or any complaint used under state or local law to commence an eviction against the participant. Finally, the rental assistance agreement must contain the same payment due date, grace period, and late payment penalty requirements as the participant's lease.

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

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

Termination Policies

If a participant violates program requirements (e.g., fails to make required contribution to rental costs) or no longer meets minimum eligibility requirements for assistance (e.g., income change), the grantee

may terminate assistance. To terminate assistance, the minimum required formal process must consist of:

- A written notice to the participant containing a clear statement of the reasons for termination; and,
- A review of the decision, in which the 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,
- Prompt written notice of the final decision to the participant.

Termination does not bar the grantee from providing further assistance at a later date to the same family or individual. Providers are expected to make available to participants their rights and obligations regarding their participation in the project.

Grievance Policy

All participating provider agencies must have a client grievance policy in place, a copy of which should be made available to clients. This policy should be available to address grievances involving a grantee's internal policies, services or activities. In the event a grievance is received regarding a grantee's internal policies, services or activities, the grievance will be referred to the appropriate agency for resolution under the grantee's internal grievance policy.

Each grantee must make a good faith effort to resolve client grievances as best they can in the moment. Complaints that should be addressed directly by the grantee staff member or supervisor include complaints about agency conditions, how the client was treated by grantee staff, and violations of confidentiality agreements. If the client feels the complaint was not adequately addressed, the client should then follow the grantee's internal grievance procedure. If the client follows the grantee's grievance process and still believes the complaint was not adequately addressed, the client may file a formal grievance with the CoC.