

Appendix VII
ESG Policies and Procedures Manual



COLLIER COUNTY EMERGENCY SOLUTIONS GRANT

POLICIES AND PROCEDURES MANUAL



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1. General Information

1.1 Summary

Emergency Solutions Grants Program

The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act) amended the McKinney-Vento Homeless Assistance Act, revising the Emergency Shelter Grants Program in significant ways and renaming it the Emergency Solutions Grants (ESG) program. The ESG Interim Rule took effect on January 4, 2012. The second allocation of FY 2011 ESG funding and future years are all subject to the ESG regulations. The first allocation of FY 2011 ESG funding and prior years are subject to the Emergency Shelter Grants Program regulations, (24 CFR Parts 91 and 576)

1.2 Federal & State Legislation

Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH): Emergency Solutions Grants (ESG) Consolidated Plan Conforming Amendments

This interim rule, published in the Federal Register on December 5, 2011, revises the regulations for the Emergency Shelter Grants program by establishing the regulations for the Emergency Solutions Grants program, which replaces the Emergency Shelter Grants program. The change in the program's name, from Emergency Shelter Grants to Emergency Solutions Grants, reflects the change in the program's focus from addressing the needs of homeless people in emergency or transitional shelters to assisting people to quickly regain stability in permanent housing after experiencing a housing crisis and/or homelessness.

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, and revises the Emergency Shelter Grants program and renames it as the Emergency Solutions Grants (ESG) program. The HEARTH Act also codifies into law the Continuum of Care planning process, a longstanding part of HUD's application process to assist homeless persons by providing greater coordination in responding to their needs.

Federal Register/Vol. 76, No. 233/Monday, December 5, 2011/Rules and Regulations

2. Program Intent

The Collier County (the County/Collier County Community and Human Services/CHS) Emergency Solutions Grant (ESG) provides federal funds to support local programs in assisting individuals and families to a) prevent homelessness b) quickly regain stability in permanent housing after experiencing a housing crisis or homelessness and c) improve the quality and quantity of emergency shelter services for the homeless. ESG funds are available for five program components: street outreach, emergency shelter, homelessness prevention, rapid re-housing assistance, and data collection through the Homeless Management Information System.

2.1 Release of Information

All information about the applicant/client is confidential. Disclose information only for purpose of determining program eligibility, providing benefits, or investigating possible violation of federal, state and local regulation(s) associated with ESG delivery. Disclose only appropriate information that is pertinent to the eligibility of the applicant, and exclude those items considered not pertinent to eligibility.

Access to information by inappropriate or unauthorized individuals or parties is a violation of the individuals' right to confidentiality. Inappropriate disclosure of information can result in severe penal action. Take care to secure all files so that unauthorized personnel do not have access to them.

Collier County Community and Human Services (CHS) will require clients to sign an Authorization to Use and Disclose Information form (see the "Forms" section of this manual), separate from a Confidentiality Policy form, during the intake process; however, failure to sign an Authorization to Use and Disclose Information form **cannot** be the basis for denying program services to otherwise eligible clients.

If the release of information were necessary to obtain documentation related to determining eligibility for the program, base the denial on the lack of required verification necessary to determine program eligibility and **not** on the refusal to sign the Authorization to Use and Disclose Information form.

2.2 Confidentiality

CHS shall ensure that all its officers, employees, subrecipients and agents are aware of and comply with this confidentiality requirement, along with the "Safeguarding Information for the Financial Assistance Programs" regulations as shown at 45 CFR §205.50 (www.ecfr.gov).

Confidential records are all applications, records, files, and communications relating to applicants for, and clients of, services offered by ESG.

The confidential policy standards maintained by CHS shall comply with all applicable local, state and federal requirements. All records shall be maintained for a minimum of five years and shall be available upon request for review to federal, state and county auditors and/or examiners in the course of their regular audits and monitoring functions of ESG.

3. Applicable Rules and Regulations

All the following as may be amended from time to time:

- 24 CFR 5.Subpart F Occupancy Requirements for Section 8 Project-Based Assistance
- 24 CFR 91 Consolidated Submissions for Community Planning & Development Programs
- 24 CFR 576 Emergency Solutions Grant Program
- 45 CFR 92.3 and 92.24 Definitions and Matching or Cost Sharing
- 45 CFR 205.50 Safeguarding Information for Financial Assistance Programs

This manual provides guidelines for the Community and Human Service ESG programs and as amended from time to time along with all other references made within this manual.

CFRs cited are amended from time to time and can be found at:
<http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=%2Findex.tpl>

3.1 Acronyms

Acronyms commonly used are:

AMI Area Median Income

CAA Community Action Agency

CFR Code of Federal Regulations

CHS Community and Human Services

ESG Emergency Solutions Grant

FMR Fair Market Rent

HH Household

HMIS Homeless Management Information System

HPRP Homeless Prevention and Rapid Re-Housing Program

HQS Housing Quality Standards

HUD United States Department of Housing and Urban Development

IDIS Integrated Disbursement and Information System

SRO Single Room Occupancy

TANF Temporary Assistance for Needy Families

SSO Subrecipient Shelter Organization

URA Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970

VA Veteran's Administration

3.2 Definitions [24 CFR 576.2, as amended]

At-Risk of Homelessness:

Individuals and Families who:

1. Have an annual income below thirty percent (30%) of median family income for the area; **AND**
2. Do not have sufficient resources or support networks immediately available to prevent them from moving to an emergency shelter or another place defined in Category 1 of the "homeless" definition; **AND**
3. Meets one of the following conditions:
 - a. Has moved because of economic reasons two (2) or more times during the sixty (60) days immediately preceding the application for assistance; **OR**
 - b. Is living in the home of another because of economic hardship; **OR**
 - c. Has been notified that their right to occupy their current housing or living situation will be terminated within twenty-one (21) days after the date of application for assistance; **OR**
 - d. Lives in a hotel or motel and the cost is not paid for by charitable organizations or by Federal, State, or local government programs for low-income individuals; **OR**

- e. Lives in an SRO or efficiency apartment unit in which there resides more than two (2) persons or lives in a larger housing unit in which there resides more than one and a half persons per room; **OR**
- f. Is exiting a publicly funded institution or system of care; **OR**
- g. Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the CHS's approved Consolidated Plan.

Domestic Violence:

This definition includes domestic violence, dating violence, sexual assault, stalking, attempting to cause, or intentionally, knowingly or recklessly causing or placing another in fear of imminent serious physical injury or emotional, mental or verbal abuse, and using coercive or controlling behavior. This does not include other criminal acts such as violence perpetrated by a stranger, neighbor, acquaintance or friend, unless those persons are family members, intimate partners or household members. (Note: This definitional aligns with TANF rules and regulations)

ESG Objectives:

Objectives for the ESG programs shall mean benefit to the homeless and at risk for homeless who meet the eligibility and income requirements of ESG (thirty (30) percent of AMI)

Grant Administration: General management and oversight of the ESG program by the County. Grant administration is capped at 7.5% of all ESG funding.

HMIS:

Homeless Management Information System for inputting and tracking Client Information in compliance with the ESG program.

Homeless:

There are four categories of people who are "homeless" and therefore eligible for assistance through the ESG program:

1. Category 1: Literally homeless: a HH that lacks a fixed, regular, and adequate nighttime residence, meaning:
 - a. Using a primary nighttime residence that is a public or private place not meant for human habitation (includes car, park, abandoned building, bus or train station, airport, or camping ground); **OR**
 - b. Is living in a publicly or privately operated shelter (see "Definitions" section of this manual) designated to provide temporary living (see "Definitions" section of this manual) arrangements; **OR**
 - c. Is exiting an institution where the HH has temporarily resided for ninety (90) days or less **AND** who resided in a shelter or place not meant for human habitation prior to entering the institution.

2. Category 2: Imminent risk of homelessness: a HH who will imminently lose their primary nighttime residence, provided that:
 - a. The residence will be lost within fourteen (14) days of the date of application for homeless assistance by court order (see definition for "Documentation"); **AND**
 - b. No subsequent residence has been identified; **AND**
 - c. The HH lacks the resources or support networks needed to obtain other permanent housing.

3. Category 3: Unaccompanied Youth with Children Who Qualify as Homeless under Other Federal Statutes: Unaccompanied Youth under twenty-five (25) years of age, with Children who do not otherwise qualify as homeless under this definition, but who:
 - a. Are defined as homeless under "other federal statutes" (see "Definitions" section of this manual); **AND**
 - b. Has not leased, owned, or rented a permanent housing space for at least sixty (60) days prior to application for assistance; **AND**
 - c. Has had at least two moves within the past sixty (60) days, prior to application for assistance; **AND**
 - d. Has one or more chronic disabilities (see "Definitions" section of this manual), **AND**
 - e. Has at least two barriers to employment (see "Definitions" section of this manual)

Note: This definition applied only to the 2011 NOFA and is only allowable on Continuum of Care projects and its use must be preapproved by HUD and follow very strict guidelines. A copy of the Notice is also included in Appendix B.

4. Category 4: Fleeing, or attempting to flee, domestic violence (as defined in this manual): a HH who:
 - a. Is fleeing, or is attempting to flee, domestic violence; **AND**
 - b. Has no other residence; **AND**
 - c. Lacks the resources or support networks to obtain other permanent housing

Matching: ESG requires a match of dollar for dollar from eligible cash and non-cash contributions. The County and Subrecipients must match ESG grant funds dollar-for-dollar pursuant to 24 CFR 576.201.

1. Matching funds shall be provided after the date of the grant award.
2. Funds used to match a previous ESG grant may not be used to match a subsequent grant award.
3. A Subrecipient may comply with this requirement by providing the matching funds from any source, including any Federal source other than the ESG program, as well as state, local and private sources.
4. A Subrecipient must ensure the laws governing any federal funds to be used do not prohibit those funds from being used to match ESG funds.
5. In order to meet the matching requirement, the matching contributions must meet all the requirements that apply to the ESG funds provided by HUD as required by 24 CFR 576.201(c).
6. Matching contributions may be in the form of the following:
 - a. Cash contributions; or

- b. Non-cash contributions, calculated per requirements in 24 CFR 576.201(e), include the value of any real property, equipment, goods, or services contributed to the SSO's ESG program, provided that if a Subrecipient had to pay for them with grant funds, the costs would have been allowable. Non-cash contributions may include:
 - i. The purchase value of any donated material or building. A SSO shall determine the value of any donated material or building, or of any lease, using a method reasonably calculated to establish a fair market value.
 - ii. Match in the form of services provided by individuals must be valued at rates consistent with those ordinarily paid for similar work in a SSO's organization. If a SSO does not have employees performing similar work the rates must be consistent with those ordinarily paid by other employers for similar work in the same labor market.
 - iii. Costs paid by program income may count toward meeting a SSO's matching requirements, provided the costs are eligible ESG costs that supplement the ESG program.

Other Federal Statutes:

Other Federal Statutes include:

1. Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.),
2. Head Start Act (42 U.S.C. 9831 et seq.),
3. Subtitle N of the Violence against Women Act of 1994 (42 U.S.C. 14043e et seq.) (VAWA),
4. Section 330 of the Public Health Service Act (42 U.S.C. 254b),
5. Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),
6. Section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), and
7. Subtitle B of title VII of the McKinney-Vento Act (42 U.S.C. 11431 et seq.)

Shelter:

"Emergency shelter," means any facility whose purpose is to provide temporary shelter for the homeless including congregate shelters, hotels/motels paid for by charitable organizations, or federal, state and/or local government programs, which do not require occupants to sign leases or occupancy agreements. Shelters that receive funding under the Emergency Shelter activities shall comply with these policies and procedures and all ESG regulations as they may be amended.

Street Outreach:

"Street outreach" means activities designed to meet the immediate needs of unsheltered homeless by connecting them with emergency shelter, housing and/or health services through engagement, case management, transportation, emergency services and related services. Collier County shall in general rely upon approved community organizations and emergency shelters in the County where street outreach is appropriate and a part of the organization's operations and purpose. Subrecipients must comply with these policies and procedures and all ESG regulations as they may be amended.

Subrecipient Shelter Organization (SSO):

Subrecipient Shelter Organizations are organizations that, by contract with the County, provide ESG direct client services and receive funding from the County for said services. Under its agreements with the County, SSOs will provide eligible street outreach, essential services and/or emergency shelter operations as the County may approve while complying with all requirements of the Emergency Solutions Grant. Salaries and other operation expenses are not subject to the ESG administration allowance. Street outreach and Emergency Shelter costs are capped at sixty percent of ESG cost or the total of Emergency Shelter funding approved by the County in 2010 prior to the amendment of the Emergency Shelter Program into the Emergency Solutions Grant. The Subrecipient agreement shall reference and enforce these policies and procedures and all federal requirements, as they may be amended.

Support Network:

Examples include family, friends and faith-based or other social networks, both private non-profit organizations such as SSOs and conventional organizations such as social services and emergency medical assistance.

Temporary Living:

Residing in a facility for fewer than ninety (90) days for short-term assistance and between ninety-one (91) days and twelve (12) months for medium-term assistance.

Unaccompanied Youth:

Unaccompanied Youth are less than twenty-five (25) years of age and homeless under other Federal statutes and:

1. Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the sixty (60) days prior to the homeless assistance application; **AND**
2. Have experienced persistent instability as measured by two moves or more in the preceding sixty (60) days; **AND**
3. Can be expected to continue in such status for an extended period due to special needs or barriers.

4. Conflict of Interest

[24 CFR 576.404]

See Collier County Conflict of Interest Policy and Procedures

5. Eligible Activities

[24 CFR 576.100 – 576.109, as amended]

5.1 ESG General Principles

Eligible activities include short-term rental assistance, medium term rental assistance, rent arrears, emergency shelters, street outreach and housing relocation and stabilization services. Staff salaries related to carrying out eligible activities are also eligible and are not capped by the administrative allowance.

Short term rental assistance shall mean not more than three (3) months of assistance. Medium term rental assistance shall mean more than three (3) months and not more than twelve (12) months assistance. Housing relocation and stabilization shall mean financial assistance such as security and utility deposits, case management, legal services, credit repair, moving costs, and housing search assistance. The total period for which any program participant may receive rental assistance must not exceed twenty-four months including up to six (6) months of rent arrearage during any three (3) year period.

Emergency shelters shall be facilities and organizations that provide shelter services to the homeless or at risk for homelessness and function as Subrecipients under the County ESG program. Services provided by Subrecipient Shelter Organizations must at least be for the length of the term of the Subrecipient Agreement or the term funds are made available to the SSO, whichever is greater.

Confidentiality shall be a condition of all Subrecipient awards and a focus of CHS staff and agents in completing ESG services.

Coordination with the Continuum of Care and with members of the homeless or previously homeless community shall be a condition of all Subrecipient awards and a focus for CHS staff and agents.

Document control, reporting and records retention for five (5) years minimum shall be a condition of all Subrecipient agreements and a primary concern of all CHS staff. Accurate documentation of procurement, activity expenditures, eligibility, income, beneficiaries and successful completion of services are critical to HUD reporting and to HMIS. Documentation requirements may be modeled after the HOME program, except as provided for herein.

All Subrecipient agreements shall address matching requirements, eligible types of match, and documentation and tracking required to claim dollar-for-dollar match.

CHS staff shall take all Subrecipient and direct County costs into consideration when verifying the maximum funding for street outreach and shelters (including shelter renovations or repairs) combined does not exceed sixty (60) percent of all ESG funding, or the amount of Emergency Shelter Funding approved before the new rule took effect.

CHS staff shall take into consideration the administrative requirements of the ESG program in all Subrecipients and staff task allocation and implementation. All funds must be obligated (under contract, award) within one-hundred eighty (180) days from the start of the program year. Expenditures must be completed within twenty-four (24) months of the start of the

program year. All Subrecipients receiving ESG funds must be paid by the County within thirty (30) days of receipt of a complete request for payment from the Subrecipient. ESG funds must be drawn and expend funds from each year's allocation not less than once each quarter, subject to any Federal limitations on funds drawn down any calendar quarter or year.

In the case of rental assistance, all participants in the program shall have a written lease for rental assistance and the landlord shall have a rental agreement with the Subrecipient or the County.

Rents shall not exceed HUD Fair Market Rents.

Program income, where generated with ESG funds, shall be used for matching requirements.

Services provided by ESG funds shall not be duplicated with services funded from any other source. CHS staff and all Subrecipients shall take all feasible measures to ensure and document non duplication of benefits provided by ESG funds.

The County and all Subrecipients shall utilize a centralized or coordinated system to assess eligibility and needs of each case developed by the Continuum of Care, where available.

To the maximum extent possible, the County and all Subrecipients shall coordinate ESG funded services with other essential service providers for the homeless or special needs populations served by ESG funded programs as well as with mainstream service providers such as health services, employment, education, youth programs and social services.

Where the need for termination of services arises due to noncompliance or ineligibility of a participant in the program, formal written procedures will be followed in compliance with the ESG program.

Minimum habitability standards shall be applied in considering any shelter space or housing where ESG assistance will be provided, including Lead Based Paint, Housing Quality Standards and State and Local Code requirements and to the maximum extent possible Green Improvements.

In the case of renovation or rehabilitation of shelter space, if the cost of the renovation or rehabilitation is more than seventy-five (75) percent of the value of the building before the work, the facility addressed shall be maintained as a shelter for the homeless a minimum of ten (10) years after completion of the work AND occupancy by the first homeless person or family after the work is completed. In all other cases, the term of operation as a shelter for the homeless shall be for a minimum of three (3) years after the work is complete AND the facility is occupied by the first homeless person or family after the work is completed.

To the maximum extent possible, the County and Subrecipients shall assist participants in the program to connect with and obtain other eligible services to assist the homeless and at risk.

To the maximum extent possible, the County and Subrecipients shall involve the homeless and at risk in the ESG programs construction and operation through employment or volunteer efforts.

The County or Subrecipient must conduct an initial evaluation of applicants for ESG services to determine eligibility and need and reevaluate each participant not less than every three (3) months for homeless prevention and not less than every year for rapid rehousing.

5.2 Homeless Prevention Services

Homeless Prevention Services are housing relocation and stabilization services and short- and/or medium-term rental assistance necessary to prevent an individual or family from moving into an emergency shelter. Homeless prevention must be provided in accordance with housing relocation/stabilization requirements, short- and/or medium-term rental assistance requirements, and written standards and procedures established under 24 CFR 576.400, as amended.

Individuals or families defined as At-Risk of Homelessness and Category 2, imminent risk of homeless, Category 3, homeless under other federal statutes, or Category 4, fleeing/attempting to flee DV (where the individual or family also meets the criteria for category 1) AND with an individual and family annual income, not exceeding thirty percent (30%) AMI are eligible for homeless prevention assistance.

5.3 Rapid Re-Housing Assistance

Rapid Re-Housing Assistance is housing relocation and stabilization services and short and/or medium-term rental assistance necessary to help an individual or family move as quickly as possible into permanent housing and achieve stability in that housing. Rapid re-housing must be provided in accordance with housing relocation/stabilization requirements, short- and/or medium-term rental assistance requirements, and written standards and procedures established under 24 CFR 576.400, as amended.

Individuals or families defined as Category 1, literally homeless, or Category 4, fleeing/attempting to flee DV (where the individual or family also meets the criteria for category 1) are eligible for assistance in rapid re-housing.

5.4 Housing Relocation and Stabilization Services

Rapid rehousing and homeless prevention services may include, at the County's discretion, rent application fees, security and utility deposits, last month rent, utility payments, moving cost, housing search and placement, case management, mediation, legal services, credit repair, short-term or medium-term housing tenant based rental assistance, rent in arrears and/or costs associated with HMIS requirements.

CHS has set a maximum of up to three (3) months of short-term rental assistance and up to twelve (12) months of medium-term assistance plus up to six (6) months of rental arrearage during any three year (3) period of time for which a participant may receive these types of assistance. Fund limits for this section will apply to the total assistance an individual receives, either as an individual or as part of a family. Do not provide this assistance to a participant who is receiving the same type of assistance through other public sources or those receiving replacement-housing payments under the URA during the period covered by the URA payments.

Use with other subsidies:

Financial assistance cannot be provided to a program participant who is receiving the same type of assistance through other public sources or to a program participant who has been provided with replacement housing payments under the URA, during the period of time covered by the URA payments.

5.5 Rental Assistance Requirements and Restrictions

Provides program participants with up to three (3) months of short-term rental assistance or twelve (12) months medium-term rental assistance plus up to six (6) months of rental arrearage during any three year (3) period. Rental assistance must be tenant-based assistance.

1. Tenant-based rental assistance.

A program participant who receives tenant-based rental assistance may select a housing unit in which to live and may move to another unit or building and continue to receive rental assistance, as long as the program participant continues to meet the program requirements.

- a. CHS requires that all program participants secure housing within Collier County for the period in which the rental assistance is provided.
- b. The rental assistance agreement with the owner must terminate and no further rental assistance payments under that agreement may be made if:
 - i. The program participant moves out of the housing unit for which the program participant has a lease;
 - ii. The lease terminates and is not renewed; or
 - iii. The program participant becomes ineligible to receive ESG rental assistance.
 - iv. Project-based rental assistance is received by the participant from other sources.

2. Tenant-based Rental Assistance Requirements:

- a. Must meet compliance with Habitability Standards
- b. Must meet compliance with Fair Market Rent (FMR)
 - i. Assisted units must be at or below FMR, for area and unit size, for rent plus utilities.
 - ii. See "Rent Reasonableness and Fair Market Rent" section in this manual.

3. Rental Assistance Agreement and Lease Standards:
 - a. The rental assistance agreement must set forth the terms under which rental assistance will be provided. See "Lease Agreement" section in this manual.
 - b. Each participant receiving rental assistance must have a legally binding, written lease, between the owner and participant, for the rental unit, unless, the assistance is solely for rental arrears. Rental-based rental assistance leases must have an initial term of one year.
4. Cannot use with other subsidies:
 - a. No rental assistance can be provided to household receiving rental assistance from another public source for the same time period, except for six (6) months of arrears.
 - b. Rental assistance may not be provided to participants who are currently receiving replacement housing payments under the URA (Example: Persons living in public housing units, using housing choice vouchers, or residing in project-based assisted units cannot receive monthly rental assistance under ESG).
5. Late Payments:
 - a. The rental assistance agreement must contain the same payment due date, grace period, and late payment penalty requirements as the program participant's lease.
 - b. Collier County Community and Human Services must make timely payments to owners in accordance with the rental assistance agreement.
 - c. Collier County Community and Human Services will make late payments from non-federal funds if Collier County is found to be in default of making timely payment. Collier County is not responsible for paying late payment penalties that the tenant incurs on their own behalf.

5.6 Emergency Shelter

Provides Subrecipients that operate an eligible emergency shelter funding for repairs and renovations of shelter facilities and/or operations and maintenance of shelter facilities to increase their quality and quantity available for the homeless.

a. Shelter Operations

To receive funding for operations a shelter must meet the definition herein, and comply with all appropriate ESG regulations for habitability, case eligibility, health and safety and shelter operations related to the ESG program. Activities related to Shelter Operation may include, at the County's discretion, and subject to the Subrecipient award agreement, maintenance, fuel, security, rent, equipment, insurance, utilities and/or supplies needed for operation of the approved shelter. Essential services for general operations may include salaries and expenses for case management, child care, education, employment assistance, legal services, life skills training, mental health services, outpatient health services, substance abuse treatment, transportation, services for special populations and related ESG eligible operation expenses.

b. Shelter Renovation and Repairs

The County may at its discretion, make available funding for renovation of eligible shelter facilities. New construction is not eligible. Renovation and repair of shelter facilities may include labor, materials, tools and related construction costs for health and safety, code and housing quality standards. A scope of work must be included in any funding request, with a summary description and list of activities and cost estimate, from a qualified contractor or professional. Justification for each activity as it relates to health and safety, code, housing quality standards and the ESG shall be provided by the prospective applicant shelter operator/Subrecipient SSO.

5.7 Street Outreach

“Street Outreach” means essential services for meeting the immediate needs of unsheltered homeless and connecting them with emergency shelter service, housing and/or emergency health services. These may include engagement, transportation, case management and related services. In general, the County shall rely on community based organizations and subrecipients for street outreach, where funded by the County.

5.8 Ineligible Activities

These funds cannot be used to expand the number of beds in an existing shelter, to supplant existing mainstream resources or for mortgage payments. Payments can only be made to third parties, such as landlords; payments cannot be made to program participants. In addition, an assisted property may not be owned by the County or affiliated organization of the County.

1. ESG funds cannot be used for:
 - a. Continuum of Care coordinating expenses;
 - b. Pay for foreclosure prevention;
 - c. Pay rental assistance for rent to own/lease to purchase;
 - d. Provide prevention assistance to help those on Section 8 ;
 - e. Provide assistance (pay security deposits and/or utility deposits etc.) to those living in subsidized housing;
 - f. Assist a household with their rent if they have a project-based voucher;
 - g. Assist individual(s)/households in transitional housing;
 - h. Set aside money for individual(s) who may be at risk of losing their job;
 - i. Assist the homeless or those at risk of becoming homeless to expunge and/or pardon their criminal records or for re-entry advocacy to help ex-offenders get jobs;
 - j. Pay rent bills from a previous address;
 - k. Pay utilities and/or rent for tenants renting a unit owned by a family member;
 - l. Mortgage payments or mortgage refinancing costs to make housing affordable;
 - m. Rental assistance payments cannot be made on behalf of eligible individuals or families for the same period of time and for the same cost types that are being provided through another federal, state or local housing subsidy program;
 - n. Motel/hotel Vouchers;

- o. Furniture (Grantees are encouraged to use existing community sources);
- p. Pet Care;
- q. Credit card bills or other consumer debt;
- r. Car repair for program participants;
- s. Regular non-emergency medical or dental care;
- t. Work or education materials;
- u. Clothing and grooming;
- v. Entertainment activities;
- w. Cash assistance to program participants;
- x. Development of discharge planning programs in mainstream institutions such as hospitals, nursing homes, jails, or prisons. *However*, persons who are being imminently discharged into homelessness from such public funded institutions are eligible to receive financial assistance through ESG;
- y. Payment of licenses, certifications, and general classes (classes not specifically related to these funds);
- z. Utility assistance for homeowners.

6. Citizenship Requirements and Verification

[Public Law 104-193 Title IV Sec. 400(7)]

Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA, also known as the Welfare Reform Act) prohibits the provision of non-exempted "federal public benefits" to a non-citizen, who is not a "Qualified Non-Citizen." Collier County chooses to follow the Federal classification in determining the eligibility of such non-citizens for public assistance. In doing so, Collier County is considered to have chosen the least restrictive means available for achieving the compelling governmental interest of assuring that non-citizens be self-reliant in accordance with national immigration policy. **Note:** The term "non-citizen" also refers to "alien." For the purposes of ESG, the terms are interchangeable.

6.1 Use ESG funds to assist "Qualified Non-Citizens"

For purposes of ESG, the term "Qualified Non-Citizen" means a non-citizen who, at the time the non-citizen applies for, receives, or attempts to receive a Federal public benefit is:

1. Lawfully admitted for permanent residence under the Immigration and Nationality Act; OR
2. Granted asylum under section 208 of such Act; OR
3. Admitted to the United States as a refugee under section 207 of such Act; OR
4. Paroled into the United States under section 212(d)(5) of such Act for a period of at least one (1) year; OR
5. Withheld from deportation under section 243(h) of such Act; OR
6. Granted conditional entry pursuant to section 203(a)(7) of such Act as in effect prior to April 1, 1980.

6.2 Eligibility [24 CFR Part 5, as amended]

1. General

- a. All program participants must be assisted, as needed, in obtaining services and financial assistance through other homeless and public assistance programs;
- b. Program participants must lack financial resources and support networks needed to obtain immediate housing or remain in existing housing and have no appropriate subsequent housing options;
- c. Each program participant receiving homelessness prevention or rapid rehousing assistance may be required to meet regularly with a case manager (except where prohibited by Violence Against Women Act and the Family Violence Prevention and Services Act),
- d. The case manager must develop an individualized plan to help each program participant retain permanent housing after the ESG assistance ends.
- e. Subrecipients of the County receiving funding for shelter operations shall be responsible for all case management and qualification requirements and maintaining all required documentation as described herein.

6.3 Eligibility Re-certification

Re-certification (re-assessment) occurs every (3) three months for those receiving Homeless Prevention assistance ~~or~~ and annually for Rapid Re-Housing Assistance. Income must be at or below thirty percent (30%) AMI for Homeless Prevention. Income must be at or below thirty percent (30%) AMI for Rapid Re-Housing at the annual recertification. Subrecipients receiving assistance for Shelter operations shall complete re-certifications in compliance with these procedures and the ESG program.

7. Records

[24 CFR 576.500, as amended]

7.1 Retention

CHS staff is responsible for verifying and documenting eligibility of all ESG applicants prior to providing assistance. CHS staff is responsible for maintaining this documentation in the ESG participant case file. Retain all records pertaining to each fiscal year of ESG funds for the greater of five (5) years or the period specified below. Substitute copies made by microfilming, photocopying, or similar methods for the original records, if needed.

7.2 Confidentiality

Keep secure and confidential all records containing personally identifying information of any individual or family who applies for and/or received ESG assistance. Do not make public the address or location of any domestic violence, dating violence, sexual assault, or stalking shelter project assisted under the ESG. Do not make public the address or location of any housing of a program participant, consistent with state and local laws regarding privacy and obligations of confidentiality.

7.3 Documentation Standards

In general, there is an order of preference for all documentation types and projects must document due diligence of efforts to obtain all documentation. Circumstances, as well as the type of services or housing received, will affect the ability of intake workers/case managers to obtain some forms of documentation. The order of priority among documentation is third-party documentation first, intake worker/case manager observation second, and certification by the individual or head of household seeking assistance third.

7.4 Third-party Documentation

Where it is available, third party documentation is the preferable form of documentation (financial, homelessness, disability, etc.). Recordkeeping requirements allow already available documentation, where it is available, as third-party documentation. Already available documentation includes certification or other appropriate service transactions recorded in a Homeless Management Information System (HMIS) or other database that meet certain standards. Information recorded in an HMIS must retain an auditable history of all entries, including the person who entered the data; the date of entry, and the change made, and must prevent overrides of the dates when changes are made. Already available documentation may also include discharge paperwork, to verify a stay in an institution, shelter, or other facility.

For emergency shelters that require clients to be present every night to gain access to a bed for just that night, CHS would expect to see certification by the individual or head of household as the primary method of establishing homeless eligibility. CHS would also consider a sign-in sheet, with a certification from the individual or head of household seeking assistance, as meeting this standard. However, for permanent housing and nonemergency services, such as employment assistance, CHS will expect to see third party documentation, such as pay stubs, copy of recent bank statements, or filed tax documents.

7.5 Example of Documentation

Documenting a disability would not include participant self-certification, as disabilities would have written documentation of some type. You could document a disability by:

1. Written verification of the disability from a licensed professional from the state to diagnose and treat the disability and his or her certification that the disability is expected to be long-continuing or of indefinite duration and substantially impedes the individual's ability to live independently; OR
2. Written verification from the Social Security Administration; OR
3. The receipt of a disability check; OR

See "Appendices" section of this manual for the following information:

1. Homeless/At-Risk acceptable documentation requirements
2. Housing Options/Resources eligibility documentation requirements
3. Rapid Re-Housing Eligibility Documentation for Homeless Persons
4. Homelessness Prevention Eligibility documentation for Persons at-Risk of Homelessness

7.6 Intake/Case Manager Worker Observation

May include oral statements made by a social worker, case manager, or other appropriate official at an institution, shelter, or other facility and documented by the case manager. Where the intake worker/case manager is not able to obtain a written or oral statement from a social worker, case manager, or other appropriate official at an institution, shelter, or other facility, the intake worker/case manager may document his or her due diligence in attempting to obtain a statement from the appropriate official in the case file.

If an oral statement is used, CHS requires a written certification by the person making the oral statement. Use oral statements when third-party documentation is not available. The Case Manager's written certification, may verify oral statements. Case Managers must still document his or her due diligence in attempting to obtain the original verification.

7.7 Participant Self-Certification

Requires a written and signed document by the individual or head of household seeking assistance attesting to the facts for which they are certifying.

7.8 Intake/Participant File

CHS will document all participant files using the forms provided by CHS as outlined on the Participant File Checklist. Complete the Intake Assessment and Housing Plan. Files must also contain case management notes.

1. Participant File

Collier County Community and Human Services is required to maintain all Financial Records of their ESG participants and retain the participant's file information. Document all participant files using the forms as outlined on the Participant File Checklist. Complete the Intake, Assessment, and Housing Plan. Place a copy of these documents in the participant's file. Files must also contain case management notes.

7.9 Client Eligibility Forms for Rental Assistance Program

1. Release of Information

Each HH member, age eighteen (18) or older, with a copy in file, must sign a release of Information form. Per HMIS procedure, general releases are not allowed.

2. Assessment

The CHS Case Managers shall conduct a complete, comprehensive housing assessment with the HH. The assessment will function as the basis for creating the "Housing Plan" which serves as the foundation for resource coordination and resolution of the housing crisis. Each HH should have a copy of the screening assessment in the client file. Housing

assessments may be completed through HMIS and a printed, hard-copy kept in the client file.

3. Verification of U.S. Citizenship or Lawful Resident

ESG assistance is available only to individuals who are US citizens, US nationals, or qualified non-citizens that have eligible immigration status. At least one family member must be a citizen, national, or non-citizen with eligible immigration status, in order for the family to qualify for assistance. A copy of documentation of citizenship must be in the client file.

4. Identification (required for all household members)

There must be documentation of identification for all HH members, in the client file, whether receiving case management and/or financial assistance. Documentation must be an original:

- a. Driver's license
- b. Social Security card
- c. Medicaid Card (as a last resort for children only)
- d. Birth certificate
- e. Passport
- f. Naturalization papers
- g. Church-issued baptismal certificate
- h. U.S. military discharge papers (DD-214)
- i. Adoption papers
- j. Department of Human Services ID (for children only)
- k. Custody agreement
- l. Affidavit of parentage

The CHS Case Manager must complete the Homeless Certification or At-Risk of Homelessness Certification indicating current living situation and provide the appropriate documentation as indicated on the form. A copy of this certification must be in the client file. Valid proof of homelessness is needed from one of the following sources:

- a. Agency – this documentation should contain the letterhead of the assisting agency, and the dates of service. Documents such as court ordered eviction notice and utility shut-off notices are accepted as proof.

6. Disability Certification

- a. Disability certification can be used to prioritize those eligible for Rapid Re-Housing assistance.

7. Staff Affidavit of Eligibility/Conflict of Interest for ESG

The CHS Case Manager must sign the Staff Affidavit certifying that the HH meets all requirements to receive ESG assistance and that all of the information provided is true and complete to the best of their knowledge. It further certifies that the HH receiving assistance has not resulted, nor will result, in a personal or financial interest or benefit for the staff person or anyone with whom they have family or business ties (i.e., conflict of interest).

8. Verification Tracking of Income

Case Manager must record all attempts, such as phone logs, email correspondence, and copies of certified letters, etc., to obtain required verifications in the order specified. Staff must provide an explanation detailing outcomes, including obstacles, on the form, if utilizing verification out of the hierarchy sequence.

All sources of HH income, for all adult members, must be verified and documented at intake and every three (3) months for homeless prevention and annually for rapid re-housing, to determine program eligibility, with a copy kept in the client file. To be eligible for assistance, gross HH income must be at or below thirty percent (30%) AMI for the County. Some examples of common acceptable documentation:

- a. Earned Income – pay stubs, previously filed taxes, bank statements, etc.
- b. Unearned Income – statements from government official/agency, unemployment or disability pay stubs, most recent benefit or disability income notice from agency.

9. Request for Verification of Income

If HH income cannot be verified with third-party source documents, provided by the client, Case Manager will make attempt to acquire the income information from income source (i.e. employer, bank, etc.)

10. Calculation Worksheet

The Calculation Worksheet must be completed and a copy kept in the client file, at intake, every three (3) months for homeless prevention and annually for rapid re-housing assistance, to determine eligibility for ESG assistance. To be eligible, the gross annual HH income must be at or below thirty percent (30%) AMI. Income is annualized to project gross annual income; there are no allowances/deductions from the HH gross income.

7.10 Financial Assistance Eligibility Forms

1. Housing Plan

A Housing Plan must be completed for all program participants that receive a housing assessment and are determined eligible for services. The Housing Plan is intended to be a guide for both the HH and the service agencies. Keep a copy of the Housing Plan in the client's file.

2. Copy of signed Lease/Rental Agreement

A lease is required for HH receiving financial assistance. All HH members must be listed on the lease/rental agreement and a copy must be maintained in the client file. For HH moving into a new unit, the unit must meet habitability standards before the HH moves in. For HH already residing in a unit, the unit must meet habitability standards before financial assistance can be provided.

If rental and utility arrearages are paid, the participant must have had a valid lease in place covering the arrearage period. The rental arrearage amount paid each month cannot exceed the FMR. If the Landlord agrees to lower the rent to comply with the FMR, a new lease or lease addendum must be signed stating the new rental amount and a copy placed in the file. The rent amount charged after the household's leasing assistance has ended is between the landlord and the tenant.

3. Utility Arrearages from a Previous Address for Re-housing Participants

Utility arrearages for a previous address may be made, regardless if it was not the household's last address; however, the following guidelines must be followed:

- a. If the utility arrearage is over the \$850 maximum, the case manager will work with the utility company to set-up a payment plan between the household and the utility company and/or ask the utility company to forgive the debt.
- b. Utility arrearage payments cannot exceed \$850;
- c. Before making payment for utility arrearages, the case manager must document in the participant's file, with written documentation from the utility company, that by paying a specified amount, again up to \$850, the utilities will be turned on for the household by the utility company at the new address.

4. Housing Habitability Standards

All units must meet Habitability standards before financial assistance can be provided (e.g., rental arrearages, leasing assistance, security deposits). Landlords and tenants must be notified of the date and time of the inspection and the tenant, landlord or an adult representative must be present at the housing unit during the inspection. A completed copy of this form must be kept in the client's file. If water/utilities are not on at the time of initial inspection, a follow-up inspection must be done within ten (10) days of the water/utilities being turned on. (See "Habitability Standards" section of this manual for more information)

5. Inspection Deficiencies Notice

If a unit fails to pass a Habitability inspection, the owner must be notified, in writing, of the specific deficiencies and the necessary corrective action must be completed within a specific timeframe. Landlords and tenants should be given a reasonable period of time

(e.g., twenty-four (24) hours for emergency conditions or thirty (30) days for less serious conditions) to correct the deficiencies.

6. Proof and Assessment of Lead Based Paint (LBP) - Pamphlet, *Protect Your Family from Lead in Your Home*

All HH must be provided a copy of the HUD pamphlet. The LBP pamphlet may be downloaded from HUD's LBP website:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/healthy_homes/healthyhomes/lead

7. Owner Certification of Lead-Based Paint

LBP inspection is required for ESG assistance for properties built before 1978, and if a child age six (6) or younger or a pregnant woman will be residing in the unit. The inspection may be visual; however, if the child age 6 or younger has been identified with an Identified Environmental Intervention Blood Lead Level, the inspection must be done by a Certified LBP Risk Assessor. All HH must be provided with the HUD pamphlet, *Protect Your Family from Lead in Your Home*. A copy of this certification must remain in the client file.

8. Summary Notice of LBP Risk Assessment

If a LBP inspection is deemed required to be performed by a Certified LBP Risk Assessor, the Risk Assessor must complete this form summarizing his/her assessment of the LBP in/outside the home. A List of Certified LBP Risk Assessor can be found at your local County Health Department. A copy of this assessment must remain in the client file.

9. Disclosure of Information of LBP

Each HH must sign and date the top portion of this form to certify that they received the pamphlet and a copy of the certification kept in the client file. If a child age six (6) or younger or a pregnant woman will be residing in the unit, the second portion of the form must be completed and signed by the owner of the unit. A copy of this form must remain in the client file.

10. Mediation

Verification that Mediation assistance is necessary for client to obtain/keep housing is required. These can include, for example, eviction or late rent payment notices and letters or emails between the landlord and tenant in dispute requesting meditation.

8. Case Management

[24 CFR 576-401, as amended]

8.1 Strength-Based Case Management

The relationship between the case manager and the family is one of advocacy and collaboration. The individual family's strengths and goals are identified. The case manager works with the family to achieve short- and long-term goals, helping them access the necessary services. Although housing is usually the primary goal, this cooperative relationship addresses counseling, education, employment, and life skills goals.

1. Description:
 - a. Strengths-Based Practice assesses the inherent strengths of a person or family, and then builds on them.
 - b. Strengths-Based practice uses peoples' personal strengths to aid in recovery and empowerment.
 - c. Reframing personal perception to find good even in the worst situation.
2. Purpose:
 - a. Empowering alternative to traditional therapies which typically describe family functioning in terms of psychiatric diagnoses or deficits.
 - b. Avoids the use of stigmatizing language or terminology which families use on themselves and eventually identify with, accept, and feel helpless to change. It is at odds with the "victim identity" -- epitomized in popular culture by the appearance of individuals on television or talk radio sharing intimate details of their problems -- which is inherently self-defeating.
 - c. Fosters hope by focusing on what is or has been historically successful for the person, thereby exposing precedent successes as the groundwork for realistic expectations.
 - d. Inventories (often for the first time in the person's experience) the positive building blocks that already exist in his/her environment that can serve as the foundation for growth and change.
 - e. Reduces the power and authority barrier between the person and therapist by promoting the person to the level of expert in regards to what has worked, what does not work, and what might work in their situation.
 - f. Reduces the power and authority barrier between person and therapist by placing the therapist in the role of partner or guide.
 - g. Families are more invested in any process where they feel they are an integral part.

8.2 Functions of Case Management

All rental assistance participants must be case managed as defined by the following services:

1. Using a centralized or coordinated assessment system; AND
2. Conducting initial evaluation, including verification and documentation of eligibility; AND
3. Counseling; AND
4. Developing, securing and coordinating services, and obtaining Federal, State, and local benefits; AND

5. Monitoring and evaluating participant's progress in the program; AND
6. Developing an individualized housing and service plan; AND
7. Assuring the protection of program participants' rights.

8.3 Intake

The initial point of contact includes prioritizing households based on the severity of their housing crisis and targets the most appropriate response. The intent is to discern primary need and the urgency of the need.

1. Those households applying will be screened either by phone or in person.
2. Households who are presented with immediate safety issues will be re-directed appropriately (e.g. Domestic Violence Support Services or 911.)
3. Intakes are required to determine primary issues.
4. If the intake concludes there is not an immediate housing need (but other needs are present), households will be referred to the appropriate resource to address the need (e.g. food assistance, mental health, etc.), and a housing plan is not necessary.
5. If the intake concludes there is an immediate housing need, households will proceed to a full housing assessment or be scheduled for a housing assessment within two business days, if possible.
6. Sharing of participant information within HMIS between agencies.

8.4 Housing Assessments

Depending on the urgency and priority identified in the intake, the ESG program will conduct a comprehensive assessment with the household. The assessment, at a minimum, will identify the housing needs of the household. The assessment will function as the basis for creating a housing plan, which serves as the foundation for resource coordination and resolution of the housing crisis. It will require staffing familiar with housing resources, with the local housing market, and with services.

1. Case Managers/Intake Workers may utilize the assessment tool, focusing on issues related to obtaining and maintaining housing.
2. Assessments will be conducted in person.
3. Case Managers/Intake Workers will identify the most appropriate resources for which the household may be eligible and provide this information to the household both verbally and in a written form as part of the Housing Plan.

8.5 Housing Plan

A Housing Plan must be completed for all individuals that receive a housing assessment and are determined eligible for services. If the household does not meet program eligibility, e.g. over income, a housing plan does not need to be done. Upon their development and implementation, ensure that housing assessments are consistent with written standards and the Collier County Continuum of Care coordinated system.

The Housing Plan is intended to be a guide for both the household and the service agencies. Housing Plans must be framed to include:

1. A focus on obtaining or maintaining housing;
2. Defined goals, outcomes and timelines, as well as documentation of frequency of meetings for follow-up;
3. An identification of needed community resources;
4. Referrals to mainstream services, as needed;
5. Budget education and tenant education;
6. An attached copy of the housing assessment

Intake, Assessment, and Housing Plan are accomplished with various standardized forms and a copy of these forms must be maintained in the participant file.

8.6 Occupancy Standards

Occupancy standards must comply with HQS requirements and outline how the number of bedrooms required by the household will be determined. The following basic standards can be modified to take into consideration specific household composition and circumstances (i.e., pending child custody cases, chronic illnesses, family member who is absent most of the time).

1. No more than two persons are required to occupy a bedroom;
2. Persons of different generations (i.e., grandparents, parents, children), persons of the opposite sex (other than spouses/couples) and unrelated adults are not required to share a bedroom;
3. Children of the same sex (regardless of age) and couples co-habiting (whether or not legally married) must share the same bedroom for purpose of assigning the number of bedrooms;
4. A live-in care attendant who is not a member of the family is not required to share a bedroom with another household member;
5. Individual medical problems (i.e., chronic illness) sometimes require either separate bedrooms for household members who would otherwise be required to share a bedroom or an extra bedroom to store medical equipment;
6. In most instances, a bedroom is not provided for a family member who will be absent most of the time, such as a member who is away in the military.
7. Occupancy standards are used to provide consistent criteria for determining the unit size for which the household is eligible and thus, the amount of assistance to be provided. Fair housing rules permit a household to select smaller units that do not create seriously overcrowded conditions. A tenant may select a larger unit if it meets the FMR for the actual number of bedrooms for which they are eligible according to the eligibility guidelines. Tenants are not allowed to give the landlord additional funds for larger units.
 - a. *Undersized Units:* If a family elects to occupy a unit with fewer bedrooms than specified in the Occupancy Guidelines, the FMR is based on the actual number of bedrooms;

- b. *Oversized Units*: If a family elects to occupy a unit with more bedrooms than specified in the Occupancy Guidelines, the FMR is based on the number of bedrooms specified in the Occupancy Guidelines.
- c. If an additional bedroom is required for an individual who would normally be required to share a room, the reason must be documented in the file. For example: If an additional room is needed because of a medical condition, documentation may be a note from their doctor; otherwise, if the case manager determines an additional room is needed (medical condition, care-giver, medical equipment etc.) the case manager must document the reason in the case management notes.
- d. In cases where college students and children staying only for weekends etc., the amount of time spent in the unit should be taken into consideration before assigning additional bedroom(s). ESG assistance is short-term and a smaller unit is acceptable if it does not create serious overcrowding; a living room can be counted as a sleeping room. If student/children will be in the unit the majority of the time and future rent will not be a burden, then an additional bedroom can be assigned.
- e. A separate bedroom cannot be issued for an unborn child. Once the baby is born a second bedroom can be issued unless the baby has an older, same sex sibling who has already been issued a bedroom.
- f. Lease Agreements [24 CFR 576.106, as amended] A lease must be in place and the program participant must be on the lease in order to use ESG funds for the rent or security deposit. Do not assist an individual renting from a friend or relative if a legal lease is not in place. In cases where an individual is renting a unit from a friend or relative and a legal lease is in place, programs providing assistance must ensure that the arrangement is not in violation of the conflict of interest provisions outlined in Collier County's Conflict of Interest Policies and Procedures (e.g. the rent charged and the terms of the lease must be the same for the participant as they are for other tenants renting comparable units).

8.7 Use with Other Subsidies

Except for a one-time payment of rental arrears on the tenant's portion of the rental payment, do not provide rental assistance to a program participant who is receiving tenant-based rental assistance, or living in a housing unit receiving project-based rental assistance or operating assistance, through other public sources. Do not provide rental assistance to a program participant who receives replacement-housing payments under the URA during the time covered by the URA payments.

9. Rent Reasonableness and Fair Market Rent

[24 CFR 888 & 24 CFR 982.507, both as amended]

Providing rental assistance requires understanding and adherence to both Fair Market Rents (FMRs) and rent reasonableness standards, to determine whether to assist a client with short-or medium-term rental assistance. Provide short-and medium-term rental assistance only when the rent, including utilities, for the housing unit does not exceed FMR and complies with HUD’s standards for Rent Reasonableness.

“Gross Rent” is the sum of the rent paid to the owner and, if the tenant pays separately for utilities, the monthly allowance for utilities established by the public housing authority for the area in which the housing is located. For purposes of calculating the FMR, utilities include electricity, gas, water and sewer, and trash removal services but not telephone, cable or satellite television service, or internet service. If the owner pays for all utilities, then gross rent equals the rent paid to the owner.

“Rent Reasonableness” is a reasonable rent when compared to other units of similar location, type, size, and amenities within the community.

1. Do not provide rental assistance if the rent exceeds the Fair Market Rent (FMR), or does not comply with HUD’s standard of rent reasonableness.
2. Determine and document rent reasonableness for all units receiving ESG rental assistance (including arrears) and/or security deposit assistance.
3. This requirement applies to both homelessness prevention and rapid re-housing assistance.

9.1 Determining if Rent is Acceptable for ESG Rental Assistance

Whether a household is seeking to maintain its current housing or relocate to another unit to avoid homelessness (Homelessness Prevention), or exiting homelessness into new housing (Rapid Re-Housing), the process for determining acceptable rent amounts is the same:

1. First compare the gross rent for the current or new unit with current FMR limits, which are updated annually.
2. If the units’ gross rent is at or below FMR, next use current data to determine rent reasonableness.

If the gross rent is at or below both the FMR and the rent reasonableness standard for a unit of comparable size, type, location, amenities, etc., provide ESG funds to pay the rent amount for the unit.

If the gross rent for the unit exceeds FMR or rent reasonableness standard do not use ESG funds for any portion of the rent, even if the household is willing and/or able to pay the difference. However, because the FMR and rent reasonableness requirements apply only to rental assistance, ESG funds may be used:

1. to pay for financial assistance and services to help the eligible program participant stay in the unit, or
2. to pay for financial assistance and services to locate and move to a different unit that meets the rent reasonableness standard and is at or below FMR and pay rental assistance in that unit.

Rent reasonableness and FMR requirements do not apply when a program participant receives only financial assistance or services under Housing Stabilization and Relocation Services. This includes rental application fees, security deposits, an initial payment of “last month’s rent,” utility payments/deposits, and/or moving costs, housing search and placement, housing stability case management, landlord- tenant mediation, legal services, and credit repair. (Note: “Last month’s rent” may not exceed the rent charged for any other month; security deposits may not exceed two (2) months’ rent.)

9.2 Calculating the GROSS RENT AMOUNT

To calculate the gross rent of a unit tested by the FMR standard:

$$\begin{array}{r} \text{Total contract rent amount of the unit} \\ + \\ \text{Any fees required for occupancy under the lease (excluding late fees and pet fees)} \\ + \\ \text{Monthly utility allowance (excluding telephone) established by local PHA} \\ = \\ \text{Gross Rent Amount} \end{array}$$

9.3 What is the FMR Requirement?

HUD establishes FMRs to determine payment standards or rent ceilings for HUD funded programs that provide rental assistance, which it publishes annually for 530 metropolitan areas and 2,045 non-metropolitan county areas. Federal law requires that HUD publish final FMRs for use in any fiscal year on October 1—the first day of the fiscal year (FY). Find FMRs for each fiscal year at HUD’s website at: www.huduser.org/portal/datasets/fmr.html.

Click on the current “Individual Area Final FY20 FMR Documentation” link.

This site allows CHS staff to search for FMRs by selecting their state and county from the provided list. The site also provides detailed information on HUD’s calculation for the FMR for each area.

When using ESG funds for rental assistance CHS staff must consult the most current FMR published for their geographic area and document FMR for all units.

To calculate the gross rent for purposes of determining whether it meets the FMR, consider the entire housing cost. This includes rent and the cost of utilities that must, according to the lease, be the responsibility of the tenant. Utility costs may include gas, electric, water, sewer, and trash. However, telephone, cable or satellite television service, and internet service are not included in FMRs, and are not allowable costs under ESG. The FMR also does not include pet fees or late fees that the program participant may accrue for failing to pay the rent by the due date established in the lease.

HUD sets FMRs to ensure that a reasonable supply of modest but adequate rental housing is available to HUD program participants. To accomplish this objective, FMRs must be both high

enough to permit a selection of units and neighborhoods and low enough to serve as many low-income families as possible.

Note: Once a unit is determined to meet the FMR and rent reasonableness requirements, use ESG funds to pay for the actual utility costs. Use the utility allowance calculation only to determine whether the unit meets the FMR standard.

9.4 Outcome Performance Reports

The Project Outcome Performance Matrix Report is due semi-annually.

Reporting Period	Submission Deadline
October 1st – March 31st	April 30th
April 1st – September 30th	October 31st

9.5 Quarterly Progress Reports

1. Progress Reports are submitted by the CHS and each subrecipient.
2. Data for participants served is entered into the HMIS system.
3. Domestic Violence grantees utilize the alternative system for reporting, such as ALICE.
4. Progress Reports are **submitted quarterly**, due by the end of the month following the end of the quarter (see schedule below).
5. The CHS report must be signed by the Division Director or Authorized Designee.
6. SSO reporting shall be governed by the subrecipient agreement. SSO reporting must be complete and timely so that CHS can complete these regular reports for HUD.

9.6 ESG Quarterly Progress Report Schedule

Quarter	Reporting Period	Submission Deadline
1st quarter	October 1st – December 31st	January 31st
2nd quarter	January 1st – March 31st	April 30th
3rd quarter	April 1st – June 30th	July 31st
4th quarter	July 1st – September 30th	October 31st

CHS staff must submit a final Cumulative Report covering period October 1st – September 30th. This report is due by October 31st.

9.7 Other Federal Requirements

CHS must comply with the following other federal requirements:

Fair Housing Act; Uniform Administrative Requirements; Nondiscrimination in Federally Assisted Programs; Age Discrimination Act; American’s with Disabilities Act; Equal Employment Opportunity Programs; Minority Business Enterprises; Women’s Business Enterprise; Drug Free Workplace; Debarred, Suspended, Ineligible Contractors; Affirmative

Outreach; Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act.

10. Termination

[24 CFR 576.402, as amended]

The policies and/or procedures should be readily available to program participants either in written information or by posting the policy in a public place. It is important to effectively communicate these policies and/or procedures to households and ensure that they are fully understood.

If a program participant violates program requirements, CHS may terminate the assistance in accordance with a formal process established by CHS that recognizes the right of individuals affected. Exercise judgment and examine all extenuating circumstances in determining when violations warrant termination so that you terminate a program participant's assistance ONLY in the most severe cases.

To terminate ESG program services to a program participant, a formal process is required and must consist of:

1. Written notice to the program participant containing a clear statement of the reasons for termination;
2. A review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person other than the person (or subordinate of that person) who originally made or approved the termination decision;
AND
3. Prompt written notice of the final decision to the program participant.

Termination does not bar CHS from providing further assistance, later, to the same family or individual.

11. Appeals and Hearings

[24 CFR 576.402(a), as amended]

See Collier County Appeal process Policy and Procedures

12. HMIS and Reporting Requirements

[24 CFR 121, 24 CFR 576.107, 24 CFR 576.400(f), as amended]

ESG requires participation in HMIS, or a comparable database, and must follow all state and federal laws governing HMIS, including:

1. Collecting informed written consent from program participants,
2. Not denying service based solely on program participant refusal to provide data to an HMIS,
3. Protecting program participant confidentiality,
4. Not collecting, in HMIS, personally identifying information from program participants that are victims of domestic violence; however, use of another comparable database is acceptable,

5. Using the HMIS as a tool to evaluate individuals and families applying for or receiving homelessness prevention or rapid re-housing assistance;
6. Conducting the initial evaluation through HMIS, including verifying and documenting eligibility, for individuals and families applying for homelessness prevention or rapid re-housing assistance;
7. Developing, securing, and coordinating services and obtaining Federal, State, and local benefits;
8. Monitoring and evaluating program participant progress;
9. Providing information and referrals to other providers within HMIS guidelines;
10. Developing an individualized housing and service plan, including planning a path to permanent housing stability;
11. Conducting re-evaluations required through HMIS, and
12. Other requirements defined in RCW 43.185C.030, 43.185C.180, and VAWA Reauthorization Section 605.

Please note that households should remain in the program(s) in HMIS, for which they were initially enrolled, (Homeless Prevention or Rapid Re-housing) throughout their term of service.

The HMIS standards require that CHS enter income sources and amounts and non-cash benefits received in the past thirty (30) days during three points in time:

1. at entry into program
2. at least once every three (3) months or annually, depending on the re-assessment period

Do not use this amount documented through this calculation to determine eligibility, but rather use it to show that the household does lack resources to maintain housing.

12.1 Reporting Requirements

CHS will compile data for ESG reporting using HMIS. Enter data at the time of service, data completeness and integrity is key element to successful use of HMIS. Programs should prioritize data quality and reporting.

12.2 Regular Reports

CHS and Subrecipients will submit program participant reports by the end of the month following each quarter end – October 15, December 15, March 15, and June 15.

12.3 Personal Identifying Data

Individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, could include:

1. A first and last name;
2. A home or other physical address;

3. Contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);
4. A social security number; and
5. Any other information, including date of birth, racial or ethnic background, or religious affiliation that, in combination with any other non-personally identifying information, would serve to identify any individual collecting “non-identified” client records.

12.4 Data Entry for “Non-Identified” Client Records

1. Leave the “Name” fields NULL (blank). Do not write in names such as “Anonymous” or “Refused” as that will compromise data quality at the state level.
2. If there are no personal identifiers for a client record, there needs to be an “Agency Unique ID” of some sort created and stored in the system that can be used by the agency to access the record later (and should not be an algorithm of elements that can lead to the client’s identification).
3. Enter an approximate year of birth – subtract or add one to three years to the actual year of birth.
4. Enter “Refused” for gender, race, and ethnicity when the real answers to those questions, in combination with other data, can potentially lead to identification of the client.
5. Enter any additional answer to the universal, program-specific and optional data elements (from the March 2010 HMIS Data Standards) only if the answers to those questions, in combination with other data, will not lead to the identification of the client.
6. Program Entry Date, Program Exit Date and Service Date are generally required unless you use those elements in combination with other elements to identify the client. If this is the case, please enter an approximate Program Entry Date, Program Exit Date and Service Date by adding one to three months to the actual dates and keeping the “Length of Stay” (the number of days between program entry and program exit) consistent with reality. Keep the approximate service date, if used, within the actual service date’s reporting period.

12.5 Electronic Confidentiality

Electronically collect client information for the limited purpose of administering ESG in accordance with the rules and regulation on HMIS. The following guidelines apply to the use of a computer for the purposes of confidentiality:

1. The computer terminal(s) used must be located in a secure location, limiting access to only those persons who have a legitimate interest in and are responsible for viewing client records.
2. The computer monitor must be cleared, or a screen saver activated, immediately after accessing a client record.
3. The computer terminal must be on a “locked” mode or turned off if the terminal is unattended.
4. Access to HMIS shall be given to authorized staff persons and only insofar as access is required for performing the work required, pursuant to ESG.

13. Emergency Shelter

Emergency shelter generally shall mean a Subrecipient Shelter Organization (SSO) whose purpose is to provide temporary shelter for the homeless paid for by charitable organizations, or federal, state and/or local government programs, which do not require leases or occupancy agreements.

Emergency Shelter funds may be used for renovation of emergency shelter facilities and the operation of those facilities, as well as services for the residents, including case management, child care, education, employment assistance and job training, legal services, mental health services, substance abuse treatment, transportation and services for special populations.

13.1 SSO Activities

1. Personnel costs for ESG eligible activities defined herein.
2. Utilities for an approved shelter facility.
 - a. Electric, trash removal, and water and sewer costs to operate shelter facility.
3. Food preparation by the Shelter for participants.
4. Cost to maintain the Shelter physical facilities including minor repairs and servicing of appliances and equipment.
5. Insurance costs for the Shelter facilities.
6. HUD Environmental Review
 - a. Required environmental review of project will be conducted before project can begin.
7. Maintain documentation on all households served in compliance with 24 CFR 576.500 and as described herein.
 - a. Provide quarterly reports on meeting an ESG objective.
 - b. Provide Environmental Review Assessment.
 - c. Submit invoices to CHS for environmental, if applicable.
8. ESG Documentation Requirements for full compliance with these policies and procedures and the ESG program as described herein similar to those for homelessness prevention and rapid re-housing, including but not limited to evaluation and reevaluation of cases, income qualification, documentation of eligible expenditures, termination documentation for any cases, documentation of coordination with other available services, evidence of confidentiality of case files, tracking and expenditure of program income, evidence of security lien on the facility requiring the ESG assisted facility to operate as a shelter for the homeless for a minimum of three (3) years, documenting minimum habitability standards and documentation of coordination with the Continuum of Care.

Activities carried out with ESG funds will contribute to a program designed to be the first step in a continuum of assistance to enable homeless individuals and families to move toward independent living as well as prevent homelessness, as defined in 24 CFR Part 576 (Subpart B Eligible Activities 576.21).

13.2 ESG Conditions

A SSO operator of an eligible emergency shelter is responsible for full compliance with these policies and procedures, the Subrecipient Agreement and all other regulatory requirements, as they may be amended from time to time. In summary;

1. A SSO must deliver to CHS for approval a detailed program schedule for the completion of key milestones for the program, including the environmental review.
2. A SSO must have the environmental requirement cleared by the CHS prior to the incurrence of costs on activities that would limit the choice of reasonable alternatives.
3. Payment for eligible shelter activities outlined in the agreement shall be by reimbursement and shall be based upon submittal of appropriate forms and documentation, as governed by the Subrecipient Agreement.
4. The following resolutions and policies must be adopted by a SSO's governing body prior to the distribution of ESG funds.
 - a. Affirmative Fair Housing Policy
 - b. Affirmative Fair Housing Marketing Plan
 - c. Procurement Policy, including Code of Conduct
 - d. Affirmative Action Plan
 - e. Conflict of Interest Policy
 - f. Equal Opportunity Policy
 - g. Residential Anti-displacement and Relocation Policy
 - h. Sexual Harassment Policy
 - i. Procedures for meeting the requirements set forth in Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 794 1 u)
 - j. Procedures for meeting the requirements set forth in Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794)

13.3 Additional Conditions and Compensation

In the event of curtailment or non-production of ESG funds, the financial sources necessary to continue to pay the SSO all or any portions of the awarded funds will not be available.

13.4 General Conditions

General Compliance: a SSO shall comply with the requirements of Title 24 of the Code of Federal Regulations, Part 576, the U.S. Housing and Urban Development regulations concerning HEARTH Act. A SSO also agrees to comply with all other applicable Federal, state and local laws, regulations, and policies governing the funds provided under this contract. These include, but are not limited to Section 3 requirements, HUD environmental requirements, minority and women hiring goals, Equal Employment Opportunity, Civil Rights, Fair Housing, Americans with Disabilities, Uniform Administrative and Financial requirements, Lead Based Paint Requirements, Historic Preservation, Drug Free Workplace, Audit requirements, Uniform Relocation Act. Records Retention, Public Records, Procurement requirements and Conflicts of Interests. A SSO also agrees to utilize ESG funds to supplement rather than supplant funds otherwise available.

13.5 Administrative Requirements

1. Examination of Records

SSOs shall maintain sufficient records in accordance with 24 CFR 576.500 to determine compliance with the requirements of the Subrecipient Agreement, the ESG Program and all other applicable laws and regulations. Upon completion of all work contemplated under the Subrecipient Agreement copies of all documents and records relating to this Agreement shall be surrendered to CHS, if requested. In any event, the SSO shall keep all documents and records in an orderly fashion, in a readily accessible, permanent and secured location for five (5) years. This documentation shall include, but not be limited to, the following documentation and recordkeeping:

- a. A SSO shall maintain all records by the Federal regulation specified in 24 CFR 576.500
- b. A SSO shall keep and maintain public records that ordinarily and necessarily would be required by the County
- c. All reports, plans, surveys, information, documents, maps, books, records and other data procedures developed, prepared, assembled, or completed by a SSO for the purpose of the Subrecipient Agreement
- d. Client data demonstrating client eligibility for services provided following confidentiality as required by 24 CFR 576.500(x)
- e. Documentation showing that ESG grant funds were spent on allowable costs in accordance with the requirements for eligible activities under 24 CFR 576.101 through 576.109 and the cost principles in OMB Circulars A-87 (24 CFR Part 225) and A-122 (2 CFR Part 230).
- f. Documentation supporting adherence to the accounting principles and procedures required therein, utilize adequate internal controls and maintain necessary source documentation for all costs incurred
- g. A SSO must develop and implement written procedures for confidentiality 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 pre-existing privacy policy of a SSO and consistent with state and local laws regarding privacy and obligations of confidentiality; and
 - iv. The confidentiality procedures of the SSO must be in writing and must be maintained in accordance with 24 CFR 576.500(x).
 - v. Disclosure – SSOs should understand that client information collected under the

Subrecipient Agreement is private and the use or disclosure of such information, when not directly connected with the administration of the County or SSO's responsibilities with respect to services provided under this Agreement, is prohibited by applicable State or Federal law unless written consent is obtained from such person receiving service and, in the case of a minor, that of a responsible parent/guardian. The SSO's written procedures shall ensure confidentiality of records pertaining to the provision of family violence prevention or treatment services with assistance as required by 24 CFR 576.500(x) as set forth in 42 U.S.C. 11375(c)(5).

13.6 Reports and Evaluation (Monitoring)

1. Shelter Subrecipient reimbursements shall be contingent on the timely receipt of complete and accurate reports required in the Subrecipient Agreement, and on the resolution of monitoring findings identified pursuant to the Agreement as deemed necessary by the County Manager or designee.
2. SSOs shall submit quarterly progress reports based on Universal Data Elements collected at the time of assessment. As a minimum:
 - a. The County shall receive the reports electronically on the 15th day of April, July, October and January respectively for the prior quarter period end.
 - b. As part of the report submitted in October of each year or the at the end of the subrecipient agreement, a SSO shall include, a comprehensive final report covering the agreed-upon Program objectives, activities and expenditures and including, but not limited to, performance data on client feedback with respect to the goals and objectives set forth in the Subrecipient Agreement on County approved forms provided to the SSO.
 - c. Other reporting requirements may be required by the County Manager or their designee in the event of Program changes; the need for additional information or documentation arises; and/or legislative amendments are enacted.
 - d. Reports and/or requested documentation not received by the due date shall be considered delinquent and may be cause for default and termination of Subrecipient Agreement.
3. SSOs must participate in a HMIS at least on a quarterly basis. If a SSO is a victim service provider, it may use a comparable database that collects client-level data over time and generates unduplicated aggregate reports based on the data.
 - a. A victim service provider means a private nonprofit organization whose primary mission is to provide services to victims of domestic violence, dating violence, sexual assault or stalking. This term includes rape crisis centers, battered women's shelters, domestic violence transitional housing programs and other programs.
4. SSOs shall submit an annual audit monitoring report to the County no later than 180 days after the SSO's fiscal year end.
5. The CHS will carry out no less than one (1) annual desk top or on-site monitoring visit and evaluation activities as determined necessary.
 - a. At the County's discretion, a desk top review of the activities may be conducted in lieu of an on-site visit.

- b. The continuation of a Subrecipient Agreement is dependent upon satisfactory evaluations.
- c. SSOs shall, upon the request of CHS, submit information and status reports required by CHS or HUD to enable CHS to evaluate said progress and to allow for completion of reports required.
- d. SSOs shall allow CHS or HUD to monitor the SSO on site. Such site visits may be scheduled or unscheduled as determined by CHS or HUD.

13.7 Emergency Shelters

1. Any emergency shelter that receives assistance for shelter operations must also meet minimum safety, sanitation and privacy standards as required by 24 CFR 576.403(b). Any ESG funded shelter facilities shall be subject to annual inspection by the County for minimum habitability standards with seventy-two (72) hour notice by the County, in writing.

- a. Any building for which Emergency Solutions Grant (ESG) funds are used for conversion, major rehabilitation, or other renovations, must meet state or local government safety and sanitation standards, as applicable, and the following minimum safety, sanitation and privacy standards. Any emergency shelter that receives assistance for shelter operations must also meet the following minimum safety, sanitation and privacy standards. The County may also establish standards that exceed or add to these minimum standards:
 - i. Structure and materials. The shelter building must be structurally sound to protect residents from the elements and not pose any threat to health and safety of the residents. Any renovation (including major rehabilitation and conversion) carried out with ESG assistance must use Energy Star and Water Sense products and appliances.
 - ii. Access. The shelter must be accessible in accordance with Section 504 of the Rehabilitation Act (29 U.S.C. 794) and implementing regulations at 24 CFR Part 8; the Fair Housing Act (42 U.S.C. 360, et seq.) and implementing regulations at 24 CFR part 100; and Title II of the Americans with Disabilities Act (42 U.S.C. 12131, et. Seq.) and 28 CFR part 35; where applicable.
 - iii. Space and security. Except where the shelter is intended for day use only, 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.
 - iv. 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.
 - v. Water supply. The shelter's water supply must be free of contamination.
 - vi. 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.
 - vii. Thermal environment. The shelter must have any necessary heating/cooling facilities in proper operating condition.

- viii. 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.
- ix. 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.
- x. Sanitary conditions. The shelter must be maintained in a sanitary condition.
- xi. Fire safety. There must be at least one (1) 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.

13.8 Permanent Housing

1. Assistance for program participants to remain or move into housing must meet the minimum habitability standards provided in 24 CFR 576.403(c) and all applicable state and local housing codes, licensing requirements and any other requirements in the jurisdiction in which the housing is located regarding the condition of the structure and the operation of the housing.

- a. ESG funds cannot be used to help a program participant remain or move into housing that does not meet the minimum habitability standards provided in this paragraph. The County may also establish standards that exceed or add to these minimum standards:
 - i. Structure and materials. The shelter building must be structurally sound to protect residents from the elements and not pose any threat to health and safety of the residents. Any renovation (including major rehabilitation and conversion) carried out with ESG assistance must use Energy Star and Water Sense products and appliances.
 - ii. Access. The shelter must be accessible in accordance with Section 504 of the Rehabilitation Act (29 U.S.C. 794) and implementing regulations at 24 CFR Part 8; the Fair Housing Act (42 U.S.C. 360, et seq.) and implementing regulations at 24 CFR part 100; and Title II of the Americans with Disabilities Act (42 U.S.C. 12131, et. Seq.) and 28 CFR part 35; where applicable.
 - iii. Space and security. Except where the shelter is intended for day use only, 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.
 - iv. 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.
 - v. Water supply. The shelter's water supply must be free of contamination.
 - vi. Sanitary facilities. Each program participant in the shelter must have access to sanitary facilities that are in proper operating condition, are private and are

- vii. Thermal environment. The shelter must have any necessary heating/cooling facilities in proper operating condition.
- viii. 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.
- ix. 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.
- x. Sanitary conditions. The shelter must be maintained in a sanitary condition.
- xi. Fire safety. There must be at least one (1) 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.

14. Coordination with Continuum of Care and Other Programs

1. CHS must document its compliance with the requirements of 24 CFR 576.400 for consulting with the Continuum of Care and coordinating and integrating ESG assistance with programs targeted toward homeless people and mainstream service and assistance programs.

- a. *Consultation with the Continuum of Care.* CHS must consult with the Continuum of Care to determine how to allocate ESG funds each program year; developing the performance standards for, and evaluating the outcomes of, projects and activities assisted by ESG funds; and developing funding, policies, and procedures for the administration and operation of the HMIS. 24 CFR 576.400(a)
- b. *Coordination with other targeted homeless services.* CHS and its subrecipients must coordinate and integrate, to the maximum extent practicable, ESG-funded activities with other programs targeted to homeless people in the area covered by the Continuum of Care or area over which the services are coordinated to provide a strategic, community-wide system to prevent and end homelessness for that area. These programs may coordinate with those programs that are offered in in Collier County:
 - i. Shelter Plus Care Program (24 CFR part 582);
 - ii. Supportive Housing Program (24 CFR part 583);
 - iii. Section 8 Moderate Rehabilitation Program for Single Room Occupancy Program for Homeless Individuals (24 CFR part 882);
 - iv. HUD—Veterans Affairs Supportive Housing (HUD—VASH) (division K, title II, Consolidated Appropriations Act, 2008, Pub. L. 110–161 (2007), 73 FR 25026 (May 6, 2008)); as available
 - v. Education for Homeless Children and Youth Grants for State and Local Activities (title VII–B of the McKinney-Vento Homeless Assistance Act ([42 U.S.C. 11431 et seq.](#)));

- vi. Grants for the Benefit of Homeless Individuals (section 506 of the Public Health Services Act ([42 U.S.C. 290aa-5](#)));
 - vii. Healthcare for the Homeless (42 CFR part 51c);
 - viii. Programs for Runaway and Homeless Youth (Runaway and Homeless Youth Act ([42 U.S.C. 5701 et seq.](#)));
 - ix. Projects for Assistance in Transition from Homelessness (part C of title V of the Public Health Service Act ([42 U.S.C. 290cc-21 et seq.](#)));
 - x. Services in Supportive Housing Grants (section 520A of the Public Health Service Act);
 - xi. Emergency Food and Shelter Program (title III of the McKinney-Vento Homeless Assistance Act ([42 U.S.C. 11331 et seq.](#)));
 - xii. Transitional Housing Assistance Grants for Victims of Sexual Assault, Domestic Violence, Dating Violence, and Stalking Program (section 40299 of the Violent Crime Control and Law Enforcement Act ([42 U.S.C. 13975](#)));
 - xiii. Homeless Veterans Reintegration Program (section 5(a)(1)) of the Homeless Veterans Comprehensive Assistance Act ([38 U.S.C. 2021](#));
 - xiv. Domiciliary Care for Homeless Veterans Program ([38 U.S.C. 2043](#));
 - xv. VA Homeless Providers Grant and Per Diem Program (38 CFR part 61);
 - xvi. Health Care for Homeless Veterans Program ([38 U.S.C. 2031](#));
 - xvii. Homeless Veterans Dental Program ([38 U.S.C. 2062](#));
 - xviii. Supportive Services for Veteran Families Program (38 CFR part 62); and
 - xix. Veteran Justice Outreach Initiative ([38 U.S.C. 2031](#)).
- c. *System and program coordination with mainstream resources.* CHS and its subrecipients must coordinate and integrate, to the maximum extent practicable, ESG-funded activities with mainstream housing, health, social services, employment, education, and youth programs for which families and individuals at risk of homelessness and homeless individuals and families may be eligible. Examples of these programs include:
- i. Public housing programs assisted under section 9 of the U.S. Housing Act of 1937 ([42 U.S.C. 1437g](#)) (24 CFR parts 905, 968, and 990);
 - ii. Housing programs receiving tenant-based or project-based assistance under section 8 of the U.S. Housing Act of 1937 ([42 U.S.C. 1437f](#)) (respectively 24 CFR parts 982 and 983);
 - iii. Supportive Housing for Persons with Disabilities (Section 811) (24 CFR part 891);
 - iv. HOME Investment Partnerships Program (24 CFR part 92);
 - v. Temporary Assistance for Needy Families (TANF) (45 CFR parts 260–265);
 - vi. Health Center Program (42 CFR part 51c);
 - vii. State Children's Health Insurance Program (42 CFR part 457);
 - viii. Head Start (45 CFR chapter XIII, subchapter B);
 - ix. Mental Health and Substance Abuse Block Grants (45 CFR part 96); and
 - x. Services funded under the Workforce Investment Act ([29 U.S.C. 2801 et seq.](#)).
- d. *Centralized or coordinated assessment.* Once the Continuum of Care has developed a centralized assessment system or a coordinated assessment system in

accordance with requirements to be established by HUD, each ESG-funded program or project within the Continuum of Care's area must use that assessment system. CHS and its subrecipients must work with the Continuum of Care to ensure the screening, assessment and referral of program participants are consistent with the written standards required by paragraph (e) of this section. A victim service provider may choose not to use the Continuum of Care's centralized or coordinated assessment system.

- f. *Participation in HMIS.* CHS must ensure that data on all persons served and all activities assisted under ESG are entered into the applicable community-wide HMIS or a comparable database, in accordance with HUD's standards on participation, data collection, and reporting under a local HMIS. If a subrecipient SSO is a victim service provider or a legal services provider, it may use a comparable database that collects client-level data over time (*i.e.*, longitudinal data) and generates unduplicated aggregate reports based on the data. Information entered into a comparable database must not be entered directly into or provided to an HMIS.

3. Homeless Participation

CHS must document its compliance with the homeless participation requirements under 24 CFR 576.405(c).

4. Centralized or Coordinated Assessment Systems and Procedures

CHS 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 in accordance with the requirements established by HUD and identified in 24 CFR 576.500(g).

5. Conditions for Religious Organizations

Subrecipients must document their compliance with the faith-based activities requirements under 24 CFR 576.406 and will not utilize ESG funds for inherently religious activities prohibited in the federal statute, such as worship, religious instruction or proselytization.

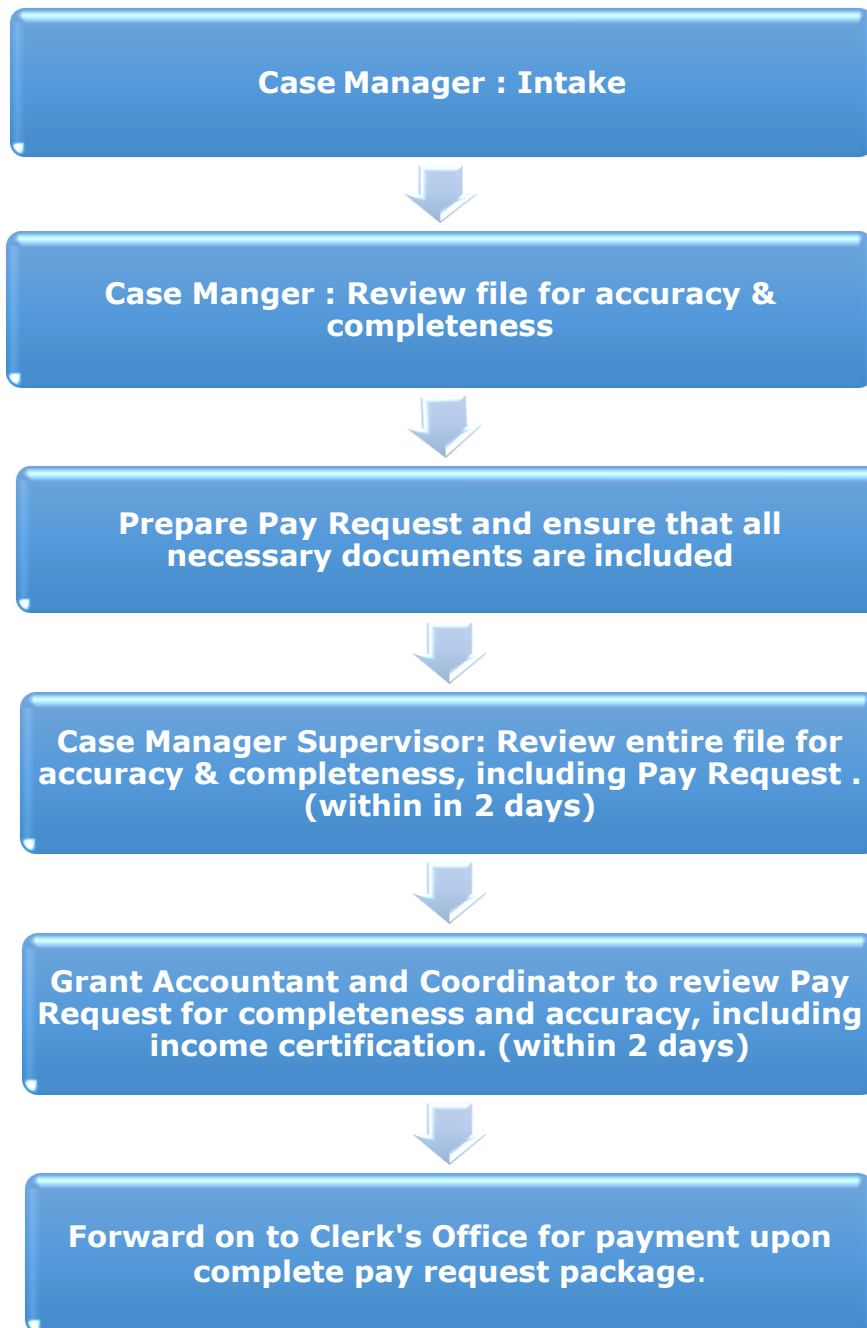
15. Written Standards.

- e. The County and ESG subrecipients must have written standards for providing ESG assistance and must consistently apply those standards for all program participants. The County shall describe these standards in its consolidated plan and in the ESG policies and procedures. ESG Subrecipients policies and procedures must mirror or exceed County requirements. At a minimum these written standards must include:
 - i. Standard policies and procedures for evaluating individuals' and families' eligibility for assistance under ESG;
 - ii. Standards for targeting and providing essential services related to street outreach;
 - iii. Policies and procedures for admission, diversion, referral, and discharge by emergency shelters assisted under ESG, including standards regarding length of stay, if any, and safeguards to meet the safety and shelter needs of special populations, *e.g.*, victims of domestic violence, dating violence,

- sexual assault, and stalking; and individuals and families who have the highest barriers to housing and are likely to be homeless the longest;
- iv. Policies and procedures for assessing, prioritizing, and reassessing individuals' and families' needs for essential services related to emergency shelter;
 - v. Policies and procedures for coordination among emergency shelter providers, essential services providers, homelessness prevention, and rapid re-housing assistance providers; other homeless assistance providers; and mainstream service and housing providers (see §576.400(b) and (c) for a list of programs with which ESG-funded activities must be coordinated and integrated to the maximum extent practicable);
 - vi. Policies and procedures for determining and prioritizing which eligible families and individuals will receive homelessness prevention assistance and which eligible families and individuals will receive rapid re-housing assistance;
 - vii. Standards for determining what percentage or amount of rent and utilities costs each program participant must pay while receiving homelessness prevention or rapid re-housing assistance;
 - viii. Standards for determining how long a particular program participant will be provided with rental assistance and whether and how the amount of that assistance will be adjusted over time; and
 - ix. Standards for determining the type, amount, and duration of housing stabilization and/or relocation services to provide to a program participant, including the limits, if any, on the homelessness prevention or rapid re-housing assistance that each program participant may receive, such as the maximum amount of assistance, maximum number of months the program participant receive assistance; or the maximum number of times the program participant may receive assistance.

CHS INTERNAL REVIEW PROCESS

Internal Flowchart of Rental Reimbursement Request Process



Internal Review Process: Pay Request

Case Managers will designate specific days and times for Emergency Solutions Grant intake and processing. This will require that the Case Managers meet with potential participants to review program requirements and assist in completion of the required documentation for the program. The Case Manager will be provided with a checklist to assist in ensuring files are complete.

Upon satisfaction of assembling all the required documentation and a determination that the participant is eligible for the program, the Case Manager shall set-up the landlord as a vendor. This will be completed by utilizing a W-9 form and will require the utilization of the System Award Management in order to scan any person(s) or third-party entity that shall receive payment through the ESG program.

The file will then be forwarded to the Case Manager Supervisor for a secondary review to ensure eligibility compliance and for accuracy, including Income Certification and Client Eligibility forms are in the Participants file and are properly completed. The Case Manager Supervisor must approve or reject this review with two (2) days of receipt of the participant file. If rejected, the Case Manager Supervisor must provide an explanation detailing the reasons for rejection and return the file back to the Case Manager to address any issues. A routing coversheet will be attached to each file in order to track any issues and timeframe of file progress.

Upon approval of the Case Manager Supervisor, the Pay Request Packet will be assembled by Case Manager Supervisor and will include the following items:

Payment Checklist ESG

Housing Rental Assistance

1. Copy of the lease
2. Income Qualification
3. Proof that participant is at risk for homelessness
4. Letter from landlord showing participant is delinquent
 - a. Letter showing that they are at risk of eviction
5. Habitability Standards Inspection
 - a. Inspection Report pass/fail
6. Additional Household Payments
 - a. Evidence of non-supplanting grant rental assistance
 - b. Burden of proof is the same as the Housing Rental Assistance
7. Landlord Agreement (see attachments)
8. Utility Payments
 - a. Proof that participant is at risk for homelessness
 - b. Shutoff notice

The Pay Request packet will then be forwarded to the Grant Account and Grant Coordinator. The Grant Accountant and Grant Coordinator must approve or reject the Pay Request Packet within

two (2) business days of receipt of the packet. If rejected, the Grant Accountant or Grant Coordinator must provide an explanation detailing the reasons for rejection and return the file back to the Case Manager to address any issues. A routing coversheet will be attached to each file in order to track any issues and timeframe of file progress.

Upon receipt of the corrected file to the rejecting party, the Grant Accountant or Coordinator will have two (2) business days to review the Pay Request Packet for completeness and accuracy.

The Pay Request Packet will include the following items:

1. Assessment Form
2. Income Certification Form
3. Landlord Form
4. Copy of: Eviction notice (3-day notice), foreclosure notice for the building in which the applicant is renting or eviction letter when sharing housing. When homeless, copy of the homeless certification form
5. Copy of the full lease
6. Copy of shut-off notice (when providing utility assistance)
7. Copy of the Habitability Inspection Report

Total amount of financial assistance granted: \$_____

Upon approval of the Pay Request Packet, Grant Accountant or Grant Coordinator will authorize the Pay Request Packet to be scanned and sent to Collier County Clerk's Office for review and processing. If rejected by the Clerk's Office, the Pay Request Packet will be returned back to the Grant Coordinator, who will work with the Case Manager Supervisor to resolve any identified issues.