

# EMERGENCY SOLUTIONS GRANT

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Office of Economic Opportunity

February 15, 2013

1:30 p.m.

# About the presentation

- This Power Point presentation will be posted on the OEO website ([www.oeo.wv.gov](http://www.oeo.wv.gov)) under the Homeless/Housing tab.
- There will be breaks for questions throughout the presentation
- This presentation is not intended to substitute, or completely explain the ESG regulations.
- Sub-grantees and project sponsors are responsible for following all ESG regulations.

# Learning as we go

- Together we learned quite a bit from HPRP
- We are still learning about the new ESG Program
- This first year will be one of adaptation as we may need to make changes to programs to match new guidance
- Many resources and policies have yet to be released from HUD
- New ESG Frequently Asked Questions (FAQs) are being answered daily
- FAQs can be searched here:  
<http://www.hudhre.info/index.cfm?do=viewFaqs>

# What to have in participant's file

- HUD regulations specify that certain documentation be kept in a program participant's file. These are:
- Verification homeless or at-risk of homelessness status
- Services and types of assistance provided including
  - Payments of deposits – utility or rental
  - Rental Assistance
  - Utility assistance
    - Including how assistance amounts were calculated and the duration of assistance
- Copy of leases-if any type of prevention or rehousing funding was used
- Copy of rental agreement between owner and agency

# What to have in a participant's file

- Documentation of payments made on behalf of participant and supporting documentation (cancelled checks, assistance forms) including dates of occupancy for rentals
- Termination letter
- **OEO requires these additional items for all participant's files:**
  - Release of Information
  - HMIS Consent form
  - Verification of U.S. Citizenship or lawful residency – gov't issued photo I.D.
  - Verification of household receiving the pamphlet *Protect Your Family from Lead in Your Home*

# What to have in a participant's file

- Verification of referral and/or other connection to mainstream resources
- Denial letter – with reason for denial
  
- Depending on assistance provided files must contain program specific verifications.
  
- Please refer to the ESG Program Checklist provided by OEO.

# What to have in participant's file

## Ineligible applicants

- If an applicant is deemed ineligible the case file must be kept and must include documentation of ineligibility
- The applicant must be provided with a written explanation of their ineligibility
- This information does not have to be entered into HMIS but you MAY enter into HMIS if you wish.

# What to have in a participant's file

## Termination

- Participants can be terminated from the program but each agency must have a written termination policy (see Written Policies section of presentation)
- Participant must be provided written termination notice
- The written termination must be in participant's file
- Assistance may be resumed to a family or individual whose assistance has been terminated

Questions?

# Documentation

- HUD's preferred order of documenting Homeless or At-Risk Status

## 1. Third Party

- Written, including already available documents
- Oral

## 2. Intake Staff Observations

## 3. Self-Certification

# Documentation

## Tips for Documentation

- Adopt checklists that reflect preferred order
- Incorporate guidance & examples on exceptions to preferred order
- Have staff check for existing documentation first
  - E.g., HMIS records or discharge paperwork
- Create forms for tracking & documenting due diligence

# Documentation – 3<sup>rd</sup> party written

- **Written Letters/Referrals**
- Official communication (issued on agency stationary or program template)
- Signed and dated by appropriate third party representative
- Additional standards depend on criteria/condition of the Homeless Definition Category being used

# Documentation- 3<sup>rd</sup> party oral

- **Recorded Oral Statements**

- By intake staff
- Of 3rd party providing verification
- Signed and dated by intake staff as true and complete

\*\* Recommend standardized form for program

–Create clearly labeled sections for including relevant details and certifications

# Documentation-Staff observations

## Recorded Intake Staff Observations

- Intake staff notes on their observations and assessments
- Signed and dated by intake staff as true and complete

\*\* Recommend standardized form for program

–Create clearly labeled sections for including relevant details and certifications

# Documentation –Self-Certification

## Individual/Head of Household Statement

- Written statements certified (signed and dated) as true and complete
  - Regulations specify when oral statements can be used
- If self-certification must be verified:
  - Confirmation that certification was verified OR
  - Due diligence documentation

\*\* Recommend standardized form for program

# Documentation-Due Diligence

## Recorded Intake Staff Efforts

- Describe efforts to obtain third party documentation
  - May include phone logs, email correspondence, copies of certified letters etc.
- Outcome of effort, including obstacles
- Signed and dated by intake staff as true and complete

\*\* Recommend standardized form

Questions?

# Prevention and ReHousing

- Participants receiving Homelessness Prevention or Rapid ReHousing assistance must meet with a case manager (except where prevented by the Violence Against Women Act or Family Violence and Prevention Services Act) not less than one time per month
- Participants receiving Homelessness Prevention or Rapid ReHousing assistance must have a housing plan to assist the participant to retain permanent housing after ESG assistance ends.

# Prevention and ReHousing

- Participants receiving Prevention funds must be below 30% AMI at initial evaluation
- Participants receiving Rapid ReHousing *do not* have to be below 30% AMI at initial evaluation
- Prevention participants must be re-evaluated every 3 months and must be below 30% AMI
- Rapid ReHousing participants must be re-evaluated once per year
  - At one year re-evaluation RRH participants must meet the 30% AMI requirement

# Prevention and ReHousing

- Units assisted with any type of HP or RRH must meet minimum habitability standards
- Copy of the habitability verification must be kept in participant's file

# Prevention and ReHousing

- Participants assisted with Prevention funding must meet the definition of At-Risk of Homelessness
- OR
- Paragraph 2, 3, or 4 of HUD's updated Definition of Homelessness
  
- Participants assisted with Rapid ReHousing funding must meet the criteria in paragraph 1 of HUD's updated Definition of Homelessness
- OR
- Meet the criteria from both paragraphs 4 (DV) AND 1

# Prevention and ReHousing

- Leases required for all assistance except rent arrearages
  - Must be legally binding and written
  - Leases must be signed by all parties
  - Must be between property owner and program participant
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- If only providing rent arrearages then oral verification from owner is acceptable *if* sufficiently documented by owner's financial records, rent ledgers, or canceled checks – in many instances it would be easier to get a copy of the lease

# Prevention and ReHousing

## Rental Assistance Agreements

- Required for all assistance of HP and RRH
- Must be written and between the agency and property owner
- Rental Agreement must be canceled if:
  - Tenant moves out of unit
  - The lease is terminated and not renewed
  - The participant becomes ineligible

# Prevention and ReHousing

- Rental Assistance Agreements
- Must contain:
  - Terms for rental assistance
  - Provision that during the term of the agreement the owner must give the agency a copy of any eviction notice or complaint against the tenant used to begin eviction proceedings
  - The same payment due date, grace period, and late payment penalty as the program participant's lease
    - Late fees incurred by the agency must be paid with non-ESG funds

Questions?

# Prevention and ReHousing

- **Utility Assistance**
- Utility = Gas, Electric, Water, and Sewer
- Assistance can be for up to 24 months per participant per service
- Including 6 months of arrearages per service
- Utility must be in the name of the participant or household member
- Participant must have proof of past responsibility paying the bill
- Partial payment = 1 month of assistance

# Prevention and ReHousing

- Utility continued
- Must have in file:
  - Lease
  - Rental Agreement
  - Copy of bill or termination notice
  - Copy of payments to utility provider by agency
  - Explanation of how utility assistance prevented homelessness

# Prevention and ReHousing

- **Moving Costs include**
- Truck rental or moving company
- Storage fees for up to 3 months but no storage arrears
- Storage fees must be accrued after the date the participant begins receiving assistance but before they move into permanent housing

# Prevention and ReHousing

## Program Participant changes in income or household

- If you require a participant to notify you of changes to their income or household composition either
  - Include this information on application they then signOR
  - Have a written policy the participant is given and keep a signed verification they have received the policy
- When notified of a change the participant must be re-evaluated for eligibility and amount and types of assistance needed

# Prevention and ReHousing

- Agencies must ensure all participants are assisted in obtaining mainstream services and benefits such as
  - Permanent housing
  - Medical health treatment
  - Mental health treatment
  - Counseling
  - Supervision
  - Other services essential for achieving independent living

# Prevention and ReHousing

- As well as these Federal, State, and Local assistance
  - Medicaid
  - Supplemental Nutrition Assistance Program
  - Women, Infants and Children (WIC)
  - Unemployment Insurance Programs – Federal or State
  - Social Security Disability Insurance (SSDI)
  - Supplemental Security Income (SSI)
  - Child and Adult Care Food Program

Questions?

# Lead Based Paint

- All ESG funding is subject to the Lead Based Paint Poisoning Prevention Act of 1973 and its regulations found in 24 CFR 35, Parts A,B,H,J,K,M, and R
- HPRP was subject to 24 CFR 35, Parts A,B,M, and R
- New ESG adds parts H, J, and K
  - H is for Project Based Rental Assistance
  - J is for Rehabilitation
  - K is for Operations and Support Services for ESG Shelters
- For HP & RRH providers the regulations are the same as HPRP

# Lead Based Paint

- Part A says each participant must be given a lead warning statement from the 1978 law that says any property built before 1978 could expose people to lead-based paint and that it places pregnant women and young children at risk
  - OEO has chosen the pamphlet *Protect Your Family from Lead in Your Home* as it is available as a download
- The lead-based paint inspections only need to be done if there is a pregnant woman or a child under the age of 6 in the household

# Required Policies & Procedures for HP & RRH

The following policies must be developed by the subgrantees and/or project sponsors:

- Evaluating Eligibility for Assistance (FedReg page 75985)
- Coordination among Service Providers (FedReg page 75985)
- Targeting Assistance (FedReg page 75985)
- Determining participant's share of costs (FedReg page 75985)
- Determining length of assistance (FedReg page 75985)

# Required Policies & Procedures for HP & RRH

- Determining type, amount, and duration of housing stabilization and/or relocation services (FedReg page 75985)
- Conflict of Interest (FedReg page 75987)
- Ensuring the confidentiality of all Personally Identifying Information (FedReg page 75962)
- Termination of Assistance (FedReg page 75986)
- Please see the Federal Regulations for more information

# Coordinated Assessment

- Once the CoCs develop their coordinated assessment systems all ESG-funded projects must use their CoCs system
- Victim Service Providers are not required to take part in Coordinated Assessment
- When this takes place ESG-funded sites must keep documentation evidencing the use of, and written intake procedures for, the coordinated assessment
- There are quite a few things that have to happen before this becomes a reality
- Each site is urged to work with their CoC to help develop the assessment

# Coordinated Assessment

- In keeping with Coordinated Assessment all ESG-funded sites must:
- Use their CoCs HMIS
- Take part in the annual Point In Time count

# Reimbursement Requests

## What to include with invoice & monthly request forms

- Program participant specific service form/financial assistance form
- Supporting documentation for each expense:
  - Copy of utility bill
  - Utility shut-off notice
  - Eviction notice
  - Documentation verifying security deposit fees
- Copy of canceled checks or other verification that expense has been paid
- Time sheets and time allocation for staffing costs
- Invoices & receipts for other purchases – computers, supplies, etc.

# Record Retention

- All records must be kept for 5 years after the expenditure of all funds
- Records must be accessible and open to inspection at any time by OEO, the State Auditor, HUD, or HUD's representatives

# Questions?

## Question to each of you

- What kind of additional training is needed?