

the shelter must provide each program participant in the shelter with an acceptable place to sleep and adequate space and security for themselves and their belongings.

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

(5) *Water supply.* The shelter's water supply must be free of contamination.

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

(7) *Thermal environment.* The shelter must have any necessary heating/cooling facilities in proper operating condition.

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

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

(10) *Sanitary conditions.* The shelter must be maintained in a sanitary condition.

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

(c) *Minimum standards for permanent housing.* The recipient or subrecipient cannot use ESG funds to help a program participant remain or move into housing that does not meet the minimum habitability standards provided in this paragraph (c). The recipient may also establish standards that exceed or add to these minimum standards.

(1) *Structure and materials.* The structures must be structurally sound to protect residents from the elements and not pose any threat to the health and safety of the residents.

(2) *Space and security.* Each resident must be provided adequate space and security for themselves and their

belongings. Each resident must be provided an acceptable place to sleep.

(3) *Interior air quality.* Each room or space must have a natural or mechanical means of ventilation. The interior air must be free of pollutants at a level that might threaten or harm the health of residents.

(4) *Water supply.* The water supply must be free from contamination.

(5) *Sanitary facilities.* Residents must have access to sufficient sanitary facilities that are in proper operating condition, are private, and are adequate for personal cleanliness and the disposal of human waste.

(6) *Thermal environment.* The housing must have any necessary heating/cooling facilities in proper operating condition.

(7) *Illumination and electricity.* The structure must have adequate natural or artificial illumination to permit normal indoor activities and support health and safety. There must be sufficient electrical sources to permit the safe use of electrical appliances in the structure.

(8) *Food preparation.* All food preparation areas must contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.

(9) *Sanitary conditions.* The housing must be maintained in a sanitary condition.

(10) *Fire safety.* (i) There must be a second means of exiting the building in the event of fire or other emergency.

(ii) Each unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each occupied level of the unit. Smoke detectors must be located, to the extent practicable, in a hallway adjacent to a bedroom. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system designed for hearing-impaired persons in each bedroom occupied by a hearing-impaired person.

(iii) The public areas of all housing must be equipped with a sufficient number, but not less than one for each area, of battery-operated or hard-wired smoke detectors. Public areas include, but are not limited to, laundry rooms, community rooms, day care centers, hallways, stairwells, and other common areas.

§ 576.404 Conflicts of Interest.

(a) *Organizational conflicts of interest.* The provision of any type or amount of ESG assistance may not be conditioned on an individual's or family's acceptance or occupancy of emergency shelter or housing owned by the recipient, the subrecipient, or a parent or subsidiary of the subrecipient. No

subrecipient may, with respect to individuals or families occupying housing owned by the subrecipient, or any parent or subsidiary of the subrecipient, carry out the initial evaluation required under § 576.401 or administer homelessness prevention assistance under § 576.103.

(b) *Individual conflicts of interest.* For the procurement of goods and services, the recipient and its subrecipients must comply with the codes of conduct and conflict of interest requirements under 24 CFR 85.36 (for governments) and 24 CFR 84.42 (for private nonprofit organizations). For all other transactions and activities, the following restrictions apply:

(1) *Conflicts prohibited.* No person described in paragraph (b)(2) of this section who exercises or has exercised any functions or responsibilities with respect to activities assisted under the ESG program, or who is in a position to participate in a decision-making process or gain inside information with regard to activities assisted under the program, may obtain a financial interest or benefit from an assisted activity; have a financial interest in any contract, subcontract, or agreement with respect to an assisted activity; or have a financial interest in the proceeds derived from an assisted activity, either for him or herself or for those with whom he or she has family or business ties, during his or her tenure or during the one-year period following his or her tenure.

(2) *Persons covered.* The conflict-of-interest provisions of paragraph (b)(1) of this section apply to any person who is an employee, agent, consultant, officer, or elected or appointed official of the recipient or its subrecipients.

(3) *Exceptions.* Upon the written request of the recipient, HUD may grant an exception to the provisions of this subsection on a case-by-case basis, taking into account the cumulative effects of the criteria in paragraph (b)(3)(ii) of this section, provided that the recipient has satisfactorily met the threshold requirements of paragraph (b)(3)(i) of this section.

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

(A) If the recipient or subrecipient is a government, disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and

(B) An opinion of the recipient's attorney that the interest for which the

exception is sought would not violate state or local law.

(ii) *Factors to be considered for exceptions.* In determining whether to grant a requested exception after the recipient has satisfactorily met the threshold requirements under paragraph (b)(3)(i) of this section, HUD must conclude that the exception will serve to further the purposes of the ESG program and the effective and efficient administration of the recipient's or subrecipient's program or project, taking into account the cumulative effect of the following factors, as applicable:

(A) Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available;

(B) Whether an opportunity was provided for open competitive bidding or negotiation;

(C) Whether the affected person has withdrawn from his or her functions, responsibilities or the decision-making process with respect to the specific activity in question;

(D) Whether the interest or benefit was present before the affected person was in the position described in paragraph (b)(1) of this section;

(E) Whether undue hardship results to the recipient, the subrecipient, or the person affected, when weighed against the public interest served by avoiding the prohibited conflict; and

(F) Any other relevant considerations.

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

§ 576.405 Homeless participation.

(a) Unless the recipient is a State, the recipient must provide for the participation of not less than one homeless individual or formerly homeless individual on the board of directors or other equivalent policy-making entity of the recipient, to the extent that the entity considers and makes policies and decisions regarding any facilities, services, or other assistance that receive funding under Emergency Solutions Grant (ESG).

(b) If the recipient is unable to meet requirement under paragraph (a), it must instead develop and implement a plan to consult with homeless or formerly homeless individuals in considering and making policies and decisions regarding any facilities, services, or other assistance that receive funding under Emergency Solutions Grant (ESG). The plan must be included in the annual action plan required under 24 CFR 91.220.

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

§ 576.406 Faith-based activities.

(a) Organizations that are religious or faith-based are eligible, on the same basis as any other organization, to receive ESG funds. Neither the Federal Government nor a State or local government receiving funds under ESG shall discriminate against an organization on the basis of the organization's religious character or affiliation.

(b) Organizations that are directly funded under the ESG program may not engage in inherently religious activities, such as worship, religious instruction, or proselytization as part of the programs or services funded under ESG. If an organization conducts these activities, the activities must be offered separately, in time or location, from the programs or services funded under ESG, and participation must be voluntary for program participants.

(c) Any religious organization that receives ESG funds retains its independence from Federal, State, and local governments, and may continue to carry out its mission, including the definition, practice, and expression of its religious beliefs, provided that the religious organization does not use direct ESG funds to support any inherently religious activities, such as worship, religious instruction, or proselytization. Among other things, faith-based organizations may use space in their facilities to provide ESG-funded services, without removing religious art, icons, scriptures, or other religious symbols. In addition, an ESG-funded religious organization retains its authority over its internal governance, and the organization may retain religious terms in its organization's name, select its board members on a religious basis, and include religious references in its organization's mission statements and other governing documents.

(d) An organization that receives ESG funds shall not, in providing ESG assistance, discriminate against a program participant or prospective program participant on the basis of religion or religious belief.

(e) ESG funds may not be used for the rehabilitation of structures to the extent

that those structures are used for inherently religious activities. Solutions ESG funds may be used for the rehabilitation of structures only to the extent that those structures are used for conducting eligible activities under the ESG program. Where a structure is used for both eligible and inherently religious activities, ESG funds may not exceed the cost of those portions of the rehabilitation that are attributable to eligible activities in accordance with the cost accounting requirements applicable to ESG funds. Sanctuaries, chapels, or other rooms that an ESG-funded religious congregation uses as its principal place of worship, however, are ineligible for funded improvements under the program. Disposition of real property after the term of the grant, or any change in use of the property during the term of the grant, is subject to government-wide regulations governing real property disposition (*see* 24 CFR parts 84 and 85).

(f) If the recipient or a subrecipient that is a local government voluntarily contributes its own funds to supplement federally funded activities, the recipient or subrecipient has the option to segregate the Federal funds or commingle them. However, if the funds are commingled, this section applies to all of the commingled funds.

§ 576.407 Other Federal requirements.

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

(b) *Affirmative outreach.* The recipient or subrecipient must make known that use of the facilities, assistance, and services are available to all on a nondiscriminatory basis. If it is unlikely that the procedures that the recipient or subrecipient intends to use to make known the availability of the facilities, assistance, and services will reach persons of any particular race, color, religion, sex, age, national origin, familial status, or disability who may qualify for those facilities and services, the recipient or subrecipient must establish additional procedures that ensure that those persons are made aware of the facilities, assistance, and services. The recipient and its subrecipients must take appropriate steps to ensure effective communication with persons with disabilities including, but not limited to, adopting procedures

that will make available to interested persons information concerning the location of assistance, services, and facilities that are accessible to persons with disabilities. Consistent with Title VI and Executive Order 13166, recipients and subrecipients are also required to take reasonable steps to ensure meaningful access to programs and activities for limited English proficiency (LEP) persons.

(c) *Uniform Administrative Requirements.* The requirements of 24 CFR part 85 apply to the recipient and subrecipients that are units of general purpose local government, except that 24 CFR 85.24 and 85.42 do not apply, and program income is to be used as match under 24 CFR 85.25(g). The requirements of 24 CFR part 84 apply to subrecipients that are private nonprofit organizations, except that 24 CFR 84.23 and 84.53 do not apply, and program income is to be used as the nonfederal share under 24 CFR 84.24(b). These regulations include allowable costs and non-Federal audit requirements.

(d) *Environmental review responsibilities.* (1) Activities under this part are subject to environmental review by HUD under 24 CFR part 50. The recipient shall supply all available, relevant information necessary for HUD to perform for each property any environmental review required by 24 CFR part 50. The recipient also shall carry out mitigating measures required by HUD or select alternate eligible property. HUD may eliminate from consideration any application that would require an Environmental Impact Statement (EIS).

(2) The recipient or subrecipient, or any contractor of the recipient or subrecipient, may not acquire, rehabilitate, convert, lease, repair, dispose of, demolish, or construct property for a project under this part, or commit or expend HUD or local funds for eligible activities under this part, until HUD has performed an environmental review under 24 CFR part 50 and the recipient has received HUD approval of the property.

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

(f) *Procurement of Recovered Materials.* The recipient and its contractors must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered

materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

§ 576.408 Displacement, relocation, and acquisition.

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

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

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

49 CFR part 24, replacement dwellings must also contain the accessibility features needed by displaced persons with disabilities.

(2) *Displaced Person.* (i) For purposes of paragraph (c) of this section, the term "displaced person" means any person (family, individual, business, nonprofit organization, or farm, including any corporation, partnership, or association) that moves from real property, or moves personal property from real property, permanently, as a direct result of acquisition, rehabilitation, or demolition for a project assisted under the ESG program. This includes any permanent, involuntary move for an assisted project, including any permanent move from the real property that is made:

(A) After the owner (or person in control of the site) issues a notice to move permanently from the property or refuses to renew an expiring lease, if the move occurs on or after:

(I) The date of the submission by the recipient (or subrecipient, as applicable) of an application for assistance to HUD (or the recipient, as applicable) that is later approved and funded if the recipient (or subrecipient, as applicable) has site control as evidenced by a deed, sales contract, or option contract to acquire the property; or

(II) The date on which the recipient (or subrecipient, as applicable) selects the applicable site, if the recipient (or subrecipient, as applicable) does not have site control at the time of the application, provided that the recipient (or subrecipient, as applicable) eventually obtains control over the site;

(B) Before the date described in paragraph (c)(2)(i)(A) of this section, if the recipient or HUD determines that the displacement resulted directly from acquisition, rehabilitation, or demolition for the project; or

(C) By a tenant-occupant of a dwelling unit and the tenant moves after execution of the agreement covering the acquisition, rehabilitation, or demolition of the property for the project.

(ii) Notwithstanding paragraph (c)(2)(i) of this section, a person does not qualify as a displaced person if:

(A) The person has been evicted for cause based upon a serious or repeated violation of the terms and conditions of the lease or occupancy agreement; violation of applicable Federal, State or local law, or other good cause; and the recipient determines that the eviction was not undertaken for the purpose of evading the obligation to provide relocation assistance.

(B) The person moved into the property after the submission of the

application but, before signing a lease and commencing occupancy, was provided written notice of the project, its possible impact on the person (e.g., the person may be displaced), and the fact that the person would not qualify as a "displaced person" (or for any assistance under this section) as a result of the project;

(C) The person is ineligible under 49 CFR 24.2(a)(9)(ii); or

(D) HUD determines that the person was not displaced as a direct result of acquisition, rehabilitation, or demolition for the project.

(iii) The recipient or subrecipient may, at any time, request that HUD to determine whether a displacement is or would be covered by this rule.

(3) *Initiation of negotiations.* For purposes of determining the type of replacement housing payment assistance to be provided to a displaced person pursuant to this section:

(i) If the displacement is the direct result of privately undertaken rehabilitation, demolition, or acquisition of the real property, "initiation of negotiations" means the execution of the agreement between the recipient and the subrecipient or the agreement between the recipient (or subrecipient, as applicable) and the person owning or controlling the property;

(ii) If site control is only evidenced by an option contract to acquire the property, the "initiation of negotiations" does not become effective until the execution of a written agreement that creates a legally enforceable commitment to proceed with the purchase, such as a sales contract.

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

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

Subpart F—Grant Administration

§ 576.500 Recordkeeping and reporting requirements.

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

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

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

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

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

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

(3) If the individual or family qualifies as homeless under paragraph (2) of the homeless definition in § 576.2, because the individual or family will imminently lose their housing, the evidence must include:

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

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

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

household seeking assistance that his or her statement was true and complete;

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

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

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

(i) For paragraph (3)(i) of the homeless definition in § 576.2, certification of homeless status by the local private nonprofit organization or state or local governmental entity responsible for administering assistance under the Runaway and Homeless Youth Act (42 U.S.C. 5701 *et seq.*), the Head Start Act (42 U.S.C. 9831 *et seq.*), subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e *et seq.*), section 330 of the Public Health Service Act (42 U.S.C. 254b), the Food and Nutrition Act of 2008 (7 U.S.C. 2011 *et seq.*), section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), or subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 *et seq.*), as applicable;

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

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

move was due to the individual or family fleeing domestic violence, dating violence, sexual assault, or stalking, then the intake worker may alternatively obtain a written certification from the individual or head of household seeking assistance that they were fleeing that situation and that they resided at that address; and

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

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

other organization from whom the individual or head of household has sought assistance for domestic violence, dating violence, sexual assault, or stalking. The written referral or observation need only include the minimum amount of information necessary to document that the individual or family is fleeing, or attempting to flee domestic violence, dating violence, sexual assault, and stalking.

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

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

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

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

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

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

(B) To the extent that source documents are unobtainable, a written statement by the relevant third party (*e.g.*, former employer, public administrator, relative) or the written certification by the recipient's or subrecipient's intake staff of the oral verification by the relevant third party that the applicant meets one or both of

the criteria under paragraph (1)(ii) of the definition of "at risk of homelessness" in § 576.2; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

appropriate assistance and services at § 576.401(d) and (e); and

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

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

(h) *Rental assistance agreements and payments.* The records must include copies of all leases and rental assistance agreements for the provision of rental assistance, documentation of payments made to owners for the provision of rental assistance, and supporting documentation for these payments, including dates of occupancy by program participants.

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

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

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

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

(m) *Coordination with Continuum(s) of Care and other programs.* The recipient and its subrecipients must document their compliance with the

requirements of § 576.400 for consulting with the Continuum(s) of Care and coordinating and integrating ESG assistance with programs targeted toward homeless people and mainstream service and assistance programs.

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

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

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

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

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

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

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

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

(3) Records demonstrating compliance with the environmental review

requirements, including flood insurance requirements.

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

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

(u) *Financial records*. (1) The recipient must retain supporting documentation for all costs charged to the ESG grant.

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) Documentation of each program participant's qualification as a family or individual at risk of homelessness or as a homeless family or individual and other program participant records must be retained for 5 years after the expenditure of all funds from the grant under which the program participant was served;

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

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

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

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

(aa) *Reports.* The recipient must collect and report data on its use of ESG funds in the Integrated Disbursement and Information System (IDIS) and other reporting systems, as specified by HUD. The recipient must also comply with the reporting requirements in 24 CFR parts 85 and 91 and the reporting requirements under the Federal Funding Accountability and Transparency Act of 2006, (31 U.S.C. 6101 note), which are set forth in Appendix A to 2 CFR part 170.

§ 576.501 Enforcement.

(a) *Performance reviews.*

(1) HUD will review the performance of each recipient in carrying out its responsibilities under this part whenever determined necessary by HUD, but at least annually. In conducting performance reviews, HUD will rely primarily on information obtained from the records and reports from the recipient and, when appropriate, its subrecipients, as well as information from onsite monitoring, audit reports, and information from IDIS and HMIS. Where applicable, HUD may also consider relevant information pertaining to the recipient's performance gained from other sources, including citizen comments, complaint determinations, and litigation. Reviews to determine compliance with specific requirements of this part will be conducted as necessary, with or without prior notice to the recipient.

(2) If HUD determines preliminarily that the recipient or one of its subrecipients has not complied with an ESG program requirement, HUD will give the recipient notice of this determination and an opportunity to demonstrate, within the time prescribed by HUD and on the basis of substantial facts and data, that the recipient has complied with Emergency Solutions Grant (ESG) requirements. HUD may change the method of payment to require the recipient to obtain HUD's prior approval each time the recipient draws down Emergency Solutions Grant (ESG) funds. To obtain prior approval, the recipient may be required to manually submit its payment requests and supporting documentation to HUD in order to show that the funds to be drawn down will be expended on

eligible activities in accordance with all ESG program requirements.

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

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

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

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

(ii) Establishing and following a management plan that assigns responsibilities for carrying out the remedial actions;

(iii) Canceling or revising activities likely to be affected by the noncompliance, before expending ESG funds for the activities;

(iv) Reprogramming ESG funds that have not yet been expended from affected activities to other eligible activities;

(v) Suspending disbursement of ESG funds for some or all activities;

(vi) Reducing or terminating the remaining grant of a subrecipient and reallocating those funds to other subrecipients; and

(vii) Making matching contributions before or as draws are made from the recipient's ESG grant.

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

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

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

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

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

(7) HUD may reduce or terminate the remaining grant of a recipient and

reallocate those funds to other recipients in accordance with subpart D of this part.

(8) HUD may condition a future grant.

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

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

Dated: November 9, 2011.

Mercedes Márquez,

Assistant Secretary for Community Planning and Development.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Parts 91, 582, and 583

[Docket No. FR-5333-F-02]

RIN 2506-AC26

Homeless Emergency Assistance and Rapid Transition to Housing: Defining "Homeless"

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Final rule.

SUMMARY: The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act), enacted into law on May 20, 2009, consolidates three of the separate homeless assistance programs administered by HUD under the McKinney-Vento Homeless Assistance Act into a single grant program, revises the Emergency Shelter Grants program and renames the program the Emergency Solutions Grants program,

Department of Housing and Community Development
Emergency Solutions Grants Program
State Regulations
California Code of Regulations Title 25, Division 1, Chapter 7,
Subchapter 20

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§ 8400. Purpose and Scope.

(a) These regulations establish procedures for the State of California ("State") administration of federal funds from the Emergency Solutions Grants Program (the "ESG" or "ESG program") and establish policies and procedures for use of these funds to meet the purposes contained in Title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. sections 11371-11378) as amended by S.896 The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009 (sections 103-105 and 401-418) (the "Act").

(b) The Act, and any amendments thereto, provide for State administration of the ESG program. These regulations set forth policies and procedures governing the administration of these funds within the California Department of Housing and Community Development (the "Department"). In addition to these regulations, ESG program participants will comply with the regulations applicable to the ESG program as indicated below and as set forth in 24 C.F.R. Part 58, and 24 C.F.R. Part 576. Additionally, nonprofit organizations funded by the ESG program shall comply with the requirements of 24 C.F.R. Part 84 as though they were subrecipients pursuant to 24 C.F.R. Part 84. Also, Units of general local government funded by the ESG program shall comply with the requirements of 24 C.F.R. Part 85. In the event that any federal or state laws or regulations, including without limitation regulations by the Department of Housing and Urban Development ("HUD") add, delete, modify, or otherwise change any statutory or regulatory requirements concerning the use or administration of these funds, ESG program participants shall comply with such requirements, as amended.

(c) References to section numbers in the 8400 series in the following sections are references to these Emergency Solutions Grants Program Regulations beginning at 24 Cal Code Regulations, title 25, section 8400 et seq.

(d) In the event of a conflict between the State ESG Regulations and 24 C.F.R. Part 58, 24 C.F.R. Part 84, 24 C.F.R. Part 85, or the ESG regulations at 24 C.F.R. Part 576, the federal regulations shall prevail.

Authority cited: Section 50406(n), Health and Safety Code. Reference: 42 U.S.C. Sections 11371-11378 (sections 103-105 and 401-418); 24 C.F.R. Part 58; 24 C.F.R. Part 84; 24 C.F.R. Part 85; and 24 C.F.R. Part 576.

§ 8401. Definitions.

In addition to the definitions found in 42 U.S.C. section 11371 (section 411), and 24 C.F.R. section 576.3, the following definitions shall apply to this subchapter

"Action Plan" means the annual plan required by HUD pursuant to 24 CFR Part 91 governing the distribution and use of ESG funds allocated by HUD to states and local governments.

“Administrative activities” is defined at 24 CFR 576.108.

“Administrative Entity” means a Unit of general purpose local government approved by the Department pursuant to section 8403 to administer State ESG funds.

“Balance of State Allocation” means funds allocated pursuant to the requirements of sections 8404 through 8407.

“City” is defined at 42 U.S.C. section 5302(a)(5).

“Continuum of Care” is defined at 24 CFR 576.2.

“Continuum of Care Allocation” means the ESG funds pursuant to the requirements of section 8403.

“Continuum of Care Service Area” means the entire geographic area within the boundaries of an Eligible Continuum of Care.

“Coordinated Entry” means the system of program access, needs assessment and prioritization developed by a Continuum of Care pursuant to 24 CFR 576.400 (d), and associated HUD requirements and guidance. This term is also known as “Coordinated Entry System”, “Coordinated Assessment” or “Centralized Assessment”.

“Core Practices” means the practices and protocols of delivering ESG Eligible activities as specified in section 8409.

“Department” means the California Department of Housing and Community Development.

“ESG” is the acronym for the Emergency Solutions Grants program.

“Eligible activities” mean those activities upon which ESG funds may be expended as described in section 8408.

“Eligible Continuum of Care” means a Continuum of Care in the State that has within its Service Area at least one Nonentitlement area. These entities must also meet the requirements of sections 8403 (d) or 8404 (a).

“Eligible organization” means a Private nonprofit organization or a Unit of general purpose local government that provides, or contracts with Private nonprofit organizations to provide, Eligible activities.

“Emergency shelter” is defined under 24 CFR 576.2.

"ESG Entitlement" means a Unit of general purpose local government that meets one of the following: (1) is a Metropolitan City or Urban County as defined under 42 USC 5302 that receives an allocation of ESG funds directly from HUD; (2) is in a Nonentitlement area that has entered into an agreement with an Urban County to participate in that locality's ESG program, or (3) is a Metropolitan City or Urban County that have entered into a joint agreement with one another to receive and administer a combined direct allocation of ESG funds from HUD.

"ESG Entitlement Area" or "Entitlement Area" means the geography within an ESG Entitlement's boundaries.

"ESG Nonentitlement" means a Unit of general purpose local government that does not receive ESG funding directly from HUD and is not participating as an ESG Entitlement.

"ESG Nonentitlement Area" means the geography within an ESG Nonentitlement's boundaries.

"Governing Board" - for nonprofit applicants this term includes board of directors; for county local government applicants this term includes county board of supervisors; for City local government applicants this term includes City council.

"HMIS" means Homeless Management Information System as defined under 24 CFR 576.2. Use of the term "HMIS" within these regulations shall also include use of a comparable database, as permitted by HUD under 24 CFR Part 576.

"Homeless" is defined at 24 CFR 576.2.

"Homelessness prevention activities" means activities or programs described in 24 CFR 576.103.

"HUD" means the United States Department of Housing and Urban Development.

"NOFA" is the acronym for a "Notice of Funding Availability" described in section 8405.

"Nonentitlement area" is defined at 42 U.S.C. 5302.

"Operations" means the category of FESG activities that includes shelter maintenance, operation, rent, repairs, security, fuel, equipment, insurance, utilities, food and furnishings.

"Private nonprofit organization" is defined at 24 CFR 576.2.

"Rapid Re-housing" means the activities set forth in 24 CFR 576.104.

"Rank" means the order of eligible applications for funding based only on the rating established pursuant to the applicable grant selection criteria.

“Rating” means the process by which eligible applications are evaluated and given an overall numerical or relative value based on the numerical or relative value(s) assigned to each of the identified selection criteria described in the NOFA to which the applicant is responding.

“Service Area” has the same meaning as the term “Continuum of Care Service Area”.

“Site” means one or more facilities where the program(s) is being carried out.

“Site Control” means the legal right to occupy and use the Site, as evidenced by such things as:

(1) a deed demonstrating ownership in fee title;

(2) a lease demonstrating a leasehold interest in the Site and its improvements for at least the term of the ESG grant,

(3) an enforceable option to purchase or lease a site provided that such option will be for at least the term of the ESG grant or

(4) For rotating shelter programs, site control may include other evidence provided by the applicant granting permission to use the site(s). Such evidence must be approved by the Department in writing prior to the deadline for submission of the ESG application stated in the applicable NOFA.

“Standard Agreement” means the contract entered into by the Department and the ESG Subrecipient setting forth the basic terms and conditions governing the award of ESG funds.

“Subrecipient” means an entity that enters into a Standard Agreement with the Department for ESG funds.

“Subrecipient of the Administrative Entity” means an entity that enters into a written agreement with the Administrative Entity to implement Eligible activities with ESG funds.

“Unit of general purpose local government” is defined at 24 CFR section 576.2.

“Written Standards” means the standards, policies, and procedures adopted by a Continuum of Care for providing ESG-eligible activities pursuant to the requirements of 24 CFR 576.400 (e).

Authority cited: Section 50406(n), Health and Safety Code. Reference: 42 U.S.C. 5302, 42 U.S.C. 11302, 42 U.S.C. 11371, 42 U.S.C. 11373, 24 C.F.R. 576.3 and 24 C.F.R. 576.400.

§ 8402. Allocation of Funds

(a) The Department will accept and use an amount of the State's annual allocation of ESG funds for Administrative activities not to exceed the amount permitted under 24 CFR 576.100(c). Pursuant to 24 CFR 576.108 (b), a portion of this amount will be shared with ESG Subrecipients that are Units of general purpose local government. The amounts available for Administrative activities will be announced in the Action Plan and annual NOFA.

(b) After deducting for State Administrative activities, the remaining ESG funds will be made available for Eligible activities through two allocations according to the formula set forth in subsection (c):

(1) the Continuum of Care Allocation to be administered in accordance with section 8403; and

(2) the Balance of State Allocation to be administered in accordance with sections 8404 through 8407.

(c) The amount of funds available to Service Areas within the Continuum of Care Allocation and the Balance of State Allocation will be based on the amount of ESG funds available in any given year using the following formula factors adjusted biannually using the most recent data available.

(1) The point-in-time count published by HUD which includes both sheltered and unsheltered homeless persons prorated to reflect the total population of the ESG Nonentitlement Areas within each Continuum of Care Service Area as published by the Census Bureau;

(2) The number of extremely low-income renter households within the ESG Nonentitlement Areas of each Continuum of Care Service Area that are paying more than 50 percent of their income for rent using HUD's Comprehensive Housing Affordability Strategy dataset;

(3) The number of persons below the federal poverty line within the ESG Nonentitlement Areas of each Continuum of Care Service Area divided by the total population within the ESG Nonentitlement Areas of each Continuum of Care Service Area. This factor will be double-weighted. Data for these factors will be obtained from the Census Bureau.

(4) Notwithstanding subsections (1) through (3) above, the Department may occasionally adjust the weighting of these factors and sources of information to reflect changes in the availability of data sources and to use the best information available. Any changes to the factors or weighting of the formula will be proposed in the Action Plan.

(d) The amount of funds available to a Service Area under the formula may be capped in order to achieve a greater geographic balance of the funds among all eligible Continuums of Care of the State. Any cap on amounts available under the formula will be proposed in the Action Plan.

(e) In any year where the Department is issuing a NOFA, by January 31st, the Department will notify Eligible Continuums of Care and ESG Entitlement Areas within an Eligible Continuum of Care of the following:

(1) Service Areas and preliminary funding amounts within the Continuum of Care Allocation and the Balance of State Allocation

(2) In determining the Continuum of Care Allocation, the Department will issue the following:

(A) A solicitation of interest for Administrative Entities, pursuant to the requirements of section 8403, which includes timeframes for applications and approval and a solicitation of interest to administer funds for geographically contiguous Continuums of Care that are eligible to receive funds under the Balance of State Allocation; and

(B) Where there is no intent to apply to be an Administrative Entity, a solicitation of interest to apply for Rapid Re-housing activities pursuant to 8403(a) (2).

(3) In determining the Balance of State Allocation, the Department will issue the following:

(A) A solicitation of interest from Continuums of Care to participate in Balance of State Allocation regional competition pursuant to section 8404(a(4)), and

(B) A solicitation of interest in applying for Rapid Rehousing activities pursuant to 8404(a) (2).

Authority cited: Section 50406(n), Health and Safety Code.

Reference: 24 C.F.R. Section 576.100 and 24 C.F.R. 576.108.

§ 8403. Continuum of Care Allocation

(a) Funding for a Service Area in the Continuum of Care Allocation shall be administered by an approved Administrative Entity in the Service Area in which it is located pursuant to the requirements of this subdivision.

(1) Notwithstanding the location requirement in subdivision (a) above, an approved Administrative Entity shall also be eligible to administer funds for geographically contiguous Continuums of Care that are eligible to receive funds under the Balance of State Allocation and that agree to administration of their allocation by the Administrative Entity. One hundred percent of both allocations shall be used for Rapid Rehousing activities pursuant to the requirements of sections 8408 and 8409.

(2) In the absence of an approved Administrative Entity for a Service Area otherwise eligible under the Continuum of Care Allocation, a Continuum of Care may recommend a provider to apply for Rapid Rehousing activities

(A) In making this recommendation, the Continuum of Care shall use a process which is

1. Fair and open and avoids conflicts of interest in project selection, implementation, and the administration of funds;
2. Considers selection criteria reasonably consistent with the criteria used by the Department in section 8407;
3. Complies with the requirements of sections 8408 and 8409;
4. Incorporates reasonable performance standards as set forth in the Action Plan based on HUD requirements and guidance. If the applicant has not implemented the proposed activity or similar activity within the past three years, the Continuum of Care shall work with the funded applicant to ensure it meets reasonable performance standards specified in the Action Plan in the contract year.
5. Complies with federal ESG requirements
6. Considers any other practices promoted or required by HUD.

(B) If recommending a Private nonprofit organization for these funds, the nonprofit organization must submit a Certification of Local Government Approval to undertake ESG-funded activities from each Unit of Local Government where the activity is carried out pursuant to section 414 [42 U.S.C. section 11373(c)];

(C) Documentation of matching contributions must be maintained pursuant to the requirements of 24 CFR 576.201.

(D) The Department may request information from the Continuum of Care or Subrecipient which demonstrates compliance with the above requirements, and the Continuum of Care or Subrecipient shall provide such information.

(E) The provider shall enter into a Standard Agreement with the Department for Rapid Re-housing funds awarded pursuant to Subdivision (a) (2) above;

(F) The Action Plan will propose minimum and maximum percentages of a Service Area allocation that shall be designated for a Rapid Rehousing application.

(b) The Department will use the formula in section 8402 to reallocate any remaining funds that have not been conditionally reserved or allocated pursuant to the requirements of subdivision (a) to participating Service Areas in the Continuum of Care and Balance of State Allocations.

(c) The Department will evaluate applications from Units of general purpose local government in ESG Entitlement Areas recommended by Continuums of Care to determine eligibility and approve the designation of qualified Administrative Entities on a bi-annual basis.

(1) The application must demonstrate eligibility of the Continuum of Care and Administrative Entity pursuant to the requirements of this section and describe the collaboration among the two entities and the process for allocating funds to activities, and selecting providers.

(A) If proposing to also administer funds in a geographically contiguous Continuum of Care Service Area pursuant to subdivision (a) (1) above, the application shall also include evidence of agreement between geographically contiguous Continuums of Care to administer Rapid Re-Housing with 100 percent of both allocations.

(B) Applications from a continuing Administrative Entity shall include HMIS project-level and system-level performance data for the prior two years. After the initial award period, this data will be set forth in the State's Action Plan for the prior fiscal year. If performance remains in the lowest quartile compared to all participating Service Areas in the Continuum of Care allocation, the Department will work collaboratively with the Administrative Entity to develop performance improvement plans which will be incorporated into the written agreements required under subdivisions (f) and (j).

(d) To be eligible to participate in the Continuum of Care Allocation, the Service Area shall have an Eligible Continuum of Care that meets all of the following criteria:

- (1) It has received Continuum of Care funding from HUD in at least one of the past two federal competitions or has registered with HUD to apply for funding in the next competition;
- (2) It has conflict of interest policies in place that meet HUD requirements;
- (3) It has adopted Written Standards for all Eligible activities proposed to be carried out with ESG funds; and
- (4) It operates, or causes to be operated, an HMIS system that meets HUD requirements.

(e) To be eligible to participate in the Continuum of Care Allocation, the Continuum of Care shall recommend an Administrative Entity that meets the following criteria set forth in subsections (1) through (3) below. Where there is more than one eligible ESG Entitlement in a Continuum of Care Service Area willing to perform the functions of an Administrative Entity the Continuum of Care shall recommend a single Administrative Entity for approval by the Department.

- (1) Is a Unit of general purpose local government that has administered ESG funds for an Entitlement Area during at least one of the past five years. Where a city is the only unit of general purpose local government that has administered ESG funds for the Entitlement Area within the Continuum of Care Service Area, the Administrative Entity may be a county agency with experience administering another federal homelessness, housing, community development, or human services program in at least one of the past five years;
- (2) Has no unresolved ESG monitoring findings with HUD or the Department that the Department determines poses a substantial risk to the Department if the Administrative Entity is approved; and
- (3) Demonstrates the ability and willingness to perform the functions of an Administrative Entity pursuant to federal and State ESG requirements.

(f) The Continuum of Care and the Administrative Entity shall enter into a written agreement that specifies the roles and responsibilities of each entity to ensure compliance with federal and State ESG requirements. The Continuum of Care and the Administrative Entity shall collaborate in determining Eligible activities, selecting providers, and administering the ESG funds.

(g) The Administrative Entity shall select providers qualified to deliver Eligible activities in the Service Area through a process that is consistent with (1) through (8) below, and

inform the Department of selected providers and activities. The Administrative Entity shall:

- (1) Conduct fair and open competitions which avoid conflict of interest;
- (2) Follow procurement requirements of 24 CFR Part 84;
- (3) Evaluate provider capacity and experience, including the ability to deliver services in Nonentitlement areas;
- (4) Evaluate eligibility and quality of services, including adherence to Core Practices pursuant to section 8409;
- (5) Utilize data and consider community input to identify unmet needs;
- (6) Prioritize activities that address the highest unmet need, considering other available funding and system-wide performance measures;
- (7) Consider project-level performance measures when evaluating proposals; and
- (8) Collaborate with the Continuum of Care pursuant to subdivision (f) above.

(h) The Action Plan will set forth proposed limits on any or all of the following: the number or type of contracts, subcontracts, or activities per contract between the Administrative Entity and the Subrecipient of the Administrative Entity.

(i) The Administrative Entity shall ensure that:

(1) Not including the funding administered for a geographically contiguous Continuum of Care Service Area pursuant to subdivision (a)(1) above, not less than 40 percent of the funds awarded on an annual basis shall be used for Rapid Re-Housing activities; and

(2) Through the use of Coordinated Entry and other means, all funded activities are available to Nonentitlement areas of the Service Area consistent with section 414 [42 U.S.C. section 11373(c)].

(A) The Administrative Entity shall facilitate outreach and access to reach populations in the Nonentitlement areas and shall evaluate participation from these areas at least annually. The Department may condition future funding to ensure access to funded activities by Nonentitlement areas.

(B) Funded activities may also serve households located in ESG Entitlement Areas.

(j) In accordance with section 8411, the Administrative Entity shall enter into a Standard Agreement with the Department to do the following:

- (1) Receive and administer up to two allocations of annual federal ESG funding per application cycle, conditioned on availability of federal funds;
- (2) Carry out identified Eligible activities through selected providers;
- (3) Provide for matching funds as required by 24 CFR 576.201;
- (4) Enter into a written agreement with providers of funded activities governing the implementation of activities, including but not limited to eligible use of funds, funds disbursement, activity reporting, performance evaluation, monitoring, and termination;
- (5) Monitor the performance of all contractors, including selected providers, and those they subcontract with to carry out ESG-eligible activities, to ensure compliance with federal and State ESG requirements;
- (6) Provide timely reports to the Department; and
- (7) In all other ways administer ESG funding to ensure compliance with federal and State ESG requirements, and the Standard Agreement.

(k) The Department may deny or revoke the designation of an approved Administrative Entity under any of the following circumstances:

- (1) The Administrative Entity or one or more of the Subrecipients of the Administrative Entity has engaged in, or is responsible for violations of federal or State ESG requirements;
- (2) The Administrative Entity fails to utilize project-level or system-wide performance data in its project selection, renewal, or monitoring process; or
- (3) The Administrative Entity or the Service Areas for which it has been approved does not meet the requirements of this section.

(l) The Department may request information from the Administrative Entity or the Continuum of Care, which demonstrates compliance with any or all of the above requirements. The Administrative Entity or Continuum of Care shall provide such information when requested.

Authority cited: Section 50406(n), Health and Safety Code. Reference: 24 C.F.R. Section 91.320 and 24 C.F.R. 576.400.

§ 8404. Balance of State Allocation.Error! Bookmark not defined.

(a) The Department will administer the Balance of State Allocation for a Service Area without an ESG Entitlement consistent with the requirements of this section as follows:

(1) To be eligible to participate in the Balance of State Allocation, a Service Area shall have a Continuum of Care that meets all of the following requirements:

(A) It has not opted to have funds for the Service Area administered under the Continuum of Care Allocation pursuant to 8403 (a) (1).

(B) It has received Continuum of Care funding from HUD in at least one of the past two federal competitions or has registered with HUD to apply for funding in the next competition;

(C) It has conflict of interest policies in place that meet HUD requirements;

(D) It has adopted Written Standards that meet HUD requirements for all Eligible activities proposed to be carried out with ESG funds;

(E) It operates, or causes to be operated, an HMIS system that meets HUD requirements

(2) An Eligible Continuum of Care may recommend a provider for Rapid Re-housing activities.

(A) In making this recommendation, the Continuum of Care shall use a process which is

1. Fair and open and avoids conflicts of interest in project selection, implementation, and the administration of funds;

2. Considers selection criteria reasonably consistent with the criteria used by the Department in section 8407;

3. Complies with the requirements of sections 8408 and 8409;

4. Incorporates reasonable performance standards as set forth in the Action Plan based on HUD requirements and guidance. If the applicant has not implemented the proposed activity or similar activity within the past three years, the Continuum of Care shall work with the funded applicant to ensure it meets reasonable performance standards specified in the Action Plan in the contract year;

5. Complies with federal ESG requirements;

6. Considers any other practices promoted or required by HUD.

(B) If recommending a Private nonprofit organization for these funds, the nonprofit organization must submit a Certification of Local Government Approval to undertake ESG-funded activities from each Unit of Local Government where the activity is carried out pursuant to section 414 [42 U.S.C. section 11373(c)];

(C) Documentation of satisfactory match must be maintained pursuant to the requirements of 24 CFR 576.201.

(D) The Department may request information from the Continuum of Care or Subrecipient which demonstrates compliance with the above requirements. Such information shall be provided upon request.

(E) The Action Plan will propose minimum and maximum percentages of the Service Area allocation that shall be designated for these activities

(3) Funds remaining after allocating for Rapid Re-housing activities pursuant to section 8404 (a) (2) will be made available within three regional allocations as follows.

(A) Northern Region comprised of the Service Areas for the Continuums of Care covering the counties of Amador, Butte, Calaveras, Colusa, Del Norte, Glenn, Humboldt, Lake, Lassen, Mendocino, Modoc, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity, Tuolumne, Yuba;

(B) Bay Area Region comprised of the Service Areas for the Continuums of Care covering the counties of Marin, Napa, Santa Cruz, and Solano;

(C) Central and Imperial Valley Region comprised of the Service Areas for the Continuums of Care covering the counties of Alpine, El Dorado Imperial, Inyo, Kings, Mariposa, Merced, Mono, Nevada Placer, Tulare, Yolo,

(D) The configuration of Service Areas within each region may change subject to individual Continuum of Care or ESG Entitlement Area designations made by HUD. The counties belonging to each region will be announced in the NOFA.

(4) As requested in the NOFA, each Continuum of Care shall recommend to the Department an Eligible organization or organizations proposing Eligible activities within the Continuum of Care Service Area for funds available under the applicable regional allocation. In making recommendations, the Continuum of Care shall use a process which meets the following requirements:

(A) Is Fair and open, and avoids conflicts of interest in project selection, implementation, and the administration of funds

(B) considers State application eligibility and rating criteria in sections 8406 and 8407

(C) complies with the requirements of sections 8408 and 8409

(5) All applications for funds available under the regional allocations will be evaluated by the Department pursuant to the requirements of sections 8406, 8408, and 8409. Depending on whether the regional allocations are oversubscribed, applications submitted for funds within a regional allocation may be rated and ranked pursuant to the requirements of 8407.

(b) The Action Plan will set forth proposed limits on any or all of the following: the number of applications submitted within a Continuum of Care Service Area, and any limits on the number or type of activities, contracts, or subcontracts within an application.

Authority cited: Section 50406(n), Health and Safety Code. Reference: 24 C.F.R. Section 91.320.

§ 8405. Notice of Funding Availability.

(a) The Department will issue a NOFA soliciting applications for Eligible activities within the regional allocations pursuant to 8404(a) (4) and 8404 (a) (5).

(b) The NOFA will notify all interested persons of the following:

(1) That the Department has been allocated ESG funds or expects to be allocated such funds;

(2) Identification of Continuum of Care Service Areas and allocation amounts under the Balance of State and Continuum of Care Allocations;

(3) Regional allocation amounts and identification of Continuum of Care Service Areas eligible to submit applications under the regional allocations pursuant to 8404 (a) (4) and 8404 (a) (5);

(4) Range of Eligible activities as adopted in the Action Plan, and any prohibitions on uses of funds;

- (5) As adopted in the Action Plan, the maximum number of applications from a Continuum of Care Service Area, and the maximum number and type of Eligible activities, contracts, and subcontracts within an application;
- (6) Role of Continuum of Care in the application process;
- (7) Application or other documentation requirements pursuant to activities to be funded under the regional allocations pursuant to 8404 (a) (4) and 8404 (a) (5);
- (8) Deadline for filing of applications to be reviewed and approved by the Department, timeframes for review and funding of all applications; and
- (9) General terms and conditions of funding allocations.

Authority cited: Section 50406(n), Health and Safety Code. Reference: 24 C.F.R. Section 91.320.

§ 8406. NOFA Application Process.

(a) Applications submitted pursuant to the NOFA for the regional competition pursuant to 8404(a) (4) and 8404 (a) (5) shall meet the following requirements.

- (1) The applicant is an Eligible organization and is recommended by the Continuum of Care as described in the NOFA pursuant to section 8404(a)(4);
- (2) The Continuum of Care meets the requirements of section 8404 (a) (1)
- (3) The application proposes an Eligible activity in the Continuum of Care Service Area consistent with section 8408;
- (4) The application is received by the deadline stated in the NOFA;
- (5) Except as provided in subdivision (b), the application is complete and includes the following:
 - (A) Authorizing resolution by the applicant's Governing Board;
 - (B) For applications requesting funds for Emergency shelter, evidence of site control;
 - (C) For Private nonprofit organizations, a Certification of Local Government Approval to undertake ESG-funded activities from each Unit of Local Government where the activity is carried out pursuant to section 414 [42 U.S.C. section 11373(c)];

(D) Response to all of the application selection criteria as set forth in section 8407;

(E) Written Standards for the proposed program activity from the Continuum of Care that is recommending this application for funding which meet the requirements of section 8409, as well as federal requirements;

(F) Documentation of satisfactory match pursuant to the requirements of section 8410;

(G) Completed application accompanied by all applicable attachments, certifications, and any additional information requested in the applicable NOFA;

(H) Certification by the applicant that all information within the application is true, complete, and accurate; and

(I) Any other information the Department or HUD requires to determine compliance with the requirements of these regulations and all other regulations, statutes, and laws applicable to ESG, and scored based on the criteria in section 8407.

(b) Applications that meet the requirements in subdivision (a) will be evaluated according to the criteria in section 8407. Notwithstanding the above, in the event that information, other than the requirements enumerated in this section, is missing from an application, the application may be scored as submitted.

(c) Notwithstanding subsection (b), if the Department determines that 1) an initial applicant scores sufficiently high pursuant to section 8407 to be awarded funds, 2) the application is deficient with regard to one or more items in (5)(A) through (5)(I) of this section 8406, and 3) all of the deficient items are correctible, the Department may allow the applicant to correct all of the deficiencies on or before 15 calendar days following written notification to the applicant that the applicant will be provided such opportunity. In this written notification, prospective awards will be conditioned upon applicants correcting all deficiencies to the satisfaction of the Department. If all corrections are not made within 15 days following this written notification to the applicant, that funding award is automatically terminated and the attendant funds will be awarded to the next highest scoring applicant, which has submitted a complete application that complies in all respects with the requirements set forth in (5)(A) through (5)(I) of this section.

(d) The Department reserves the right to request clarification of unclear or ambiguous statements made in the application and other supporting documents where doing so will not impact the competitive scoring of the application.

(e) The Department may request that an applicant revise application documents as necessary to establish compliance as long as such revisions do not impact the competitive scoring of the application.

Note: Authority cited: Section 50406(n), Health and Safety Code. Reference: 42 U.S.C. Section 11373.

§ 8407. Selection Criteria for NOFA Applicants.

(a) All applications made pursuant to section 8404 (a) (5) will be evaluated using the criteria below and ranked according to subdivision (b) below. Where applications requesting funds for more than one program are permitted in the NOFA, each program will receive a separate score for each rating factor, and the point scores will be averaged to calculate a final point score for each rating factor.

(1) Applicant Experience - 20 points

(A) Length of experience implementing the proposed Eligible activity or activity similar to the proposed activity.

(B) For applicants who have received funding in the State's ESG program in the past three years, a maximum of 20 points will be deducted for the following:

1. Whether the Department has terminated or disencumbered ESG grant funding;
2. Whether the applicant has any unresolved monitoring findings in ESG that pose a substantial risk to the Department;
3. Whether the applicant has submitted annual reports in a timely manner for ESG grants.

(2) Need for Funds - 10 points

Need for funds based on whether the application activity and subpopulation targeting, if any, meets a high need for the community as identified by the Continuum of Care, in a manner that is consistent with the requirements of section 8409. The Continuum of Care shall provide data and analysis to support the need, including but not limited to HMIS data and data from the most recent point-in-time count published by HUD.

(3) Program Design - 20 points

Quality of the proposed program in delivering Eligible activities to participants consistent with the Written Standards of the Continuum of Care, and Core Practices as set forth under section 8409. In making determinations under this rating factor, the Department may examine such things as Continuum of Care Written Standards for the activity; provider guidelines governing activity operations; program rules for clients; and the reasonableness of program staffing patterns and the activity budget relative to program design, target population, and local conditions.

(4) Impact and Effectiveness - 30 points

Using HMIS data from the most recent ESG contract year, applications will be evaluated based on an evaluation of project and system-wide impact and effectiveness utilizing project level and system-wide performance outcomes for ESG Eligible activities or similar activities implemented within the past three years, based on data which is reasonably available. Performance measures for each ESG activity and for each Continuum of Care Service Area will be identified in the Action Plan and based on the metrics used by HUD in programs such as ESG and the Continuum of Care. The Department may require documentation to verify the accuracy of the data provided by the applicant. Such documentation shall be provided upon the request of the Department.

(5) Cost Efficiency - 10 points

Using HMIS data from the most recent ESG contract year, applications will be evaluated based on the average cost per exit to permanent housing based on the total ESG project budget and the number of exits to permanent housing. The Department may require documentation to verify the accuracy of the information provided by the applicant. Such documentation shall be provided upon the request of the Department.

(6) State Objectives - 10 Points

The Department may award each application up to 10 points for addressing one or more State Objectives as identified in the Action Plan and NOFA. The Department's selection of State Objectives will be based on one or more of the following:

- (A) Federal funding priorities, as publicly announced by HUD;
- (B) State funding priorities as publicly announced by the Governor or Department Director; and
- (C) Housing and community development needs or objectives as identified in the Action Plan.

(b) Applications evaluated under subdivision (a) will be ranked as follows:

(1) Within each regional allocation, applications will be ranked in descending order and awarded the amount requested in the application or a revised amount if necessary to conform to funding limits in the NOFA. In the event of a tie between applicants within a regional allocation, funds will be awarded to the applicant who scored the most points in the Impact and Effectiveness rating factor.

(2) ESG funds remaining in a regional allocation may be made available for the highest ranked unfunded applications in the other regional set-asides, according to their total application score. Remaining funds may also be set-aside for distribution in the next NOFA.

(3) When there are insufficient funds to fully fund the next highest ranked unfunded application, this application may be partially funded if the funded activities can be adequately performed with the remaining ESG allocation.

Authority cited: Section 50406(n), Health and Safety Code. Reference: 24 C.F.R. 576.202.

§ 8408. Eligible Activities.

(a) State ESG funds awarded by an Administrative Entity or by the Department shall be used for Eligible activities as permitted by HUD pursuant to 24 CFR Part 576 in accordance with this section.

(b) Pursuant to 24 CFR 91.320 (d), to address the State's priority needs and objectives pursuant to the Action Plan, the Department may limit the types of activities that may be funded in a particular NOFA.

(c) A maximum of ten percent of an individual formula allocation under section 8402 may be used for HMIS activities.

(d) State ESG funds shall not be used for Renovation, Conversion, or Major Rehabilitation activities pursuant to 576.102. Minor repairs to an ESG-funded Emergency shelter that do not qualify as Renovation, Conversion, or Major Rehabilitation are an eligible use of State ESG funds.

(e) For Rapid Rehousing and Homelessness prevention activities, no subpopulation targeting will be permitted except if documentation of all of the following is provided to the Department prior to the award of funds for these activities: (1) that there is an unmet need for these activities for the subpopulation proposed for targeting, and (2) that there is existing funding in the Continuum of Care Service Area for programs that address the needs of the excluded populations for these activities.

Authority cited: Section 50406(n), Health and Safety Code. Reference: 24 C.F.R. 92.320 and 24 C.F.R. Part 576.

§ 8409. Core Practices

(a) Unless exempted by federal rules, all ESG-funded activities shall utilize a Coordinated Entry system established by and consistent with the protocols of the Continuum of Care for the Service Area in which that program operates. Participation in Coordinated Entry shall occur in a manner that promotes the following, as reflected in the Continuum of Care Written Standards:

(1) Comprehensive and coordinated access to assistance regardless of where an individual or family is located in the Continuum of Care Service Area. Local systems should be easy to navigate and have protocols in place to ensure immediate access to assistance for people who are homeless or most at-risk;

(2) Prioritized access to assistance for people with the most urgent and severe needs, including, but not limited to, survivors of domestic violence. ESG-funded activities shall seek to prioritize people who:

(A) Are unsheltered and living in places not designed for human habitation, such as cars, parks, bus stations, and abandoned buildings;

(B) Have experienced the longest amount of time homeless;

(C) Have multiple and severe service needs that inhibit their ability to quickly identify and secure housing on their own; and

(D) For Homelessness prevention activities, people who are at greatest risk of becoming literally homeless without an intervention and are at greatest risk of experiencing a longer time in shelter or on the street should they become homeless.

(b) All ESG-assisted projects shall operate in a manner consistent with housing first practices as reflected in the Continuum of Care Written Standards, (consistent with subsections (1) through (5) below), and progressive engagement and assistance practices, including the following:

(1) Ensuring low-barrier, easily accessible assistance to all people, including, but not limited to, people with no income or income history, and people with active substance abuse or mental health issues;

(2) Helping participants quickly identify and resolve barriers to obtaining and maintaining housing;

- (3) Seeking to quickly resolve the housing crisis before focusing on other non-housing related services;
- (4) Allowing participants to choose the services and housing that meets their needs, within practical and funding limitations;
- (5) Connecting participants to appropriate support and services available in the community that foster long-term housing stability;
- (6) Offering financial assistance and supportive services in a manner which offers a minimum amount of assistance initially, adding more assistance over time if needed to quickly resolve the housing crisis by either ending homelessness, or avoiding an immediate return to literal homelessness or the imminent risk of literal homelessness. The type, duration, and amount of assistance offered shall be based on an individual assessment of the household, and the availability of other resources or support systems to resolve their housing crisis and stabilize them in housing; and
- (7) Notwithstanding subdivision (6) above:
 - (A) Rapid Rehousing activities funded within the same Continuum of Care Service Area shall follow the same program requirements for type, duration, and amount of assistance provided, unless sufficient written justification for any differences is provided by the Continuum of Care and approved by the Department; and
 - (B) Homeless prevention activities funded within the same Continuum of Care Service Area shall follow the same program requirements for type, duration, and amount of assistance provided, unless sufficient written justification for any differences is provided by the Continuum of Care and approved by the Department.
- (8) Any other practices promoted or required by HUD.

Authority cited: Section 50406(n), Health and Safety Code. Reference: 24 C.F.R. Sections 576.400 and 576.401.

§ 8410. Match Requirements.

- (a) Pursuant to 24 CFR 576.201, the Department will provide HUD with annual documentation of the sources and amounts of matching funds required of the Department as a recipient of ESG funds.

(b) Pursuant to subdivision (a), the Department may satisfy HUD's matching requirement, by submitting documentation to HUD of available State funding for programs serving persons experiencing homelessness.

(c) Pursuant to subdivision (a), the Department will set forth in the applicable ESG Action Plan and NOFA any requirement of ESG Subrecipients and Subrecipients of the Administrative Entity to provide documentation of matching funds.

Authority cited: Section 50406(n), Health and Safety Code. Reference: 42 U.S.C. Section 11375; and 24 C.F.R. 576.201.

§ 8411. Standard Agreement.

(a) The Department shall enter into a written contract, known as the "Standard Agreement" directly with the Subrecipient.

(1) For the Administrative Entity, the Standard Agreement will follow receipt of funding recommendations from an Administrative Entity and certification by the Administrative Entity that the proposed activities meet federal and State requirements pursuant to sections 8403, 8408, and 8409. The Department may require documentation to verify the accuracy of the information provided.

(2) For funding recommendations made pursuant to sections 8403(a)(2) and 8404(a)(2), the Standard Agreement will follow after receipt of these recommendations from the Continuum of Care, and verification by the Department that the requirements of these sections have been met.

(3) For applications funded pursuant to the NOFA, the Standard Agreement will follow the funding award by the Department.

(b) The Standard Agreement will require the Subrecipient to comply with the requirements and provisions of the Act, 24 CFR Part 576, these regulations, and generally applicable State contracting rules and requirements.

(c) The Standard Agreement will include the items specified in this section:

(1) A clear and accurate identification of the Subrecipient under contract with the Department;

(2) The geographic area in which the activity or activities are to be provided.

(3) The amount of the Grant, including budget detail sufficient for the Department to enter into HUD's financial management system ("IDIS"), and to ensure eligibility of expenses; the basis upon which payment is to be made; and the process by which the Subrecipient must request payment;

(4) A clear and complete statement of the activities and services the Subrecipient will perform and provide or, for an Administrative Entity, cause to be performed and provided. For an Administrative Entity, the information on activity, services, and budget will be reflected for each of its selected providers;

(5) Timeframes for the performance of approved Eligible activities as required pursuant to 24 CFR 576.203.

(d) The Department may approve modifications to the Standard Agreement as described below.

(1) The Administrative Entity may propose to change the funded provider or Eligible activity consistent with section 8403 if necessary to meet the requirements of this Chapter or to expend its funding allocation. Any change must still comply with the requirements in sections 8408 and 8409.

(2) A Subrecipient shall notify the Department of any line item changes to the budget needed for the Department to update IDIS. For line item changes representing more than 25 percent of the overall budget, a contract amendment is required. Changes must still comply with the requirements in sections 8408 and 8409.

(e) The following performance requirements shall appear in each Standard Agreement and shall include additional provisions specific to each Subrecipient:

(1) Reporting requirements pursuant to section 8413; and

(2) Requirements for fiscal management in accordance with generally accepted accounting standards and federal fiscal requirements.

Note: Authority cited: Section 50406(n), Health and Safety Code. Reference: 24 C.F.R. 576.203.

§ 8412. Disbursement Procedures.

(a) ESG funds shall be disbursed pursuant to the terms of the Standard Agreement.

(b) The Department may rely on the Subrecipient's certification that expenditures claimed in a request for disbursement are eligible and necessary, provided that the Subrecipient also certifies that detailed supporting documentation verifying each expenditure is available and shall be retained by the Subrecipient for six years after the execution of the Standard Agreement.

(c) Subrecipients may request an advance of 30 days working capital or \$5,000, whichever is greater, after the Standard Agreement is fully executed.

(d) The Department shall establish minimum disbursement amounts or other related procedures necessary for the efficient administration of the ESG program. Requests for disbursement must be made at least quarterly.

(e) If a Subrecipient uses ESG funds for the costs of ineligible activities, the Subrecipient shall be required to reimburse these funds to the Department, and shall be prohibited from applying to the Department for subsequent ESG funds until the Department is fully repaid.

(f) Notwithstanding section subdivision (c), above only costs incurred after full execution of the Standard Agreement, and after all environmental review requirements have been met, will be paid by the Department. Environmental review compliance shall include compliance with 24 C.F.R. Part 50.

Authority cited: Section 50406(n), Health and Safety Code. Reference: 24 C.F.R. Part 50.

§ 8413. Recordkeeping and Reporting.

(a) In addition to the recordkeeping requirements of 24 C.F.R. Parts 84 and 85, the Subrecipient shall retain all program records pertaining to the Standard Agreement for a period of five years from the date of expenditure of all funds under the Standard Agreement.

(b) The Subrecipient shall submit the following reports.

(1) Annual performance reports during the period of the grant;

(2) A written completion report must be submitted within 60 days after expiration of the Standard Agreement;

(3) Additional reports may be requested by the Department to meet other applicable federal reporting requirements.

Authority cited: Section 50406(n), Health and Safety Code. Reference: 24 C.F.R. Parts 84 and 85.

§ 8414. Monitoring Grant Activities.

(a) Administrative Entities shall monitor the activities selected and awarded by them to ensure compliance with federal and State ESG requirements. An onsite monitoring visit of selected providers shall occur whenever determined necessary by the Administrative Entity, but at least once during the grant period.

(b) The Department will monitor the performance of the Subrecipient based on a risk assessment and according to the terms of the Standard Agreement. The Department may also monitor the Subrecipient of the Administrative Entity as the Department deems appropriate based on a risk assessment.

(c) The Department will monitor the performance of Administrative Entity and funded projects based on the performance measures used by HUD in ESG or the Continuum of Care program. In the event that project-level or system-wide performance consistently remains in the lowest quartile compared to all participating Service Areas in the Continuum of Care allocation, the Department will work collaboratively with the Administrative Entity to develop performance improvement plans which will be incorporated into the Standard Agreement and other agreements required under section 8403.

(d) If it is determined that a Subrecipient falsified any certification, application information, financial, or contract report, the Subrecipient shall be required to reimburse the full amount of the ESG award to the Department, and may be prohibited from any further participation in the ESG program. The Department may also impose any other actions permitted under 24 CFR 576.501 (c).

Authority cited: Section 50406(n), Health and Safety Code. Reference: 24 C.F.R. 576.50.

§ 8415. Audit Requirements.

(a) Private nonprofit organizations must submit audits to the Department for review and approval. These audits must comply with all applicable federal laws, including without limitation applicable OMB Circulars. See 24 C.F.R. 576.407 (c).

(b) Units of general local government must submit audits to the Department for review and approval. These audits must comply with all applicable federal and other laws.

(c) The Department may also periodically request that a Subrecipient be audited at the expense of the Subrecipient and the Subrecipient shall comply.

Authority cited: Section 50406(n), Health and Safety Code. Reference: 24 C.F.R. 576.407.

§ 8416. Sanctions.

The Department may impose sanctions, as well as any other remedies available to it under law, on a Subrecipient for failure to abide by any State and federal laws and regulations applicable to the ESG program. As the Department deems appropriate or necessary, sanctions include, without limitation, any or all of the following:

- (a) Conditioning a future ESG grant on compliance with specific laws or regulations;
- (b) Directing a Subrecipient to stop incurring costs under the current grant;
- (c) Requiring that some or all of the grant amount be remitted to the Department;
- (d) Reducing the amount of grant funds a Subrecipient would otherwise be entitled to receive;
- (e) Electing not to award future grant funds to a Subrecipient and prohibiting an Administrative Entity from awarding to a particular Subrecipient of the Administrative Entity until appropriate actions are taken to ensure compliance with ESG requirements; and/or;
- (f) Taking any other actions permitted pursuant to 24 CFR 576.501.

Authority cited: Section 50406(n), Health and Safety Code. Reference: 24 C.F.R. 576.50(c).

§ 8417. Other Federal Requirements.

Subrecipients and Subrecipients of the Administrative Entity shall abide by all applicable local, state, and federal laws pertaining to the ESG program, including, but not limited to, all other applicable federal laws cited in 42 U.S.C. sections 11371-11378 and 24 C.F.R. Part 576.

Note: Authority cited: Section 50406(n), Health and Safety Code. Reference: 42 U.S.C. Sections 11371-11378; and 24 C.F.R. 576.



County of Riverside Continuum of Care

WRITTEN STANDARDS

ADOPTED OCTOBER 28, 2015

Riverside Continuum of Care (CoC) Written Standards for Providing Continuum of Care Assistance

The Riverside County CoC is responsible coordinating and implementing a system-wide approach to meet the needs of the population and subpopulation experiencing homelessness within the geographic area of Riverside County. Both the Emergency Solution Grant Rules and Regulations (ESG) and the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Continuum of Care Program Interim Rules state that the CoC, in consultation with recipients of ESG program funds within the geographic area,

- (1) Establish and consistently follow written standards for providing CoC assistance.
- (2) Establish performance targets appropriate for population and program type.
- (3) Monitor recipient and sub-recipient performance.

In accordance with Title 24 of the Code of Federal Regulations (24 CFR) Part 578, the Riverside County CoC has developed the following written standards. In conjunction with 24 CFR Part 578, these standards will apply to all projects that receive HUD and ESG funding.

The goal of these standards is to synthesize key elements of the HUD regulations with the processes and priorities of the Riverside County CoC to ensure that the CoC programs are administered fairly and methodically. The goals of the written standards are to:

- Assist with the coordination of service delivery across the geographic area and will be the foundation of the county-wide coordinated entry system.
- Assist in assessing individuals and families consistently to determine program eligibility.
- Assist in administering programs fairly and methodically.
- Establish common performance measurements for all CoC components.
- Provide the basis for the monitoring of all CoC and ESG funded projects.

These written standards include policies and procedures for evaluating individuals' and families' eligibility for assistance for

1. Permanent Supportive Housing (PSH)
2. Rapid Re-Housing (RRH)
3. Transitional Housing (TH)
4. Emergency Shelter (in-development)
5. Street Outreach (in-development)

All programs that receive ESG or CoC funding are required to abide by these written standards. The CoC strongly encourages programs that do not receive either of these sources of funds to accept and utilize these standards.

CoC and ESG Coordination

These written standards have been developed in conjunction with ESG recipients (Riverside County Economic Development Agency (EDA), City of Riverside, and the City of Moreno Valley), the CoC Collaborative Applicant and with service providers to allow for input on standards, performance measures and the process for full implementation of the standards throughout the CoC from the prospective of those organization that are directly providing homeless and housing services, Permanent Supportive Housing (PSH), Rapid Re-Housing (RRH), Emergency Shelter (ES), and Transitional Housing (TH). The CoC Written Standards have been approved by the CoC, the County and City ESG recipients.

These written standards will be reviewed and revised at least annually. Revisions that would affect the Coordinated Entry process would be made as soon as possible. The Riverside County CoC will continue to build upon and refine this document.

Housing First Model

Irrespective of the program type, all HUD and ESG funded programs are required to utilize a housing first approach to housing assistance. The housing first approach incorporates a model of housing assistance that prioritizes rapid placement and stabilization in permanent housing that does not have service participation requirements or preconditions (such as sobriety or a minimum income threshold). Emergency Shelter, Transitional housing and supportive service only projects may be considered to be using a housing first model if they operate with low-barriers, work to quickly move people into permanent housing, do not require participation in supportive services, and, for transitional housing projects, do not require any preconditions for moving into the transitional housing (2015 HUD CoC NOFA).

Coordinated Entry System

To minimize barriers to housing access and ensure timely placement, all CoC and ESG subrecipients are required to participate in and receive referrals through Riverside County's Coordinated Entry System (CES). The CES uses a no-wrong door approach in which homeless individuals who engage with any agency within the Riverside County CoC are entered into the system. This system ensures that every homeless individual is known by name, provides assistance based on individual's unique needs, and ensure that housing matches are the right fit. See Appendix B, Riverside County CoC Coordinated Entry System (CES) Policies & Procedures.

Universal Assessment

All individuals will be assessed using a comprehensive, universal assessment tool called the Vulnerability Index Service Prioritization Decision Assistance Tool (VI-SPDAT) which is useful for initial triage and entry assessment. This tool guarantees that individuals' levels of need and eligibility determinations are made in an informed and objective manner.

Homeless Management Information System

All subrecipients are required to participate in the Homeless Management Information System (HMIS) per the ESG and CoC Interim Rule (24 CFR 576 and 578). HMIS provides an opportunity to document homelessness and helps to ensure coordination between service providers while avoiding duplication of services and client data.

Written Standards for Permanent Supportive Housing

The Riverside County CoC-PSH program provides permanent housing and supportive services to individuals and families with a disability, prioritizing those who are chronically homeless. The program is designed to reintegrate this highly vulnerable population into the community by addressing their basic needs for housing and providing ongoing support. There are two key components of the Riverside County CoC-PSH program: permanent housing and supportive services.

Using a housing first approach, program participants are provided with rapid access to permanent housing with minimal preconditions. Good credit or rental history are not required to receive housing. Tenants can remain in their homes as long as the basic requirements of tenancy are met—paying the rent (as applicable), not interfering with other tenants' use of their homes, not causing property damage, etc. This ensures participants have a private and secure place to make their home, just like other members of the community, and provides them with a stable foundation from which they can pursue their goals.

Chronically Homeless Definition

A chronically homeless individual or head of household as defined in 24 CFR 578.3 for whom both of the following are true:

- i. The chronically homeless individual or head of household of a family has been homeless and living in a place not meant for human habitation, a safe haven, or in an emergency shelter for at least 12 months either continuously or on at least four separate occasions in the **last 3 years**, where the cumulative **total length of the**

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

- ii. If the individual has been living in the facility for fewer than 90 days and had been living in a place not meant for human habitation, a safe haven, or in an emergency shelter immediately before entering the institutional care facility.

PSH Performance Benchmarks

All PSH providers should meet or exceed project quality goals established by HUD and CoC guidelines which include the following:

- At least 80 percent of project participants either remained in permanent housing or exited to permanent housing;
- At least 20 percent or more of project participants have employment income (or other sources such as SSI and/or SSDI, for those who are not employable);
- At least 54 percent of project participants increased their income from sources other than employment in a given operating year;
- At least 56 percent of project participants obtained mainstream benefits; and
- 100 percent of the project participants came from the street or other locations not meant for human habitation, emergency shelters, or safe havens.

In addition, PSH providers must:

- Implement a housing first approach.
- Fill vacant beds with only chronically homeless persons.

Eligible Clients

Eligible clients must also meet eligibility criteria as defined in the NOFA under which the program was funded.

For dedicated permanent supportive housing beds, when a participant exits the program, the bed must be filled by another chronically homeless participant unless there are no chronically homeless persons located within the CoC's geographic area. This concept only applies to permanent supportive housing projects. (24 CFR 578.3, 2015 HUD CoC NOFA).

For permanent supportive housing beds within a CoC's geographic area that are not currently dedicated specifically for use by the chronically homeless, CoCs and projects are strongly encouraged to prioritize the chronically homeless in non-dedicated permanent

supportive housing beds as they become available through turnover. This concept only pertains to permanent supportive housing projects (24 CFR 578.3, 2015 HUD CoC NOFA).

Prioritizing Chronically Homeless

PSH is not a one-size-fits-all approach and should only be offered to those households that truly need that level of support. Thus, in order to use our limited resources in the most effective means possible, the Riverside County CoC is committed to prioritizing those most in need through an established order of priority. Within that order of priority, all CoC-PSH funded programs are required ensure compliance with the “chronically homeless” definition and to fill vacant beds with chronically homeless individuals (CPD-14-012 (7/28/14)).

The Riverside County CoC has developed an order of priority to establish a uniform process for prioritizing placement into PSH through the CES. The overarching intent of this order of priority is to ensure that chronically homeless persons with the longest lengths of time homeless and the most severe service needs are prioritized for housing.

- 1) First Priority–Chronically Homeless Individuals and Families with the Longest History of Homelessness and with the Most Severe Service Needs.
- 2) Second Priority–Chronically Homeless Individuals and Families with the Longest History of Homelessness.
- 3) Third Priority–Chronically Homeless Individuals and Families with the Most Severe Service Needs.
- 4) Fourth Priority–All Other Chronically Homeless Individuals and Families.

In compliance with HUD’s “Order of Priority in CoC Program-funded Permanent Supportive Housing”, the Riverside County CoC prioritizes as follows:

- 1** Chronically Homeless Individuals and Families with the Longest History of Homelessness and with the Most Severe Service Needs.
- 2** Chronically Homeless Individuals and Families with the Longest History of Homelessness.
- 3** Chronically Homeless Individuals and Families with the Most Severe Service Needs.
- 4** All Other Chronically Homeless Individuals and Families.

CoC Records

In addition to the records required in 24 CFR 578.103, Riverside County CoC documents and maintains the following documentation:

1. Evidence of written standards that incorporate the priorities in Section III. of this Notice, as adopted by the CoC;
2. Evidence of a standardized assessment tool; The use of a standardized assessment tool may be evidenced by written policies and procedures referencing a single standardized assessment tool that is used by all CoC Program-funded PSH recipients within the geographic area.
3. Evidence that the written standards were incorporated into the coordinated assessment policies and procedures.

Recipient Recordkeeping Requirements

In addition to the records required in 24 CFR 578.103, recipients of Riverside County CoC Program-funded PSH that is required by grant agreement to document chronically homeless status of program participants in some or all of its PSH beds must maintain the following records:

1. Written Intake Procedures
2. Evidence of Chronically Homeless Status

Leasing Requirements

Leasing projects involve the leasing of property or portions of property (including single units) not owned by the recipient for use in providing PSH or supportive services. With leasing projects, the lease is between the subrecipient and the landowner while the occupancy agreement or sublease is between the subrecipient and program participant. Leasing funds may be used to pay up to 100% of the costs of leasing a structure. When electricity, gas, and water are included in the rent, these utilities may be paid from leasing funds. If the landlord does not provide utilities, these utility costs are an operating cost, except for supportive service facilities. Leasing funds cannot be used to lease units or structures owned by the recipient, sub-recipient, or their parent, subsidiary, or affiliated organization. HUD has the authority, however, to grant an exception to the ownership clause for good cause.

PSH Written Standards #1 – No Designated Length of Stay

Program participants are provided housing without a designated length of stay that permits them to live as independently as possible.

Consistent with the definition of permanent housing in section 401 of the McKinney-Vento Act and § 578.3 of this interim rule, the permanent housing component is community-based housing without a designated length of stay that permits formerly homeless individuals and families to live as independently as possible. The interim rule clarifies that Continuum of Care funds may be spent on two types of permanent housing: permanent supportive housing for persons with disabilities (PSH) and rapid rehousing that provides temporary assistance (i.e., rental assistance and/or supportive services) to program participants in a unit that the program participant retains after the assistance ends.

Leasing and Occupancy Agreements

A key component in CoC leasing and rental assistance is leasing and occupancy agreements. All participants must have a signed agreement outlining the terms of their housing. Two individuals in a shared housing situation must have their own lease and their own bedroom unless the two individuals are presented together as a household.

PSH Written Standards #2 – Lease Agreement

The program participant must be the tenant on a lease for a term of at least one year that is renewable and is terminable only for cause. The lease must be renewable for terms that are a minimum of one month long.

HUD clarifies that to be permanent housing, “the program participant must be the tenant on a lease for a term of at least one year that is renewable and is terminable only for cause. The lease must be renewable for terms that are a minimum of one month long.” HUD has determined that requiring a lease for a term of at least one year that is renewable and terminable only for cause, assists program participants in obtaining stability in housing, even when the rental assistance is temporary (CFR 578.77).

Rental Assistance & Restrictions

Rental assistance grants are differentiated from leasing grants in that these grants provide rental assistance to eligible persons for permanent housing. For rental assistance grants, the lease is between the program participant and the landowner or sub lessor. Grant funds may be used for permanent supportive housing rental assistance. Rental assistance cannot be provided to a program participant who is already receiving rental assistance, or living in a housing unit receiving rental assistance or operating assistance through other federal, State, or local sources.

PSH Written Standards #3 – Restricted Assistance and Disabilities

Permanent supportive housing can only provide assistance to individuals with disabilities and families in which one adult or child has a disability.

Supportive Services

Once in housing, program participants have access to the support services that they need and want to live as independently as possible. Although PSH is designed for people who need supportive services, accepting these services is not a condition of housing. A person’s home is a place to live rather than a treatment setting. As such, supportive services are voluntary, but can and should be used to persistently engage tenants and ensure housing stability. Tenants receive assistance in defining their needs and preferences through annual assessments of service needs and individualized support plans that reflect those preferences. On-site residential supervision is provided as needed to facilitate the adequate provision of supportive services to the residents (CFR 578.37).

PSH Written Standards #4 – Supportive Services

Supportive services designed to meet the needs of program participants must be made available to the program participants.

PSH Written Standards #5 – Duration of Supportive Services Assistance

Supportive services to enable program participants to live as independently as possible must be provided throughout the duration of their residence.

Recipients and subrecipients may require the program participants to take part in supportive services that are not disability-related services provided through the project as a condition of continued participation in the program. Examples of disability-related services include, but are not limited to, mental health services, outpatient health services, and provision of medication, which are provided to a person with a disability to address a condition caused by the disability. Notwithstanding this provision, if the purpose of the project is to provide substance abuse treatment services, recipients and subrecipients may require program participants to take part in such services as a condition of continued participation in the program (CFR 578.75).

Supportive services are voluntary, but can and should be used to persistently engage tenants to ensure housing stability - Supportive services are proactively offered to help tenants achieve and maintain housing stability, but tenants are not required to participate in services as a condition of tenancy. Techniques such as harm reduction and motivational interviewing may be useful. Harm reduction techniques can confront and mitigate the harms of drug and alcohol use through non-judgmental communication while motivational interviewing may be useful in helping households acquire and utilize new skills and information.

PSH Written Standards #6 – Supportive Services Agreement

Program participants may be required to take part in supportive services that are not disability-related services (including substance abuse treatment services) provided through the project as a condition of continued participation in the program. However, HUD tends to believe that these kind of requirements can be barriers and should be rare and minimal if used as all.

Housing Quality Standards (HQS)

Under the CoC Program, all housing that is leased with Continuum of Care program funds, or for which rental assistance payments are made with Continuum of Care program funds, must meet the applicable Housing Quality Standards (HQS) under 24 CFR 982.401 of this title, except that 24 CFR 982.401(j) applies only to housing occupied by program participants receiving tenant-based rental assistance.

HQS dictates that, at a minimum, the unit must have a living room, a kitchen, and a bathroom. HQS requirements also dictate that the bathroom must be contained within the unit, afford privacy (usually meaning a door, although no lock is required), and be for the exclusive use of the occupants. Additionally, the unit must have suitable space and equipment to store, prepare, and serve food in a sanitary manner. This includes a requirement for an oven and stove or range, a refrigerator of appropriate size for the family, and a kitchen sink with hot and cold running water. Hot plates are not acceptable substitutes for stoves or ranges. However, a microwave oven may be used in place of a conventional oven, stove, or range if the oven/stove/range are tenant supplied or if microwaves are furnished in both subsidized and unsubsidized units in the building or premises.

The CoC Program also allows for shared housing/roommate situations in projects with leasing or rental assistance funds. **Each household must have the bedroom size that fits their household size. In other words, 2 individuals in a shared housing situation must have their own lease, and their own bedroom. The only situation where 2 people would be sharing one bedroom would be if they presented together as a household.**

PSH Written Standards #7 – One Person per Bedroom

Two individuals in a shared housing situation must have their own lease and their own bedroom unless the two individuals are presented together as a household.

Program Income

Program income includes the following (CFR 578.97):

- (a) Defined. Program income is the income received by the recipient or subrecipient directly generated by a grant-supported activity.
- (b) Use. Program income earned during the grant term shall be retained by the recipient, and added to funds committed to the project by HUD and the recipient, used for eligible activities in accordance with the requirements of this part. Costs incident to the generation of program income may be deducted from gross

income to calculate program income, provided that the costs have not been charged to grant funds.

(c) Rent and occupancy charges. Rents and occupancy charges collected from program participants are program income. In addition, rents and occupancy charges collected from residents of transitional housing may be reserved, in whole or in part, to assist the residents from whom they are collected to move to permanent housing.

PSH Written Standards #8 – Program Income

Program income generated from rent and occupancy charges may be collected from program participants and added to funds committed to the project by HUD and used for eligible program activities.

Calculating Occupancy Charges and Rent

Calculating occupancy charges and rent (b) (1) (2) (3) notes the following about occupancy agreements (CFR 578.77):

(b) Calculation of occupancy charges. Recipients and subrecipients are not required to impose occupancy charges on program participants as a condition of residing in the housing. However, if occupancy charges are imposed, they may not exceed the highest of:

(1) 30 percent of the family's monthly adjusted income (adjustment factors include the number of people in the family, age of family members, medical expenses, and child-care expenses);

(2) 10 percent of the family's monthly income; or

(3) If the family is receiving payments for welfare assistance from a public agency and a part of the payments (adjusted in accordance with the family's actual housing costs) is specifically designated by the agency to meet the family's housing costs, the portion of the payments that is designated for housing costs.

PSH Written Standards #9 – Calculating Occupancy Charges and Rent

If occupancy charges are imposed, they may not exceed the highest of: 1) 30 percent of the family's monthly adjusted income (adjustment factors include the number of people in the family, age of family members, medical expenses, and child-care expenses); 2) 10 percent of the family's monthly income; or 3) If the family is receiving payments for welfare assistance from a public agency and a part of the payments (adjusted in accordance with the family's actual housing costs) is specifically designated by the agency to meet the family's housing costs, the portion of the payments that is designated for housing costs.

Recipients or subrecipients must examine a program participant's income initially, and at least annually thereafter, to determine the amount of the contribution toward rent payable by the program participant. Adjustments to a program participant's contribution toward the rental payment must be made as changes in income are identified (CFR 578.77).

PSH Written Standards #10 – Examining Program Participant's Initial Income

A program participant's initial income must be examined at least annually to determine the amount of the contribution toward rent payable by the program participant and adjustments to a program participant's contribution toward the rental payment must be made as changes in income are identified.

As a condition of participation in the program, each program participant must agree to supply the information or documentation necessary to verify the program participant's income. Program participants must provide the recipient or subrecipient with information at any time regarding changes in income or other circumstances that may result in changes to a program participant's contribution toward the rental payment (CFR 578.77).

Recordkeeping Requirements

In order to use our limited resources in the most effective means possible, the Riverside County CoC has established uniform recordkeeping requirements for all PSH grant recipients. These requirements ensure compliance with HUD's definition of homelessness, chronic homelessness, and the recordkeeping requirements set forth in CFR 578.103 and Notice CPD-14-012. The following documentation of annual income must be kept by recipient or subrecipient:

- (i) Income evaluation form specified by HUD and completed by the recipient or subrecipient; and
- (ii) Source documents (e.g., most recent wage statement, unemployment compensation statement, public benefits statement, bank statement) for the assets held by the program participant and income received before the date of the evaluation;
- (iii) To the extent that source documents are unobtainable, a written statement by the relevant third party (e.g., employer, government benefits administrator) or the written certification by the recipient's or subrecipient's intake staff of the oral verification by the relevant third party of the income the program participant received over the most recent period; or
- (iv) To the extent that source documents and third-party verification are unobtainable, the written certification by the program participant of the amount of

income that the program participant is reasonably expected to receive over the 3-month period following the evaluation.

PSH Written Standards #11 – Verifying Program Participant’s Initial Income

Each program participant must agree to supply the information or documentation necessary to verify the program participant’s income.

Recalculating Occupancy Charges and Rent

In order to use the resources of the Riverside County CoC in the most effective means possible, the Riverside County CoC has established uniform recordkeeping requirements for all PSH grant recipients. These requirements ensure compliance with HUD’s definition of homelessness, chronic homelessness, and the recordkeeping requirements set forth in 24 CFR 578.103 and Notice CPD-14-012. All records must be retained for the greater of 5 years.

Income must be calculated in accordance with 24 CFR 5.609 and 24 CFR 5.611(a). Recipients and subrecipients must examine a program participant’s income initially, and if there is a change in family composition (e.g., birth of a child) or a decrease in the resident’s income during the year, the resident may request an interim reexamination, and the occupancy charge will be adjusted accordingly.”

PSH Written Standards #12 – Recalculating Occupancy Charges and Rent

If there is a change in family composition (e.g., birth of a child) or a decrease in the resident’s income during the year, the resident may request an interim reexamination, and the occupancy charge will be adjusted accordingly.

Termination of Assistance

PSH program recipients may terminate assistance to a participant who violates program requirements or conditions of occupancy utilizing a formal process that recognizes the due process of law. Recipients may resume assistance to a participant whose assistance has been terminated.

Recipients that are providing permanent supportive housing for hard-to-house populations of homeless persons must exercise judgment and examine all circumstances in determining whether termination is appropriate in the most severe cases.

PSH Written Standards #13 – Termination of Assistance

Assistance may be terminated to a program participant who violates program requirements or conditions of occupancy by providing a formal process that recognizes the due process of law.

Determining Written Standards for Rapid Rehousing

Rapid rehousing is considered permanent housing. Rapid Re-housing is an intervention designed to move homeless individuals and families into permanent housing as quickly as possible. Rapid Re-housing programs focus on eliminating barriers to moving individuals and families quickly into permanent housing by providing housing location services and financial assistance for housing related expenses (e.g. rent arrears, ongoing rental assistance, moving costs). Rapid Re-housing services are designed with a housing first approach to get individuals and families in permanent housing and keep them stable once they are there.

In Riverside County, Rapid Re-Housing is a critical strategy for ending homelessness for households with children due to the shortage of affordable housing. It is also a high priority for single adults who assess as self-sufficient and can address affordability through a combination of shared housing and increasing income.

Types of rapid rehousing assistance include:

- Rental assistance;
- Case management;
- Supportive services; and
- Security deposits.

Eligible Clients

Eligible clients must meet HUD's Category 1 definition of homelessness which is:
Individuals and families who lack a fixed, regular, and adequate nighttime residence:

- 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, etc.
- 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);
- 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; or
- An individual fleeing or attempting to flee domestic violence if also literally homeless;

Eligible clients must also meet eligibility criteria as defined in the NOFA under which the program was funded.

RRH Performance Benchmarks

All RRH providers should meet or exceed project quality goals established by HUD and CoC guidelines which include the following:

- At least 80 percent of project participants either remained in permanent housing or exited to permanent housing;
- At least 20 percent or more of project participants have employment income (or other sources such as SSI and/or SSDI, for those who are not employable);
- At least 54 percent of project participants increased their income from sources other than employment in a given operating year;
- At least 56 percent of project participants obtained mainstream benefits; and
- 100 percent of the project participants came from the street or other locations not meant for human habitation, emergency shelters, or safe havens.

In addition, RRH providers must:

- Implement a housing first approach.

Prioritizing Rapid Rehousing

Recently, HUD provided guidance for rapid rehousing in terms of prioritizing subpopulations. HUD noted in a SNAPS In Focus: Rapid Re-Housing As a Model and Best Practice, August 6, 2014, that

Rapid re-housing can be effective for many populations, such as families with children, youth aging out of foster care, domestic violence survivors, single adults, and veterans, but should be targeted to those households that would not be able to get out of homelessness without the assistance. It is particularly a key strategy for achieving the Opening Doors goal of ending family, youth, and child homelessness by 2020 (*SNAPS In Focus: Rapid Re-Housing As a Model and Best Practice, 8/6/14*).

Rapid re-housing should prioritize people with more challenges, including those with no income, poor employment prospects, troubled rental histories, and criminal records. Providers should link participants with community resources that will help them achieve longer-term stability and well-being. Now is the time for communities to be working together to establish written standards for administering rapid re-housing and thinking strategically about how this type of assistance will be used most effectively within the CoC (*SNAPS In Focus: Rapid Re-Housing As a Model and Best Practice, 8/6/14*)."

Rapid re-housing is an effective intervention for many different types of households experiencing homelessness, including those with no income, with disabilities, and with poor

rental history. The majority of households experiencing homelessness are good candidates for rapid re-housing. The only exceptions are households that can exit homelessness with little or no assistance, those who experience chronic homelessness and who need permanent supportive housing, and households who are seeking a therapeutic residential environment, including those recovering from addiction.



The Riverside County CoC will prioritize the following subpopulations:

- 1) families with children
- 2) domestic violence survivors
- 3) single adults
- 4) veterans that can exit homelessness with little or no assistance, those who experience chronic homelessness and who need permanent supportive housing, and households who are seeking a therapeutic residential environment, including those recovering from addiction.

Lease Requirements

In compliance with HUD requirements, Riverside County CoC clarifies that to be permanent housing, the program participant must be the tenant on a lease for a term of at least one year that is renewable and is terminable only for cause. The lease must be renewable for terms that are a minimum of one month long. HUD has determined that requiring a lease for a term of at least one year that is renewable and terminable only for cause, assists program participants in obtaining stability in housing, even when the rental assistance is temporary.

RRH Written Standards #1 – Lease Agreement

The program participant must be the tenant on a lease for a term of at least one year that is renewable and is terminable only for cause. The lease must be renewable for terms that are a minimum of one month long.

Rental Assistance

The Riverside County CoC and ESG funds may provide supportive services and/or **short-term (up to 3 months) and/or medium-term (for 3 to 24 months) tenant-based rental assistance**, as necessary to help a homeless individual or family, with or without disabilities, move as quickly as possible into permanent housing and achieve stability in that housing (CFR 578.51, 578.53).

RRH Written Standards #2 – Rental Assistance

Program participants may receive short-term (up to 3 months) and/or medium-term (for 3 to 24 months) tenant-based rental assistance.

Riverside County CoC and ESG programs may set a maximum amount or percentage of rental assistance that a program participant may receive, a maximum number of months that a program participant may receive rental assistance, and/or a maximum number of times that a program participant may receive rental assistance. The recipient or subrecipient may also require program participants to share in the costs of rent. For the purposes of calculating rent for rapid rehousing, the rent shall equal the sum of the total monthly rent for the unit and, if the tenant pays separately for utilities, the monthly allowance for utilities (excluding telephone) established by the public housing authority for the area in which the housing is located (CFR 578.37).

RRH Written Standards #3 – Amount of Rental Assistance

Standards for determining the share of rent and utilities costs that each program participant must pay, if any, will be based on the following guidelines:

- The maximum amount of rent that a participant will pay can be up to 100% of the rental amount;
- The maximum percentage of income paid by participants towards rent at program completion shall be no more than 50%. However, in certain circumstances, on a case-by-case basis, there may be participants whose rental share may exceed 50% of the rent based on their financial circumstances. In general, the goal will be that participants pay generally no more than 50% of their income in rent;
- 100% of the cost of rent in rental assistance may be provided to program participants. However to maximize the number of households that can be served with rapid re-housing resources, it is expected that the level of need will be based on the goal of providing only what is necessary for each household to be stably housed for the long term;
- 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.

RRH Written Standards #4 – Duration of Assistance

Program participants may receive up to 24 months of rental assistance. However, it is expected that program participants will only receive the level of assistance necessary to be stably housed for the long-term.

Grant funds may be used for rental assistance for homeless individuals and families. Rental assistance cannot be provided to a program participant who is already receiving rental assistance, or living in a housing unit receiving rental assistance or operating assistance through other federal, State, or local sources (CFR 578.51).

RRH Written Standards #5 – Receiving Rental Assistance through Other Sources

Rental assistance cannot be provided to a program participant who is already receiving rental assistance, or living in a housing unit receiving rental assistance or operating assistance through other federal, State, or local sources.

Security Deposits

Grant funds may be used for security deposits in an amount not to exceed 2 months of rent. An advance payment of the last month's rent may be provided to the landlord, in addition to the security deposit and payment of first month's rent (CFR 578.51).

RRH Written Standards #6 – Security Deposits including Last Month's Rent

Program participants may receive funds for security deposits in an amount not to exceed 2 months of rent.

Case Management

The Riverside County CoC has defined case management as a collaborative process that assesses, plans, implements, coordinates, monitors, and evaluates the options and services required to meet the client's health and human service needs. It is characterized by advocacy, communication, and resource management and promotes quality and cost-effective interventions and outcomes. Case management focuses on housing stability and placement, with an emphasis on the arrangement, coordination, monitoring, and delivery of services related to housing needs and improving housing stability.

A meeting with a case manager is required in order to receive RRH assistance, although it is not necessarily the first step. Some communities might have a screening, intake, assessment and eligibility determination process that precedes assignment to a case manager, while other communities will have case managers performing the eligibility task. Regardless of the arrangement, the meeting with the case manager should be regarded not only as a program requirement, but also as an early opportunity to help a household improve its housing stability during and beyond the period of RRH assistance.

RRH Written Standards #7 – Case Management

Program participants must meet with a case manager not less than once per month to assist the program participant in ensuring long-term housing stability.

Supportive Services

Continuum of Care funds may provide **supportive services**, as set forth in § CFR 578.53, and/or short-term (up to 3 months) and/or medium-term (for 3 to 24 months) tenant-based rental assistance, as set forth in § CFR 578.51(c), as necessary to help a homeless individual or family, with or without disabilities, move as quickly as possible into permanent housing and achieve stability in that housing.

RRH Written Standards #8 – Supportive Services

Program participants may receive supportive services as set forth in § 578.53 (see Appendix B)

RRH Written Standards #9 – Duration of Supportive Services

Program participants may receive supportive services for no longer than 6 months after rental assistance stops.

Re-evaluating Participants

In compliance with HUD requirements, CoC and ESG programs must re-evaluate, not less than once annually, that the program participant lacks sufficient resources and support networks necessary to retain housing without Continuum of Care assistance and the types and amounts of assistance that the program participant needs to retain housing. The recipient or subrecipient may require each program participant receiving assistance to notify the recipient or subrecipient of changes in the program participant's income or other circumstances (e.g., changes in household composition) that affect the program participant's need for assistance. When notified of a relevant change, the recipient or subrecipient must reevaluate the program participant's eligibility and the amount and types of assistance that the program participant needs (CFR 578.37).

RRH Written Standards #10 – Re-evaluation

Program participants must be re-evaluated, not less than once annually, in order to determine whether program participants lack sufficient resources and support networks necessary to retain housing without Continuum of Care assistance and the types and amounts of assistance that the program participant needs to retain housing.

Determining Written Standards for Transitional Housing

Transitional housing means housing, where all program participants have signed a lease or occupancy agreement, the purpose of which is to facilitate the movement of homeless individuals and families into permanent housing within 24 months or such longer period as HUD determines necessary. The program participant must have a lease or occupancy agreement for a term of at least one month that ends in 24 months and cannot be extended (CFR 578.3).

Riverside County CoC understands that there are families and individuals who need more assistance than rapid re-housing offers but who do not qualify for permanent supportive housing. Transitional housing should be reserved for those populations that most need that type of intervention – programs that serve domestic violence survivors and youth and those that provide substance abuse treatment come to mind first – rather than being used either as a holding pattern for those that really need permanent supportive housing or those that need less intensive interventions (*SNAPS Weekly Focus (9/18/2013)*).

TH Performance Benchmarks

The Riverside County CoC strongly encourages sub-recipients to carefully review the transitional housing projects for cost-effectiveness, performance, and for the number and type of eligibility criteria to determine if rapid re-housing might be a better model for the CoC's geographic area.

All TH providers should meet or exceed project quality goals established by HUD and CoC guidelines which include the following:

- At least 80 percent of project participants exited from transitional housing to permanent housing;
- At least 20 percent or more of project participants have employment income (or other sources such as SSI and/or SSDI, for those who are not employable);
- At least 54 percent of project participants increased their income from sources other than employment in a given operating year; and
- At least 56 percent of project participants obtained mainstream benefits.

In addition, TH providers are required to answer "yes" as to whether the program implements a housing first approach.

Eligible Clients

Individuals and families defined as Homeless under the following categories are eligible for assistance in TH projects:

- Category 1 – Literally Homeless
- Category 2 – Imminent Risk of Homelessness
- Category 4 – Fleeting/Attempting to Flee Domestic Violence

HUD's Category 1 definition of homelessness is:

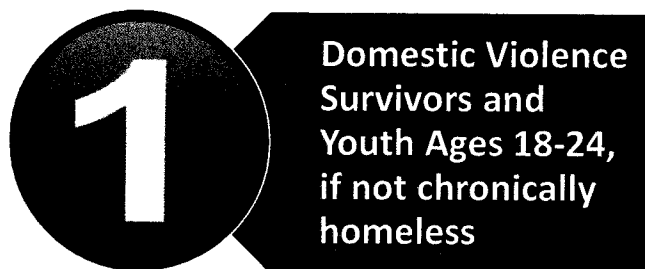
Individuals and families who lack a fixed, regular, and adequate nighttime residence:

- 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, etc.;
- 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
- 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.

Eligible clients must also meet eligibility criteria as defined in the NOFA under which the program was funded. The 2015 HUD CoC NOFA states that recent research shows that transitional housing is generally more expensive than other housing models serving similar populations with similar outcomes. HUD also recognizes that transitional housing may be an effective tool for addressing certain needs such as:

- housing for underage homeless youth;
- safety for persons fleeing domestic violence; and
- assistance with recovery from addiction.

Prioritizing Transitional Housing



The Riverside County CoC prioritizes TH as follows (2015 HUD CoC NOFA):

- 1) Domestic violence survivors and youth ages 18 – 24 will be prioritized for transitional housing if they are not assessed as chronically homeless.¹
- 2) All chronically homeless individuals and families will not be served through transitional housing unless other housing is not available (Coordinated Entry Brief, pg. 5).² Such households will be served by permanent supportive housing through a Housing First approach.

Leasing Requirements

Riverside County program participants in transitional housing must enter into a lease agreement for a term of at least one month. The lease must be automatically renewable upon expiration, except on prior notice by either party, up to a maximum term of 24 months (CFR 578.51).

TH Written Standards #1 – Lease Agreement

The program participant must have a lease or occupancy agreement for a term of at least one month that ends in 24 months and cannot be extended.

Transitional housing facilitates the movement of homeless individuals and families to PH within 24 months of entering TH. Grant funds may be used for acquisition, rehabilitation, new construction, leasing, rental assistance, operating costs, and supportive services (CFR 578.37).

TH Written Standards #2 –Duration of Leasing Agreement

The lease with program participant “must be automatically renewable upon expiration, except on prior notice by either party, up to a maximum term of 24 months.”

EXHIBIT F

Board of Governance Charter
County of Riverside Continuum of Care

ADOPTED APRIL 22, 2015

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**BOARD OF GOVERNANCE CHARTER (BOG)
OF THE COUNTY OF RIVERSIDE CONTINUUM OF CARE**

Article I. NAME

The name of this organization shall be "The County of Riverside Continuum of Care" and shall hereinafter be referred to in this charter as the "CoC."

Article II. CONTINUUM OF CARE

Section 2.01 Mission

The CoC is comprised of public and private agencies along with community residents including homeless and formerly homeless individuals. The CoC was designed to assess the need for homeless and affordable housing services and to develop and implement a Continuum of Care Plan for the region on behalf of individuals and families who are currently living in homelessness or at risk of becoming homeless.

Section 2.02 Specific Purpose of the CoC

The County of Riverside CoC is the planning body that coordinates the community's policies, strategies and activities toward ending homelessness.

In addition to the purposes of the CoC as stated in 24 Code of Federal Regulations 578.1, the CoC shall endeavor to:

- a. Make possible for homeless, at-risk for homelessness, very low, low and moderate-income individuals and families the ability to attain and maintain safe, decent, affordable housing and supportive services.
- b. Review and make recommendations regarding proposed homeless services projects through the U.S. Department of Housing and Urban Development (HUD) NOFA process.
- c. Be responsible for the coordination of the census of homeless persons in the County as required by the U.S. Department of Housing and Urban Development (HUD) or as defined by the CoC to meet the needs of the county.

Section 2.03 Limitations

No substantial part of the activities of this CoC shall consist of lobbying or propaganda, or shall otherwise attempt to influence legislation, except as provided in section 501(h) of the Internal Revenue Code of 1986. This CoC shall not participate in or intervene in (including publishing or distributing statements) any political campaign on behalf of or in opposition to any candidate for public office.

Article III. PRINCIPAL OFFICE

The principal office of the CoC shall be located in the State of California, County of Riverside in the City of Riverside.

Article IV. ORGANIZATIONAL STRUCTURE

The CoC shall be composed of three main bodies – the CoC membership, the Board of Governance (BOG) and HMIS Administrators' Council– as well as subcommittees and workgroups as created by the CoC.

Article V. THE CONTINUUM OF CARE

Section 5.01 CoC Roles

The CoC will address housing and supportive services issues for individuals and families who are currently living in homelessness or at risk of becoming homeless within the County of Riverside on a regional level. The CoC will be responsible to:

- a. Administer CoC directives;
- b. Implement U.S. Department of Housing and Urban Development (HUD) and CoC program rules and regulations;
- c. Implement CoC projects and activities;
- d. Advance activities and concerns relative to identified housing and supportive service needs of individuals and families who are currently living in homelessness or at risk of becoming homeless within the County of Riverside;
- e. Develop and coordinate a regional CoC service network;
- f. Provide a forum for the full CoC membership to discuss issues and propose resolutions relative to the advancement of homeless issues.

Section 5.02 CoC Composition

The CoC shall consist of members of the public who reside in Riverside County and/or representatives from relevant organizations within the County of Riverside ("County") organized to carry out the duties provided for pursuant to rules and regulations promulgated by HUD. Relevant organizations include, but are not limited to: nonprofit homeless assistance providers, victim service providers, faith-based organizations, governments, businesses, advocates, public housing agencies, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing developers, law enforcement, and organizations that serve veterans and homeless and formerly homeless individuals.

Section 5.03 Becoming a Member of the CoC

Any interested stakeholder within the County of Riverside may request to become a member of the CoC. All membership shall be voted on by the CoC. There are two forms of membership, membership of an organization or agency and membership as an individual. CoC members obtain and retain voting privileges through attendance and participation in accord with established policies.

To become a member of the Riverside County CoC, either as an agency/organization or an individual the following is required:

- Complete a membership application;
- Attend three consecutive meetings, and on the fourth meeting the membership request will be placed on the meeting agenda as a consent item for a vote.

In order to maintain membership in good standing, members are required to attend fifty percent plus one (50% +1) meetings per year. Paid employees/volunteers of a voting agency, who are the designated representative for that agency, are not allowed to also join the CoC as an individual member. Each agency or individual must select a delegate that will vote for the organization. An Individual identified as the delegate for an agency cannot hold a dual membership as a public member. Each agency or organization shall also select an alternate delegate who will vote in the absence of the assigned voting delegate. The designation of the delegate and alternate for an agency/organization should be submitted in writing to the CoC Chair on agency letterhead.

Section 5.04 Duties of the CoC

The CoC is required to perform the following duties:

V.04.01 Operation of the CoC

- a. Designate and monitor a collaborative applicant, which shall include review of the MOU at least bi-annually;
- b. Conduct meetings of the CoC membership at a frequency agreed to by CoC membership but no less than semiannually;
- c. Issue public invitations at least annually for new members within the geographic area to join;
- d. Appoint committees, subcommittees, or workgroups;
- e. Update this charter to ensure compliance with federal regulations at least annually;
- f. Establish performance targets of the CoC, monitor the performance of recipients, evaluate outcomes of programs, and take appropriate action to achieve the goals of the CoC;
- g. Evaluate outcomes of projects funded under the Emergency Solutions Grants ("ESG") program and the CoC program, and report to HUD;
- h. Establish written standards and policies for providing assistance to the homeless population, including policies to determine who is eligible for assistance from the CoC funded programs.
- i. Provide direction and oversight to the regional working groups and standing committees of the CoC;
- j. Develop guidelines and provide oversight to the annual HUD application process;
- k. Responsible for all matters pertaining to CoC membership;
- l. Conduct an annual planning process that fulfills the vision and mission of the CoC;
- m. Ensure that annual election of BOG members is undertaken;
- n. Educate the community on homeless issues;
- o. Provide advice and input on the operations of homeless services.

V.04.02 Operation of the HMIS

The CoC is accountable for the County of Riverside's Homeless Management Information System (HMIS), even if another organization is designated to operate it. The CoC is responsible for the following HMIS functions:

- a. Designate a single HMIS vendor for its geographic area.
- b. Designate and monitor a single eligible applicant to serve as the HMIS lead to manage HMIS, which shall include a review of the MOU at least bi-annually. Eligible applicants include nonprofits, state or local governments, or instrumentalities of State or Local governments.
- c. Ensure that HMIS is administered in compliance with requirements prescribed by HUD.
- d. Review, revise, and approve an HMIS privacy plan, security plan, and data quality plan.
- e. Ensure the consistent participation of recipients and sub recipients in HMIS.

V.04.03 CoC Planning

- a. Coordinate the implementation of housing and service systems within the County containing outreach, shelter and support services, and prevention strategies;
- b. Conduct a point-in-time count of individuals and families who are currently living in homelessness or at risk of becoming within the County as required by HUD;
- c. Conduct an annual gaps analysis of the homeless needs and services available within the County
- d. Research, identify and develop additional sources of funding;
- e. Provide information required to complete the Consolidated Plan(s);
- f. Consult with ESG recipients within the County regarding the allocation of ESG funds.
- g. Develop annual goals and work plans for the CoC, including the evaluation of those goals, objectives, and programs (work plans).

Section 5.05 CoC Officers

The CoC Officers should be comprised of a chairperson, a vice-chairperson, and a secretary.

V.05.01 Chairperson

The Chairperson shall be elected by the CoC membership and shall serve for a term of two years. The Chairperson shall have the following responsibilities:

- Conduct all CoC meetings;
- Ensure the actions of the CoC/BOG are consistent with this Charter, the laws of the State of California and HUD rules and regulations;
- Review and protect the mission of the CoC;
- Speak or assign someone to speak on behalf of the CoC, as requested;
- Ensures that individual standing committees' performance is regularly reviewed and identifies the process for CoC renewal through recruitment of new members for the CoC and for standing committees;
- Sets the CoC meeting schedule and agenda with assistance of the collaborative applicant;
- Guides the CoC to move forward in addressing or implementing activities, issues, regulations, etc. that address issues of individuals and families who are currently living in homelessness or at risk of becoming homeless;
- Guides the CoC in short- and long-range planning;
- Ensures all CoC members are involved in the decision making process;
- Advocates for the mission of the CoC;
- Acts as liaison to the BOG by serving as an ex-officio BOG member;
- Ensures the CoC is in compliance with the Brown Act (California Government Code section 54950 et seq.).

V.05.02 Vice-Chairperson

The Vice Chairperson shall be elected by the CoC membership and shall serve for a term of two years. The Vice Chair shall act when the Chairperson is unavailable to act.

V.05.03 Secretary:

The Secretary shall be responsible for ensuring the records and minutes of the membership meetings are properly recorded, reviewed, and distributed in a timely manner. He/she will ensure maintenance of records of meeting attendance and performs other such duties as may be delegated.

Section 5.06 Voting

Each member of the CoC is a voting member and is able to vote on any actionable item that is presented to the CoC for a vote. Each member shall designate a delegate and an alternate delegate who would be present to cast the member's vote.

Any member who has a financial interest in any outcome of any voting issue must declare a conflict and not cast a vote.

Article VI. THE BOARD OF GOVERNANCE

A Board of Governance will be comprised of elected members who will advocate for and provide information and/or recommendations to the County of Riverside Board of Supervisors, local government and other elected officials will monitor the overall effectiveness of the CoC planning processes and activities.

Section 6.01 BOG Membership

BOG Members are public and private entities, cities, agencies, non-profits, etc. who have been voted into office by the full CoC.

Section 6.06 Duties of the BOG

The CoC delegates the following duties to the BOG:

- Advocates for and monitors the implementation of the 10-Year Plan to End Homelessness and any subordinate plans as appropriate;
- Monitors the overall effectiveness of the CoC planning processes and activities and provides guidance, feedback and advocacy as appropriate;
- Approves the annual HUD Consolidated Application Review Work Group recommendation on behalf of the CoC;
- Communicates concerns and recommendations to the County of Riverside Board of Supervisors regarding countywide homeless policies and issues;
- Provides information and/or recommendations to local governments and elected officials about regional affordable housing and homeless policies and issues;
- Performs other duties as established by the CoC.

Section 6.07 BOG Officers

The BOG officers shall be comprised of a Chairperson, a Vice-Chairperson and a Secretary.

VI.07.01 Chairperson

The Chairperson shall be elected by the BOG membership and shall serve for a term of two years. The Chairperson shall have the following responsibilities:

- Conduct all BOG meetings;
- Ensure the actions of the CoC/BOG are consistent with this Charter, the laws of the State of California and HUD rules and regulations;
- Review and protect the mission of the CoC;
- Speak or assign someone to speak on behalf of the CoC/BOG, as requested;
- Set the BOG meeting agendas;
- Guides the BOG to move forward in addressing activities, issues, regulations, etc. that address issues of individuals and families who are currently living in homelessness or at risk of becoming homeless;
- Advocate for the mission of the CoC;
- Ensure the BOG is in compliance with the Brown Act (California Government Code section 54950 et seq.).

VI.07.02 Vice-Chairperson

The Vice Chairperson shall be elected by the BOG membership and shall serve for a term of two years. The Vice Chair shall act when the Chairperson is unavailable to act.

VI.07.03 Secretary

The Secretary shall be an Ex-Officio, non-voting officer represented by the Collaborative Applicant. The Secretary shall be responsible for keeping the BOG records, all correspondence, and other documents/papers as may be related to the business of the BOG.

Section 6.08 CoC Board of Governance Attendance/Absence

- BOG members shall not miss more than two (2) meetings during any calendar year.
- If unusual circumstances occur that may require a member to miss more than the two (2) meetings, a vote of the BOG shall be required to determine whether or not a member may retain their position on the Board.
- Vacancies shall be filled in accordance with Riverside County Board of Supervisors Policy A-21, Section 5(e)

Section 6.09 CoC Board of Governance Meetings

The BOG shall meet at least four (4) times a year (preferably once a quarter).

Unless otherwise noted, BOG meetings shall take place at a location to be determined by the BOG members.

Section 6.02 BOG Membership Structure and Election of members

The CoC BOG will be made up of 15 members of the BOG, with two members as Ex-Officio members: the CoC Chair and Secretary represented by the Collaborative Applicant. The Board will maintain an odd number of members and/or representatives from various groups or organizations as outlined below:

Private Sector: 7 Seats

- 3 seats representing the private sector (For example: Banking, Health Care, and Housing)
- 3 seats representing the non-profit sector
- 1 seat representing an individual currently living in homelessness or who has formerly experienced being homeless.

Public Sector: 6 Seats

- 5 seats representing government agencies (For example: Public Housing Authority, Dept. of Mental Health, Veterans' Affairs, law enforcement, and probation)
- 1 seat representing the County of Riverside Board of Supervisors

Ex-officio: 2 seats (non-voting)

- 1 seat representing the CoC membership Chairperson
- 1 seat is the Collaborative Applicant, which serves as Secretary

Section 6.03 Term and Election of BOG members

Each BOG member will hold office for a term of three (3) years from date of election to office. Consistent with the Riverside County Board of Supervisors Board Policy A-21, elections shall take place so that new board members will take office beginning on July 1 of the calendar year, with terms expiring on June 30th.

With the exception of election of BOG members in 2015, the CoC will hold elections for approximately 1/3 of the BOG members annually, so that every year 3 or 4 new BOG members are appointed.

Due to the fact that in 2015, the BOG will be all new appointees, the initial terms of the members shall be staggered so that four (4) members shall serve a one year term for the initial appointments and four (4) members will serve a two year term for the first appointments. Subsequent elections to fill each of those member's seats shall be for the full three-year term.

Section 6.04 Nomination Work Group

The CoC Chair shall call for volunteers to form a nominating work group for BOG members. The role of this work group shall be:

- Select a chair
- Vet out the nominees
- Educate nominees on their roles and responsibilities as a BOG member
- Present their work to the CoC
- Create a ballot for BOG nominees
- Present ballot for CoC approval
- Identify possible dates for the vote

Section 6.05 Resignation from BOG and elections to fill vacancies

A BOG member who desires to resign from office must submit a letter of resignation. Upon acceptance of a letter of resignation, a call for nomination through the full CoC membership will be undertaken through the normal election process, as outlined below, to fill the vacant position. Any BOG member who is appointed to fill a vacant seat shall serve out the term of the member who vacated.

Article VII. HMIS ADMINISTRATORS COUNCIL

A Council of HMIS Agency Administrators, HMIS lead staff and others gathered to provide oversight, guidance and data quality assurance within the chosen HMIS system, on behalf of the County of Riverside CoC.

Section 7.01 Membership is comprised of

- Designated HMIS Administrators of CoC programs (required participation)
- HMIS Lead Agency Staff
- Participating Agency staff
- Others as deemed appropriate by Council/CoC

Section 7.02 Council Essential Functions on behalf of the CoC

- Holds regularly scheduled meetings;
- Determines of policies/procedures governing the HMIS system for CoC;
- Provides oversight to HMIS lead agency;
- Governs and oversight of HMIS planning, participation, coordination of resources, coordination of data and data integration;
- Oversees of the security policies which supports and protects the rights and privacy of clients;
- Oversees of development and maintenance of a coordinated data system;
- Oversees of determination of the software application used in HMIS system;
- Reviews HMIS data for accuracy, reporting and compliance on a regular basis;
- Ensures HMIS lead agency provides regular training on ethics and client confidentiality;
- Ensures HMIS is governed in accordance with CoC and HUD expectations;
- Monitors HMIS lead agency on a regular basis;
- Ensures monitoring is conducted by lead agency of participating agencies for compliance;
- Ensures agencies are collecting all necessary data to produce required reporting;
- Ensures agency participation;
- Ensures accuracy of CoC NOFA and AHAR reporting;
- Develops and regular updating the HMIS charter;
- Assists in the CoC Lead agency planning of the Point-in-Time count;
- Provides education about the HMIS system to the COC and others as needed;

Article VIII. STANDING COMMITTEES

Section 8.01 Standing Committee Structure

VIII.01.01 The purpose of the Standing Committees are to:

- Follow the goals and mission of the CoC
- Establish a work plan
- Make recommendations to the CoC
- Carry out approved work plan
- Provide an annual report of outcomes to the CoC

VIII.01.02 The following Standing Committees are hereby established:

- a. Housing Committee
- b. Planning Committee
- c. Membership Committee
- d. Funding/Finance Committee
- e. Discharge Planning Committee
- f. Standards/Evaluation Committee
- g. Employment and Self-Sufficiency Committee

VIII.01.03 The roles of the Standing Committees are as follows:

- a. **Housing Committee:** To address the various housing needs and barriers of individuals and families who are currently living in homelessness or at risk of becoming homeless within the County of Riverside.
 - b. **Planning Committee:** Develop and recommend plans, goals and strategies that will achieve the mission and goals of the CoC. Implement, assign strategies, plans and goals.
 - c. **Membership Committee:**
 - Recommend and carry out a strategy to recruit new members and expand CoC capacity.
 - Recommend outreach strategies and develop membership recruitment tools.
 - Develop an orientation packet that includes material relevant to the Continuum of Care and the responsibilities for all members to review.
 - d. **Funding/Finance Committee:**
 - Develop a funding strategy that would expand on existing resources currently used for assisting individuals and families who are currently living in homelessness or at risk of becoming homeless.
 - Identify various funding sources that include, but are not limited to private, federal and state grants that would support the provision of homeless services in the County of Riverside.
 - e. **Discharge Planning Committee:** Develop and implement a strategy to successfully reintegrate persons leaving institutional care to community based living and self-sufficiency through effective use of community services.
 - f. **Standards/Evaluation Committee:**
 - Recommend baseline/performance standards for CoC in compliance with or in addition to funding guidelines/thresholds.
 - Develop a process to evaluate performance of CoC and Emergency Solutions Grant (ESG) projects.
 - Establish, train and support an annual funding application work group that consists of non-conflicted individuals.
 - g. **Employment and Self-Sufficiency Committee:** The committee shall address the employment and self-sufficiency aspects related to the individuals and families who are currently living in homelessness or at risk of becoming homeless within the County of Riverside.
- 1) Each Standing Committee shall elect a Chair, Vice Chair, and Secretary to serve on the respective Committee.
 - 2) The Chair of each Committee shall be responsible for reporting activities, programs, projects, concerns, etc. of their respective Committee to the CoC.
 - 3) The respective Standing Committee members shall undertake vacancy of all other Standing Committee officers through election.
 - 4) No term of office, membership, or attendance criteria shall be established by the CoC or the BOG for the committees. It shall be the responsibility of the members of the respective committees to establish these guidelines in accordance with the Brown Act.

Section 8.02 Standing Committee Meeting Criteria

All Standing Committees shall meet on a quarterly basis at minimum, unless unforeseen circumstances prevent such a meeting schedule. In this instance, documentation must be made as to why the schedule was modified.

Quorum requirements shall apply.

Article IX. GENERAL ITEMS PERTAINING TO THE CoC

Section 9.01 Compensation

There shall be no compensation from the CoC for any CoC member, BOG member, HMIS Administrators Council member or Standing Committee members as a result of their services provided in association with the CoC.

Section 9.02 Location of Meetings

Unless otherwise stated in this charter, meetings of the CoC membership, BOG, HMIS Administrator's Council, and any Standing Committee meetings shall be held at a location determined by the members of those respective committees; the Collaborative Applicant representative shall assist, if needed, in acquiring adequate meeting locations.

Section 9.03 Special and Emergency Meetings:

Special and/or Emergency Meetings of the CoC membership, BOG, HMIS Administrator's Council, and Standing Committees may be called at any time, subject to compliance with the Brown Act, as needed. Quorum requirements shall apply.

Section 9.04 Meeting Notices and Agenda Packets

All notices and agenda packets for any regular, special or emergency meeting of the CoC, the BOG, the HMIS Administrator's Council and/or Standing Committees shall comply with the Brown Act.

Article X. CODE OF CONDUCT

- 1) The solicitation and acceptance of gifts or gratuities by officers, members and collaborative applicants for personal benefit is strictly prohibited. Gifts or donations, for the benefit of the CoC, and used to accomplish the mission and objectives of the CoC, are acceptable as per CoC and/or Collaborative Applicant policy.
- 2) Gifts or donations made to the CoC, BOG, HMIS Administrators Council, and Standing Committees shall be forwarded to the Collaborative Applicant for accounting and management (control).
- 3) Violations of this article will be remedied by appropriate administrative and/or disciplinary action(s) as defined herein. Administrative/disciplinary actions include suspension or termination of voting privileges. Administrative/disciplinary actions may be applied to a person, an agency or both and shall be determined by a CoC vote.
- 4) The CoC Secretary shall provide a copy of the Charter to existing and new members of the CoC and BOG. Revision of this Charter shall require that a copy of the approved Amended Charter be distributed to all CoC members by first-class and/or electronic mail. Members are bound by the Code of Conduct by virtue of having received a copy of the Charter.
- 5) The CoC Secretary shall certify in a written certification on CoC letterhead that a copy of the Charter and any Amendments have been provided to all CoC members and retained on file.

Article XI. QUORUM, VOTING, AND CONFLICT OF INTEREST POLICY

Section 11.01 Quorum

A quorum for the CoC, HMIS Administrators Council, and Standing Committees shall constitute fifty percent plus one (50% + 1) of members, organizations, persons, etc. present and without a conflict of interest. A quorum for the BOG shall be fifty percent plus one (50% + 1) of voting members present without a conflict of interest.

Section 11.02 Voting

At all meetings of the HMIS Administrators Council and Standing Committees, all duly authorized organization members and community-at-large members shall vote in person. Each organization and each community-at-large member shall have only one vote for any one motion, as per stated in the Charter. A vote may be made by proxy for any agenda item, however said proxy must state the time that the proxy applies to and is only valid for that specific item. A vote of fifty percent plus one (50+1%) of a quorum shall be required to carry a motion.

Section 11.03 Conflict of Interest

All members must declare any conflict of interest they or their organizations have on any voting issue. Members declaring a conflict shall not be counted towards determining a quorum for that particular action item. Organizations and Community-at-Large members are required to excuse themselves from voting on any issue in which they, or their organization, may have a financial interest.

Article XII. PARLIAMENTARY PROCEDURE

Robert's Rules of Order-Revised (2004) shall be the authority for all questions of procedure at all meetings.

Article XIII. MISCELLANEOUS

Section 13.01 Designation of Collaborative Applicant

The CoC designates Riverside County Department of Public Social Services as the Collaborative Applicant.

Section 13.02 Designation of the HMIS Lead Agency

The CoC designates Riverside County Department of Public Social Services as the HMIS Lead Agency.

Section 13.03 Fiscal Year

The fiscal year of the CoC shall be July 1st through June 30th.

Section 13.04 Amendment of the Charter

The Charter may be amended upon approval by fifty percent plus one (50%+1) of a quorum of the CoC members. The Collaborative Applicant shall mail or email to the full CoC a copy of any proposed Charter Amendment at least seven (7) days prior to the meeting at which Charter Amendment is to be considered for approval.

Section 13.05 Effective Charter Date

This Charter shall be effective on July 1, 2015, upon approval by the CoC.

CERTIFICATE

This is to certify that the foregoing is a true and original copy of the Amended Charter of the County of Riverside Continuum of Care named in the title thereto and that such Charter is duly adopted by the CoC on the 22 day of April, 2015.

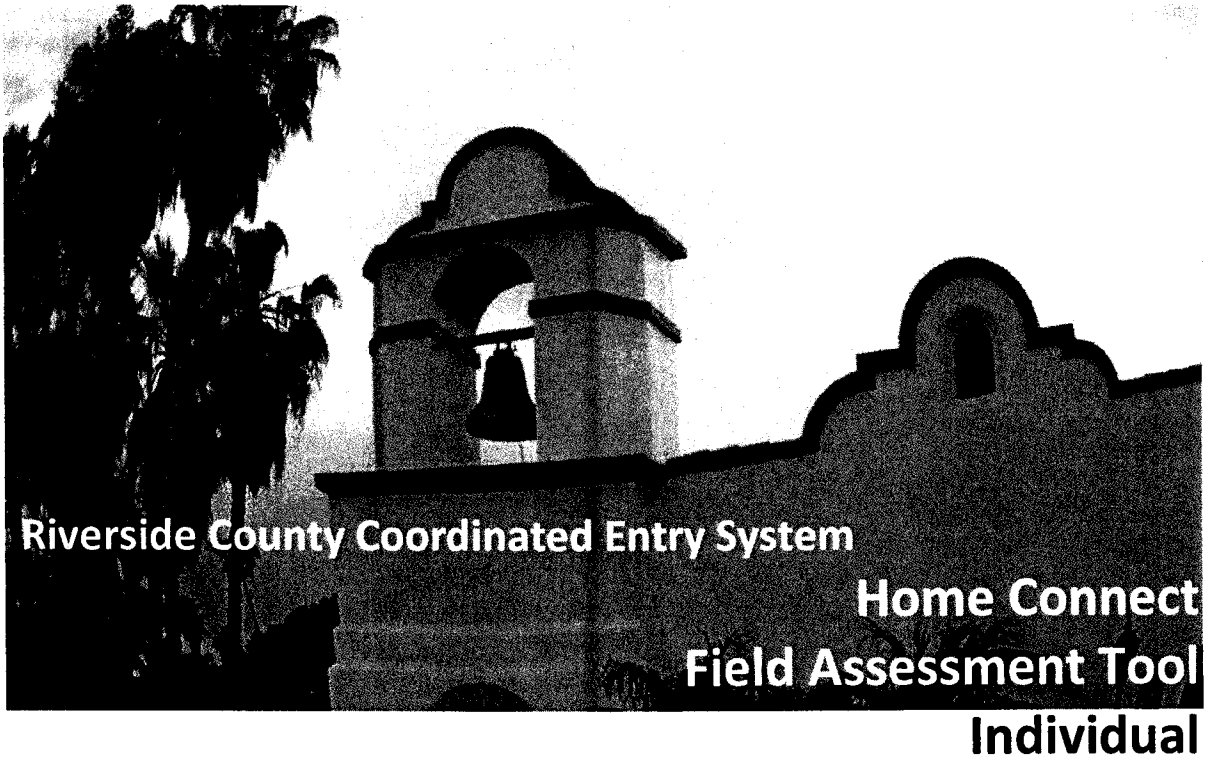
Dated: April 22, 2015

Signature

Print Name

Title

County of Riverside
Department of Public Social Services, Homeless Programs
Collaborative Applicant for HUD CoC Programs



Name _____ VI-SPDAT _____



VI-SPDAT Screener and Match Initiation Consent Form

Authorization to Share Protected Health information and Participate in Survey

Participant Last Name	Participant First Name	DOB (mm/dd/yyyy)
Unique Client Identifier (UCI) Does not have to be filled in at time of initial survey)	UCI:	Social Security Number (or last 4 digits)
Street Name/Nickname	Contact Phone	Contact email

We are here today to talk to you about your housing and service needs. If you give us permission, we will ask you questions about your health and housing for about 20-30 minutes. Participation in either/both of these surveys is completely voluntary. If you feel uncomfortable or upset during the interviews, you may ask the interviewer to take a break, skip any of the questions, or stop the surveys. At any time you can request that your information be removed from the database by contacting the Department of Social Services Homeless Unit. No one will be upset or angry if you decide not to be interviewed today.

Please **initial below** if you agree with the following statements:

_____ I agree to allow my responses to this survey or these surveys to be disclosed and received by the organizations that participate in the **Home Connect** system, which include but are not limited to:

- Valley Re Start Shelter
- Path of Life
- Coachella Valley Rescue Mission
- Veteran-service providers*
- Riverside County Departments*
- Supportive Housing providers of Riverside*
- Affiliated Service Providers*
- RUHS Departments*
- Veterans Administration
- Housing Authority - County of Riverside

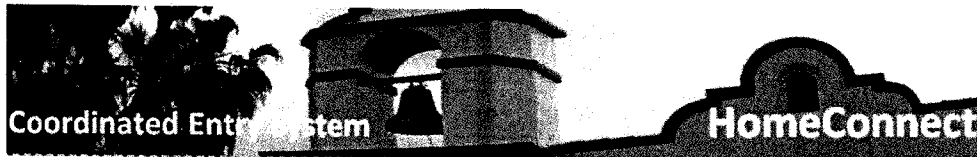
*For a complete list of participating agencies, please contact Home Connect at 800-498-8847

Initials

_____ I understand that the information from this survey will be entered into a data information System and Performance Management database for **Home Connect**, as well as the countywide HMIS database. My personal information will be kept in accordance with all federal, state and local laws and regulations related to protecting personal information.

_____ I understand that the following information can be shared with participating agencies in Riverside County as needed to help me find appropriate housing and services:

- Name
- Birth Date
- Gender
- Photo (optional)
- Housing and homelessness history
- Medical and/or Mental Health Treatment history
- Income
- Contact Information
- Additional information used strictly for matching me with suitable housing and/or services



VI-SPDAT Screener and Match Initiation Consent Form

Initials

_____ I allow my case manager or outreach worker to enter my responses to the interview survey questions into a secure database – the **Home Connect/HMIS** system. My signature below signifies my permission.

_____ I, or my outreach worker/case manager, can be contacted about my survey.

_____ I understand that the information I provide will be used to determine if I am eligible for participating housing, services or related programs.

_____ I understand that participating in the **Home Connect/HMIS** system does not guarantee that I will be called for a housing program.

_____ I understand that the **Home Connect/HMIS** system will act as the agency that matches my information against eligibility requirements of housing that becomes available for which I may be eligible.

Important Rights and Other Required Statements You Should Know

- You may revoke this authorization at any time. All participating organizations of the Home Connect/HMIS system agree to use information provided to only link clients with housing or supportive service options.
- This authorization is completely voluntary, and you do not have to agree to authorize any use or disclosure.
- You have a right to a copy of this authorization once you have signed it.

SIGN BELOW IF AGREEING TO BE INTERVIEWED

Your signature (or mark) below indicates that you have read (or have been read) the information provided above, have received answers to your questions, and have freely chosen to be interviewed. By agreeing to be interviewed, you are not giving up any of your legal rights.

Date	Signature (or Mark) of Participant	Printed Name of Participant
------	------------------------------------	-----------------------------

_____ I agree to have my photo taken (by initial or mark)

City & Location where I sleep/stay (example: City of XXXXX, camp by 3rd & Main St.)

Homeless Management Information System (HMIS)

CONSENT FOR RELEASE OF INFORMATION

As of _____ (Day/Mo./Yr) I, _____ (Head of Household Name)

And (All Household Members Names) _____,

authorize _____ (Organization Name) to share the following
information with participating Contributory Homeless Management Information System (HMIS)

Organizations or CHO's:

- Last Name
- Birth Date
- Social Security Number
- Veteran Status
- Middle Initial
- Client Age
- Marital Status
- Ethnicity
- First Name
- Gender
- Relationship to Head of Household
- Race

The purpose of this disclosure is to coordinate with the County's participating homeless assistance/prevention network members excluding confidential care.

I certify that this request has been made freely, voluntarily and without coercion and that the information given above is accurate to the best of my knowledge. I understand that I may revoke this authorization at any time except to the extent that action has already been taken to comply with it. Unless revoked in writing, this release of information is valid. Once service provision is provided, re-disclosure of my records by those receiving the above authorized information may not be provided without my further written consent.

SIGNATURE OF CLIENT OR GUARDIAN

SIGNATURE OF SPOUSE OR PARTNER

DATE

DATE

Vulnerability Index Service Prioritization Decision Assistance Tool (VI-SPDAT)
 Prescreen for Individuals

GENERAL INFORMATION/CONSENT

1. Interviewer's First Name		2. Interviewer's Last Name	
3. Interviewer's Email		4. Interviewer's Phone Number	
5. When was this survey conducted? _____ / _____ / _____ Time: _____		6. Referring Agency: <i>If applicable</i>	
7. Location of Survey:			
1. In what language do you feel best able to express yourself?			
2. Unique Client Identifier			
How old are you?		3. Birth Month/Year: <i>(The 1st of the month has been selected as a proxy DOB)</i> _____ / <u>1</u> / _____	
If 60 years or older, then score 1.			Prescreen Score
PRE-SCREEN GENERAL INFORMATION SUBTOTAL			



Vulnerability Index Service Prioritization Decision Assistance Tool (VI-SPDAT)
Prescreen for Individuals

A. HISTORY OF HOUSING & HOMELESSNESS

QUESTIONS			
If the person has experienced 24 or more cumulative months of homelessness, and/or 4+ episodes of homelessness, then score 1.	RESPONSE	REFUSED	Prescreen Score
1. How many months have you lived on the streets, in shelters or in a Safe Haven?		<input type="checkbox"/>	
2. In the past three years, how many separate times have you been homeless and then housed again?	<input type="checkbox"/> 0 <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 or more <input type="checkbox"/> Doesn't know	<input type="checkbox"/>	
PRE-SCREEN HOUSING AND HOMELESSNESS SUBTOTAL			
3. In the past three years, what is the total number of months you have been homeless (living on the street, in Emergency Shelters or Safe Haven)?		<input type="checkbox"/>	
4. During the last three years, have you been continuously homeless for at least a year?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Doesn't know	<input type="checkbox"/>	

B. RISKS

SCRIPT: I am going to ask you some questions about your interactions with health and emergency services. If you need any help figuring out when six months ago was, just let me know.

QUESTIONS				
If the total number of interactions across questions 1, 2, 3, 4 and 5 is equal to or greater than 4, then score 1.	RESPONSE		REFUSED	Prescreen Score
1. In the past six months, how many times have you been to the emergency department/room?			<input type="checkbox"/>	
2. In the past six months, how many times have you had an interaction with the police?			<input type="checkbox"/>	
3. In the past six months, how many times have you been taken to the hospital in an ambulance?			<input type="checkbox"/>	
4. In the past six months, how many times have you used a crisis service, including distress centers or suicide prevention hotlines?			<input type="checkbox"/>	
5. In the past six months, how many times have you been hospitalized as an in-patient, including hospitalizations in a mental health hospital?			<input type="checkbox"/>	
If YES to questions 6 or 7, then score 1.	YES	NO	REFUSED	Prescreen Score
6. Have you been attacked or beaten up since becoming homeless?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Have you threatened to or tried to harm themselves or anyone else in the last year?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
If YES to question 8, then score 1.	YES	NO	REFUSED	Prescreen Score



Vulnerability Index Service Prioritization Decision Assistance Tool (VI-SPDAT)

Prescreen for Individuals

8. Do you have any legal stuff going on right now that may result in being locked up or having to pay fines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
If YES to questions 9 or 10; OR if respondent provides any answer <i>OTHER THAN</i> "Shelter" in question 11, then score 1.	YES	NO	REFUSED	Prescreen Score
9. Does anybody force or trick you to do things that they do not want to do?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Do you ever do things that may be considered to be risky like exchange sex for money, run drugs for someone, have unprotected sex with someone you don't really know, share a needle, or anything like that?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. I am going to read types of places people sleep. Please tell me which one that you sleep at most often. (Check only one.)	<input type="checkbox"/> Shelter <input type="checkbox"/> Street, Sidewalk or Doorway <input type="checkbox"/> Car, Van or RV <input type="checkbox"/> Bus or Subway <input type="checkbox"/> Beach, Riverbed or Park <input type="checkbox"/> Other (SPECIFY):			
PRE-SCREEN RISKS SUBTOTAL				

C. SOCIALIZATION & DAILY FUNCTIONS

QUESTIONS				
	YES	NO	REFUSED	Prescreen Score
If YES to question 12 or NO to questions 13 or 14, score 1.				
12. Is there anybody that thinks you owe them money?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Do you have any money coming in on a regular basis, through a job or government benefit or even working under the table, binning or bottle collecting, sex work, odd jobs, day labor, or anything like that?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Do you have enough money to meet all expenses on a monthly basis?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
If NO to question 15, score 1.	YES	NO	REFUSED	Prescreen Score
15. Do you have planned activities each day other than just surviving that bring happiness and fulfillment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
If YES to questions 16 or 17, score 1.	YES	NO	REFUSED	Prescreen Score
16. Do you have any friends, family or other people in your life out of convenience or necessity, but you do not like their company?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Do any friends, family or other people in your life ever take your money, borrow cigarettes, use your drugs, drink your alcohol, or get you to do things you really don't want to do?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
OBSERVE ONLY. DO NOT ASK! If YES, score 1.	YES	NO		Prescreen Score
18. Surveyor, do you detect signs of poor hygiene or daily living skills?	<input type="checkbox"/>	<input type="checkbox"/>		
PRE-SCREEN SOCIALIZATION & DAILY FUNCTIONS SUBTOTAL				



Vulnerability Index Service Prioritization Decision Assistance Tool (VI-SPDAT)
 Prescreen for Individuals

D. WELLNESS

QUESTIONS				
If Does Not Go For Care, score 1.	RESPONSE			Prescreen Score
1. Where do you usually go for healthcare when you're not feeling well?	<input type="checkbox"/> Hospital <input type="checkbox"/> Clinic <input type="checkbox"/> VA <input type="checkbox"/> Other (specify) _____ <hr/> <input type="checkbox"/> Does not go for care			
For EACH YES response in questions 2 through 5 (Medical Conditions), score 1.				
<i>Do you have now, have you ever had, or has a healthcare provider ever told you that you have any of the following medical conditions:</i>	YES	NO	REFUSED	Medical Conditions
2. Kidney disease/End Stage Renal Disease or Dialysis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. History of frostbite, Hypothermia, or Immersion Foot	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Liver disease, Cirrhosis, or End-Stage Liver Disease	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. HIV+/AIDS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
If YES to any of the conditions in questions 6 to 14, then mark "X" in Other Medical Condition column.	YES	NO	REFUSED	Other Medical Conditions
6. History of Heat Stroke/Heat Exhaustion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Heart disease, Arrhythmia, or Irregular Heartbeat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Emphysema	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Diabetes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Asthma	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Cancer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Hepatitis C	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Tuberculosis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
OBSERVATION ONLY – DO NOT ASK:	<input type="checkbox"/>	<input type="checkbox"/>		
14. Surveyor, do you observe signs or symptoms of a serious health condition?	<input type="checkbox"/>	<input type="checkbox"/>		



Vulnerability Index Service Prioritization Decision Assistance Tool (VI-SPDAT)

Prescreen for Individuals

If any response is YES in questions 15 through 21, score 1 in the Substance Use column.	YES	NO	REFUSED	Substance Use
15. Have you ever had problematic drug or alcohol use, abused drugs or alcohol, or told you do?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. Have you consumed alcohol and/or drugs almost every day or every day for the past month?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Have you ever used injection drugs or shots in the last six months?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Have you ever been treated for drug or alcohol problems and returned to drinking or using drugs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. Have you used non-beverage alcohol like cough syrup, mouthwash, rubbing alcohol, cooking wine, or anything like that in the past six months?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
20. Have you blacked out because of alcohol or drug use in the past month?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
OBSERVATION ONLY – DO NOT ASK:				
21. Surveyor, do you observe signs or symptoms or problematic alcohol or drug use?	<input type="checkbox"/>	<input type="checkbox"/>		
If any response is YES in questions 22 through 28, score 1 in the Mental Health Column.	YES	NO	REFUSED	Mental Health
22. Have you ever been taken to a hospital against your will for a mental health reason?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. Have you ever gone to the emergency room because you weren't feeling 100% well emotionally or because of your nerves?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Have you spoken with a psychiatrist, psychologist or other mental health professional in the last six months because of mental health – whether that was voluntary or because someone insisted that it be done?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. Have you had a serious brain injury or head trauma?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. Have you ever been told you have a learning disability or developmental disability?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
27. Do you have any problems concentrating and/or remembering things?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
OBSERVATION ONLY – DO NOT ASK:				
28. Surveyor, do you detect signs or symptoms of severe, persistent mental illness or severely compromised cognitive functioning?	<input type="checkbox"/>	<input type="checkbox"/>		
<i>If the Substance Use score is 1 AND the Mental Health score is 1 AND the Medical Condition score is at least a 1 OR an X, then score 1 additional point for tri-morbidity.</i>				Tri-Morbidity

If YES to question 29, score 1.	YES	NO	REFUSED	Prescreen Score
29. Have you had any medicines prescribed by a doctor that were not taken, sold, stolen, misplaced, or where the prescriptions were never filled?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
If YES to question 50, score 1.	YES	NO	REFUSED	Prescreen Score
30. Yes or No – Have you experienced any emotional, physical, psychological, sexual or other type of abuse or trauma which help was not sought for, and/or which has caused your homelessness?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
PRE-SCREEN WELLNESS SUBTOTAL				



Vulnerability Index Service Prioritization Decision Assistance Tool (VI-SPDAT)

Prescreen for Individuals

SCORING SUMMARY

DOMAIN	SUBTOTAL	If the Pre-Screen Total is equal to or greater than 10, the individual is recommended for a Permanent Supportive Housing/Housing First Assessment.
GENERAL INFORMATION		If the Pre-Screen Total is 5, 6, 7, 8 or 9, the individual is recommended for a Rapid Re-Housing Assessment.
A. HISTORY OF HOUSING AND HOMELESSNESS		
B. RISKS		
C. SOCIALIZATION AND DAILY FUNCTIONS		
D. WELLNESS		If the Pre-Screen Total is 0, 1, 2, 3 or 4, the individual is not recommended for a Housing and Support Assessment at this time.
PRE-SCREEN TOTAL		

E. DEMOGRAPHIC INFORMATION

Finally I'd like to ask you some questions to help us better understand homelessness and improve housing and support services.

1. What is your race?	<input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Native Hawaiian or Other Pacific Islander <input type="checkbox"/> White <input type="checkbox"/> Doesn't Know <input type="checkbox"/> Refused
2. What is your ethnicity?	<input type="checkbox"/> Non-Hispanic/Non-Latino <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Doesn't Know <input type="checkbox"/> Refused
3. What is your gender?	<input type="checkbox"/> Female <input type="checkbox"/> Male <input type="checkbox"/> Transgender male to female <input type="checkbox"/> Transgender female to male <input type="checkbox"/> Doesn't Know <input type="checkbox"/> Refused
4. Do you have any children under 18 who are living with you now?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Doesn't Know <input type="checkbox"/> Refused
5. Have you ever been in foster care?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Doesn't Know <input type="checkbox"/> Refused
6. Have you ever been in jail or prison during the last 6 months?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Doesn't Know <input type="checkbox"/> Refused
7. Have you ever served in the US Military?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Doesn't Know <input type="checkbox"/> Refused
<i>If yes, which war/war era?</i>	<input type="checkbox"/> Theatre of Operations: World War II (1940-45) <input type="checkbox"/> Theatre of Operations: Korean War (June 1950-January 1955) <input type="checkbox"/> Theatre of Operations: Vietnam Era (August 1964-April 1975) <input type="checkbox"/> Post Vietnam (May 1975-July 1991) <input type="checkbox"/> Theatre of Operations: Persian Gulf (August 1991-Present) <input type="checkbox"/> Theatre of Operations: Afghanistan (2001-Present) <input type="checkbox"/> Theatre of Operations: Iraq (2003-Present) <input type="checkbox"/> Theatre of Operations: Other Peace-keeping Operations or Military Interventions (such as Lebanon, Panama, Somalia, Bosnia, Kosovo) <input type="checkbox"/> Doesn't Know <input type="checkbox"/> Refused <input type="checkbox"/> Other (Specify)
<i>If yes, was your active duty status before 1980?</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Refused
<i>If yes, how many consecutive months were you on active duty?</i>	



Vulnerability Index Service Prioritization Decision Assistance Tool (VI-SPDAT)
Prescreen for Individuals

If yes, what was the character of the discharge?	<input type="checkbox"/> Honorable <input type="checkbox"/> General under honorable conditions <input type="checkbox"/> Under Other than Honorable (OTH) <input type="checkbox"/> Dishonorable <input type="checkbox"/> Bad Conduct <input type="checkbox"/> Still on Active Duty <input type="checkbox"/> Doesn't Know <input type="checkbox"/> Refused <input type="checkbox"/> Other (specify) _____
1. Where did you live prior to becoming homeless?	<input type="checkbox"/> This city <input type="checkbox"/> This region <input type="checkbox"/> Other part of the State <input type="checkbox"/> Somewhere else (specify) _____
2. Do you have a permanent physical disability that limits mobility? [i.e., wheelchair, amputation, unable to climb stairs]?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Refused
3. What kind of health insurance do you have, if any? (check all that apply)	<input type="checkbox"/> Medicaid <input type="checkbox"/> Medicare <input type="checkbox"/> VA Medical Services <input type="checkbox"/> Private Pay Health Insurance <input type="checkbox"/> State Children's Health Insurance Program <input type="checkbox"/> Employer-Provided Health Insurance <input type="checkbox"/> Health Insurance Obtained through COBRA <input type="checkbox"/> State Health Insurance for Adults (use local name) <input type="checkbox"/> None <input type="checkbox"/> Doesn't Know <input type="checkbox"/> Refused <input type="checkbox"/> Other (specify): _____

F. CONTACT INFORMATION

1. Do you work with a case manager or outreach worker that you trust and can serve as your housing navigator – be able to find you easily, help collect housing documents and accompany you to housing application appointments?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Refused
2. If yes, what is his/her name?	
3. What agency do they work for?	
4. What is their phone number?	
5. What is their email address?	
6. To finish, may I take your picture so that we can better find you if housing turns up?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Refused
7. SURVEYOR: Any final notes that you'd like to convey?	





Riverside County Coordinated Entry System

**Home Connect
Field Assessment Tool**

Family

Name _____ VI-SPDAT _____



VI-SPDAT Screener and Match Initiation Consent Form

Authorization to Share Protected Health information and Participate in Survey

Participant Last Name	Participant First Name	DOB (mm/dd/yyyy)
Unique Client Identifier (UCI) Does not have to be filled in at time of initial survey	UCI:	Social Security Number (or last 4 digits)
Street Name/Nickname	Contact Phone	Contact email

We are here today to talk to you about your housing and service needs. If you give us permission, we will ask you questions about your health and housing for about 20-30 minutes. Participation in either/both of these surveys is completely voluntary. If you feel uncomfortable or upset during the interviews, you may ask the interviewer to take a break, skip any of the questions, or stop the surveys. At any time you can request that your information be removed from the database by contacting the Department of Social Services Homeless Unit. No one will be upset or angry if you decide not to be interviewed today.

Please **initial below** if you agree with the following statements:

_____ I agree to allow my responses to this survey or these surveys to be disclosed and received by the organizations that participate in the **Home Connect** system, which include but are not limited to:

- Valley Re Start Shelter
- Path of Life
- Coachella Valley Rescue Mission
- Veteran-service providers*
- Riverside County Departments*
- Supportive Housing providers of Riverside*
- Affiliated Service Providers*
- RUHS Departments*
- Veterans Administration
- Housing Authority - County of Riverside

*For a complete list of participating agencies, please contact Home Connect at 800-498-8847

Initials

_____ I understand that the information from this survey will be entered into a data information System and Performance Management database for **Home Connect**, as well as the countywide HMIS database. My personal information will be kept in accordance with all federal, state and local laws and regulations related to protecting personal information.

_____ I understand that the following information can be shared with participating agencies in Riverside County as needed to help me find appropriate housing and services:

- Name
- Birth Date
- Gender
- Photo (optional)
- Housing and homelessness history
- Medical and/or Mental Health Treatment history
- Income
- Contact Information
- Additional information used strictly for matching me with suitable housing and/or services



VI-SPDAT Screener and Match Initiation Consent Form

Initials

_____ I allow my case manager or outreach worker to enter my responses to the interview survey questions into a secure database – the **Home Connect/HMIS** system. My signature below signifies my permission.

_____ I, or my outreach worker/case manager, can be contacted about my survey.

_____ I understand that the information I provide will be used to determine if I am eligible for participating housing, services or related programs.

_____ I understand that participating in the **Home Connect/HMIS** system does not guarantee that I will be called for a housing program.

_____ I understand that the **Home Connect/HMIS** system will act as the agency that matches my information against eligibility requirements of housing that becomes available for which I may be eligible.

Important Rights and Other Required Statements You Should Know

- You may revoke this authorization at any time. All participating organizations of the Home Connect/HMIS system agree to use information provided to only link clients with housing or supportive service options.
- This authorization is completely voluntary, and you do not have to agree to authorize any use or disclosure.
- You have a right to a copy of this authorization once you have signed it.

SIGN BELOW IF AGREEING TO BE INTERVIEWED

Your signature (or mark) below indicates that you have read (or have been read) the information provided above, have received answers to your questions, and have freely chosen to be interviewed. By agreeing to be interviewed, you are not giving up any of your legal rights.

Date	Signature (or Mark) of Participant	Printed Name of Participant
------	------------------------------------	-----------------------------

_____ I agree to have my photo taken (by initial or mark)

City & Location where I sleep/stay (example: City of XXXXX, camp by 3rd & Main St.)

Homeless Management Information System (HMIS)

CONSENT FOR RELEASE OF INFORMATION

As of _____ (Day/Mo./Yr) I, _____ (Head of Household Name)

And (All Household Members Names) _____,

authorize _____ (Organization Name) to share the following
information with participating Contributory Homeless Management Information System (HMIS)

Organizations or CHO's:

- Last Name
- Birth Date
- Social Security Number
- Veteran Status
- Middle Initial
- Client Age
- Marital Status
- Ethnicity
- First Name
- Gender
- Relationship to Head of Household
- Race

The purpose of this disclosure is to coordinate with the County's participating homeless assistance/prevention network members excluding confidential care.

I certify that this request has been made freely, voluntarily and without coercion and that the information given above is accurate to the best of my knowledge. I understand that I may revoke this authorization at any time except to the extent that action has already been taken to comply with it. Unless revoked in writing, this release of information is valid. Once service provision is provided, re-disclosure of my records by those receiving the above authorized information may not be provided without my further written consent.

SIGNATURE OF CLIENT OR GUARDIAN

SIGNATURE OF SPOUSE OR PARTNER

DATE

DATE

Vulnerability Index & Family Service Prioritization Decision Assistance Tool (VI-F-SPDAT)
 Prescreen for Families

GENERAL INFORMATION/CONSENT

1. Interviewer's First Name	2. Interviewer's Last Name
3. Interviewer's Email	4. Interviewer's Phone Number
5. When was this survey conducted? _____/_____/_____ Time: _____	6. Referring Agency: <i>If applicable</i>
7. Location of Survey:	
HEAD OF HOUSEHOLD 1	
1. In what language do you feel best able to express yourself?	
2. Unique Client Identifier	
How old are you?	3. Birth Month/Year: <i>(The 1st of the month has been selected as a proxy DOB)</i> _____/ <u>1</u> / _____
HEAD OF HOUSEHOLD 2 (when applicable)	
1. In what language do you feel best able to express yourself?	
2. Unique Client Identifier	
How old are you?	3. Birth Month/Year: <i>(The 1st of the month has been selected as a proxy DOB)</i> _____/ <u>1</u> / _____
If either head of household is 60 years or older, then score 1.	Prescreen Score
PRE-SCREEN GENERAL INFORMATION SUBTOTAL	



Vulnerability Index & Family Service Prioritization Decision Assistance Tool (VI-F-SPDAT)
Prescreen for Families

CHILDREN			
Total number of children under the age of 18 that are currently with the head(s) of household		RESPONSE	REFUSED <input type="checkbox"/>
How many children under the age of 18 are not currently with your family, but you have reason to believe they will be joining you when you get housed?		RESPONSE	REFUSED <input type="checkbox"/>
Last Name	First Name	How old?	Date of Birth
Only ask the following question when there is at least one female head of household, and/or if there is at least one female child 13 years of age or older: Is any member of the family currently pregnant?		YES <input type="checkbox"/>	NO <input type="checkbox"/>
Single Parent Family: If there are two or more children, or any child 11 years of age or older, and/or it is a female single parent that is pregnant, score 1.		REFUSED <input type="checkbox"/>	
Two Parent Family: If there are three or more children, or any child 6 years of age or younger, and/or there is a female head of household that is pregnant, score 1.		Prescreen Score	
PRE-SCREEN GENERAL & FAMILY SIZE INFORMATION SUBTOTAL			

A. HISTORY OF HOUSING & HOMELESSNESS

QUESTIONS			
If at least one head of household AND at least one child has experienced two or more cumulative years of homelessness, and/or 4+ episodes of homelessness, then score 1.	RESPONSE	REFUSED	Prescreen Score
1. What is the total length of time you and your family have lived on the streets or in shelters?		<input type="checkbox"/>	
2. In the past three years, how many times have you and your family been housed and then homeless again?		<input type="checkbox"/>	
PRE-SCREEN HOUSING AND HOMELESSNESS SUBTOTAL			
3. In the past three years, what is the total number of months you have been homeless (living on the street, in Emergency Shelters or Safe Haven)?		<input type="checkbox"/>	
4. During the last three years, have you been continuously homeless for at least a year?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Doesn't know	<input type="checkbox"/>	



Vulnerability Index & Family Service Prioritization Decision Assistance Tool (VI-F-SPDAT)
Prescreen for Families

B. RISKS

SCRIPT: I am going to ask some questions about all the times you and other members of your family have had interactions with health and emergency services. If you need any help figuring out when six months ago was, just let me know.

QUESTIONS				RESPONSE	REFUSED	Prescreen Score	
If the total number of interactions across questions 3, 4, 5, 6 and 7 is equal to or greater than 4, then score 1.							
3. In the past six months, how many times have you and/or members of your family been to the emergency department/room?					<input type="checkbox"/>		
4. In the past six months, how many times have you and/or members of your family had an interaction with the police?					<input type="checkbox"/>		
5. In the past six months, how many times have you and/or members of your family been taken to the hospital in an ambulance?					<input type="checkbox"/>		
6. In the past six months, how many times have you and/or members of your family used a crisis service, including distress centers or suicide prevention hotlines?					<input type="checkbox"/>		
7. In the past six months, how many times have you and/or members of your family been hospitalized as an in-patient, including hospitalizations in a mental health hospital?					<input type="checkbox"/>		
If YES to questions 8 or 9, then score 1.				YES	NO	REFUSED	Prescreen Score
8. Have you or any family member been attacked or beaten up since becoming homeless?				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Have you or any family member threatened to or tried to harm themselves or anyone else in the last year?				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
If YES to question 10, then score 1.				YES	NO	REFUSED	Prescreen Score
10. Do you or any member of the family have any legal stuff going on right now that may result in being locked up or having to pay fines?				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
If YES to questions 11 or 12; OR if respondent provides any answer <i>OTHER THAN</i> "Shelter" in question 13, then score 1.				YES	NO	REFUSED	Prescreen Score
11. Does anybody force or trick you or any member of the family to do things that they do not want to do?				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Do you or any family member ever do things that may be considered to be risky like exchange sex for money, run drugs for someone, have unprotected sex with someone you don't really know, share a needle, or anything like that?				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. I am going to read types of places people sleep. Please tell me which one that you and your family sleep at most often. (Check only one.)				<input type="checkbox"/> Shelter <input type="checkbox"/> Street, Sidewalk or Doorway <input type="checkbox"/> Car, Van or RV <input type="checkbox"/> Bus or Subway <input type="checkbox"/> Beach, Riverbed or Park <input type="checkbox"/> Other (SPECIFY):			
PRE-SCREEN RISKS SUBTOTAL							



Vulnerability Index & Family Service Prioritization Decision Assistance Tool (VI-F-SPDAT)
 Prescreen for Families

C. SOCIALIZATION & DAILY FUNCTIONS

QUESTIONS				
If YES to question 14 or NO to questions 15 or 16, score 1.	YES	NO	REFUSED	Prescreen Score
14. Is there anybody that thinks you or any family member owes them money?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Does the family have any money coming in on a regular basis, through a job or government benefit or even working under the table, binning or bottle collecting, sex work, odd jobs, day labor, or anything like that?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. Does your family have enough money to meet all expenses on a monthly basis?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
If NO to question 17, score 1.	YES	NO	REFUSED	Prescreen Score
17. Do you and each member of the family have planned activities each day other than just surviving that bring happiness and fulfillment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
If YES to questions 18 or 19, score 1.	YES	NO	REFUSED	Prescreen Score
18. Do you or any member of the family have any friends, family or other people in your life out of convenience or necessity, but you do not like their company?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. Do any friends, family or other people in you or your family's life ever take your money, borrow cigarettes, use your drugs, drink your alcohol, or get you to do things you really don't want to do?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
OBSERVE ONLY. DO NOT ASK! If YES, score 1.	YES	NO		Prescreen Score
20. Surveyor, do you detect signs of poor hygiene or daily living skills of any family member?	<input type="checkbox"/>	<input type="checkbox"/>		
PRE-SCREEN SOCIALIZATION & DAILY FUNCTIONS SUBTOTAL				



Vulnerability Index & Family Service Prioritization Decision Assistance Tool (VI-F-SPDAT)
Prescreen for Families

D. WELLNESS

QUESTIONS				
If Does Not Go For Care, score 1.	RESPONSE			Prescreen Score
21. Where do you and other family members usually go for healthcare when you're not feeling well?	<input type="checkbox"/> Hospital <input type="checkbox"/> Clinic <input type="checkbox"/> VA <input type="checkbox"/> Other (specify) <hr/> <input type="checkbox"/> Does not go for care			
For EACH YES response in questions 22 through 25 (Medical Conditions), score 1.				
Do you or any family member have now, ever had, or had a healthcare provider ever told you that you have any of the following medical conditions:	YES	NO	REFUSED	Medical Conditions
22. Kidney disease/End Stage Renal Disease or Dialysis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. History of frostbite, Hypothermia, or Immersion Foot	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Liver disease, Cirrhosis, or End-Stage Liver Disease	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25. HIV+/AIDS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
If YES to any of the conditions in questions 26 to 34, then mark "X" in Other Medical Condition column.	YES	NO	REFUSED	Other Medical Conditions
26. History of Heat Stroke/Heat Exhaustion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
27. Heart disease, Arrhythmia, or Irregular Heartbeat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
28. Emphysema	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
29. Diabetes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
30. Asthma	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
31. Cancer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
32. Hepatitis C	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
33. Tuberculosis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
OBSERVATION ONLY – DO NOT ASK:	<input type="checkbox"/>	<input type="checkbox"/>		
34. Surveyor, do you observe signs or symptoms of a serious health condition?	<input type="checkbox"/>	<input type="checkbox"/>		



Vulnerability Index & Family Service Prioritization Decision Assistance Tool (VI-F-SPDAT)
Prescreen for Families

If any response is YES in questions 35 through 42, score 1 in the Substance Use column.	YES	NO	REFUSED	Substance Use
35. Have you or any member of the family ever had problematic drug or alcohol use, abused drugs or alcohol, or told you do?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
36. Have you or any family member consumed alcohol and/or drugs almost every day or every day for the past month?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
37. Have you or any family member ever used injection drugs or shots in the last six months?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
38. Have you or any family member ever been treated for drug or alcohol problems and returned to drinking or using drugs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
39. Have you or any family member used non-beverage alcohol like cough syrup, mouthwash, rubbing alcohol, cooking wine, or anything like that in the past six months?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
40. Have you or any family member blacked out because of alcohol or drug use in the past month?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
41. Has any family member under the legal drinking age consumed alcohol four or more times in the last month or used drugs at any point in time during the last month – including marijuana or prescription pills to get high?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
OBSERVATION ONLY – DO NOT ASK:				
42. Surveyor, do you observe signs or symptoms of problematic alcohol or drug use?	<input type="checkbox"/>	<input type="checkbox"/>		
If any response is YES in questions 43 through 49, score 1 in the Mental Health Column.	YES	NO	REFUSED	Mental Health
43. Have you or any family member ever been taken to a hospital against their will for a mental health reason?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
44. Have you or any family member ever gone to the emergency room because they weren't feeling 100% well emotionally or because of their nerves?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
45. Have your or any member of your family spoken with a psychiatrist, psychologist or other mental health professional in the last six months because of mental health – whether that was voluntary or because someone insisted that it be done?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
46. Have your or any member of your family had a serious brain injury or head trauma?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
47. Have you or any member of your family ever been told they have a learning disability or developmental disability?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
48. Do you or any member of your family have any problems concentrating and/or remembering things?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
OBSERVATION ONLY – DO NOT ASK:				
49. Surveyor, do you detect signs or symptoms of severe, persistent mental illness or severely compromised cognitive functioning?	<input type="checkbox"/>	<input type="checkbox"/>		
<i>If the Substance Use score is 1 AND the Mental Health score is 1 AND the Medical Condition score is at least a 1 OR an X – AND IT IS ALL RELATED TO THE SAME FAMILY MEMBER, then score 1 additional point for tri-morbidity.</i>				Tri-Morbidity Prescreen Score
ASK THIS QUESTION ONLY WHEN THERE WAS 1 in Substance Use AND 1 in Mental Health, and at least 1 in the Medical Conditions OR an X.				
50. You indicated in your responses that there is a medical condition, experience with mental health services and experience with substance use. Is that the same member of the family in all of those instances?				



Vulnerability Index & Family Service Prioritization Decision Assistance Tool (VI-F-SPDAT)
Prescreen for Families

	YES	NO	REFUSED	Prescreen Score
If YES to question 51, score 1.				
51. Have you or any member of the family had any medicines prescribed by a doctor that were not take, sold, stolen, misplaced, or where the prescriptions were never filled?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
If YES to question 52, score 1.				
52. Yes or No – Have you or any member of your family experienced any emotional, physical, psychological, sexual or other type of abuse or trauma which help was not sought for, and/or which has caused your homelessness?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
PRE-SCREEN WELLNESS SUBTOTAL				

E. FAMILY UNIT

QUESTIONS				
	YES	NO	REFUSED	Prescreen Score
If YES to question 53 or 54, score 1.				
53. Do any of your children spend two or more hours per day when you don't know where they are?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
54. On most days, do any children do tasks that adults would normally do like preparing meals, getting other children ready for bedtime, shopping, cleaning the apartment, or anything like that?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
If either 55 or 56 are 3 or more, score 1.	RESPONSE		REFUSED	Prescreen Score
55. What is the total number of times adults in the family have changed in the family over the past year because of things like new relationships or a breakdown in the relationship, prison, military deployment, or anything like that?			<input type="checkbox"/>	
56. What is the total number of times that children have been separated from the family or returned to the family over the past year?			<input type="checkbox"/>	
If either 57 or 58 are 3 or more, score 1.	YES	NO	REFUSED	Prescreen Score
57. Are there any school-aged children that are not enrolled in school or missing more days of school than they are attending?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
58. Right now or at any point in the last six months have any of your children been separated from you to live with a family member or friend?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
If YES to either question 59 or 60, score 1.	YES	NO	REFUSED	Prescreen Score
59. Has there been any involvement with any member of your family and child protective services in the last six months – even if it was resolved?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
60. Have you had anything in family court over the past six months or anything currently being considered in family court?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
PRE-SCREEN FAMILY UNIT SUBTOTAL				



Vulnerability Index & Family Service Prioritization Decision Assistance Tool (VI-F-SPDAT)

Prescreen for Families

SCORING SUMMARY

DOMAIN	SUBTOTAL	<p>If the Pre-Screen Total is equal to or greater than 12, the family is recommended for a Permanent Supportive Housing/Housing First Assessment.</p> <p>If the Pre-Screen Total is 6, 7, 8, 9, 10, or 11 the family is recommended for a Rapid Re-Housing Assessment.</p> <p>If the Pre-Screen Total is 0, 1, 2, 3, 4 or 5, the family is not recommended for a Housing and Support Assessment at this time.</p>
GENERAL INFORMATION		
A. HISTORY OF HOUSING AND HOMELESSNESS		
B. RISKS		
C. SOCIALIZATION AND DAILY FUNCTIONS		
D. WELLNESS		
E. FAMILY UNIT		
PRE-SCREEN TOTAL		

E. DEMOGRAPHIC INFORMATION

Finally I'd like to ask you some questions to help us better understand homelessness and improve housing and support services.

1. What is your race?	<input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Native Hawaiian or Other Pacific Islander <input type="checkbox"/> White <input type="checkbox"/> Doesn't Know <input type="checkbox"/> Refused
2. What is your ethnicity?	<input type="checkbox"/> Non-Hispanic/Non-Latino <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Doesn't Know <input type="checkbox"/> Refused
3. What is your gender?	<input type="checkbox"/> Female <input type="checkbox"/> Male <input type="checkbox"/> Transgender male to female <input type="checkbox"/> Transgender female to male <input type="checkbox"/> Doesn't Know <input type="checkbox"/> Refused
4. Do you have any children under 18 who are living with you now?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Doesn't Know <input type="checkbox"/> Refused
5. Have you ever been in foster care?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Doesn't Know <input type="checkbox"/> Refused
6. Have you ever been in jail or prison during the last 6 months?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Doesn't Know <input type="checkbox"/> Refused
7. Have you ever served in the US Military?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Doesn't Know <input type="checkbox"/> Refused
<i>If yes, which war/war era?</i>	<input type="checkbox"/> Theatre of Operations: World War II (1940-45) <input type="checkbox"/> Theatre of Operations: Korean War (June 1950-January 1955) <input type="checkbox"/> Theatre of Operations: Vietnam Era (August 1964-April 1975) <input type="checkbox"/> Post Vietnam (May 1975-July 1991) <input type="checkbox"/> Theatre of Operations: Persian Gulf (August 1991-Present) <input type="checkbox"/> Theatre of Operations: Afghanistan (2001-Present) <input type="checkbox"/> Theatre of Operations: Iraq (2003-Present) <input type="checkbox"/> Theatre of Operations: Other Peace-keeping Operations or Military Interventions (such as Lebanon, Panama, Somalia, Bosnia, Kosovo) <input type="checkbox"/> Doesn't Know <input type="checkbox"/> Refused <input type="checkbox"/> Other (Specify)
<i>If yes, was your active duty status before 1980?</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Refused

**100,000
HOMES**

For 100,000 homeless
individuals and families

POWERED BY COMMUNITY SOLUTIONS



Vulnerability Index & Family Service Prioritization Decision Assistance Tool (VI-F-SPDAT)
 Prescreen for Families

<i>If yes, how many consecutive months were you on active duty?</i>	
<i>If yes, what was the character of the discharge?</i>	<input type="checkbox"/> Honorable <input type="checkbox"/> General under honorable conditions <input type="checkbox"/> Under Other than Honorable (OTH) <input type="checkbox"/> Dishonorable <input type="checkbox"/> Bad Conduct <input type="checkbox"/> Still on Active Duty <input type="checkbox"/> Doesn't Know <input type="checkbox"/> Refused <input type="checkbox"/> Other (specify) _____
1. Where did you live prior to becoming homeless?	<input type="checkbox"/> This city <input type="checkbox"/> This region <input type="checkbox"/> Other part of the State <input type="checkbox"/> Somewhere else (specify) _____
2. Do you have a permanent physical disability that limits mobility? [i.e., wheelchair, amputation, unable to climb stairs]?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Refused
3. What kind of health insurance do you have, if any? (check all that apply)	<input type="checkbox"/> Medicaid <input type="checkbox"/> Medicare <input type="checkbox"/> VA Medical Services <input type="checkbox"/> Private Pay Health Insurance <input type="checkbox"/> State Children's Health Insurance Program <input type="checkbox"/> Employer-Provided Health Insurance <input type="checkbox"/> Health Insurance Obtained through COBRA <input type="checkbox"/> State Health Insurance for Adults (use local name) <input type="checkbox"/> None <input type="checkbox"/> Doesn't Know <input type="checkbox"/> Refused <input type="checkbox"/> Other (specify): _____

F. CONTACT INFORMATION

1. Do you work with a case manager or outreach worker that you trust and can serve as your housing navigator – be able to find you easily, help collect housing documents and accompany you to housing application appointments?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Refused
2. If yes, what is his/her name?	
3. What agency do they work for?	
4. What is their phone number?	
5. What is their email address?	
6. To finish, may I take your picture so that we can better find you if housing turns up?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Refused
7. SURVEYOR: Any final notes that you'd like to convey?	



EXHIBIT H

May 2015

System Performance Measures

An introductory guide to understanding system-level performance measurement



Version 2

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