

STATE OF SOUTH CAROLINA

EMERGENCY SOLUTIONS GRANTS PROGRAM

2014 Annual Action Plan

Submitted To:

**U.S. Department of Housing and Urban Development
Community Planning and Development Division
1835-1845 Assembly Street
Columbia, South Carolina 29201**

Prepared By:

**Office of the Governor
Office of Economic Opportunity
1205 Pendleton Street, Columbia, South Carolina 29201
Telephone (803) 734-0662 Fax (803) 734-0356**

January 2014

ESG Certifications

The State, seeking funds under the Emergency Solutions Grants (ESG) Program, certifies that it will ensure that its recipients of ESG funds comply with the following requirements:

- (1) If an emergency shelter's rehabilitation costs exceed 75 percent of the value of the building before rehabilitation, the State will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed rehabilitation;
- (2) If the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building after conversion, the State will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed conversion;
- (3) In all other cases where ESG funds are used for renovation, the State will maintain the building as a shelter for homeless individuals and families for a minimum of 3 years after the date the building is first occupied by a homeless individual or family after the completed renovation;
- (4) In the case of assistance involving shelter operations or essential services related to street outreach or emergency shelter, the State will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure, so long as the State serves the same type of persons(e.g., families with children, unaccompanied youth, disabled individuals, or victims of domestic violence) or persons in the same geographic area;
- (5) Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary;
- (6) The State will assist homeless individuals in obtaining permanent housing, appropriate supportive services (including medical and mental health treatment, victim services, counseling, supervision, and other services essential for achieving independent living), and other Federal, State, local, and private assistance available for these individuals;
- (7) The State will obtain matching amounts required under 24 CFR 576.201;
- (8) The State has established and is implementing procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project, except with the written authorization of the person responsible for the operation of that shelter;
- (9) To the maximum extent practicable, the State will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under the ESG program, in providing services assisted under the program, and in providing services for occupants of facilities assisted under the program;
- (10) All activities the State undertakes with assistance under ESG are consistent with the State's consolidated plan; and(11) The State will establish and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health-care facilities, mental health facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent this discharge from immediately resulting in homelessness for these persons

Signature/Authorized Official

Date

Title

2014 EMERGENCY SOLUTIONS GRANTS PROGRAM ANNUAL ACTION PLAN

Table of Contents

Preface

Part I—Program Description

- Purpose**
- Method of Distribution/Available Funding**
- Eligible Entities & Application Submission Requirements**
- State Goals & Action Steps**
- Prohibition of Discharge Planning**
- Prohibition Against Involuntary Family Separation**
- Matching Requirement**
- Means of Carrying Out Grant Activities**
- Definitions**
- Obligation, Expenditure, and Payment Requirements**
- Reallocation**

Part II—Eligible Activities

- 1. Street Outreach**
 - Essential Services**
 - Engagement**
 - Case Management**
 - Emergency Health Services**
 - Emergency Mental Health Services**
 - Transportation**
 - Services for special populations**
 - Minimum period of use**
 - Maintenance of effort**
- 2. Emergency Shelter**
 - Essential Services**
 - Case Management**
 - Child Care**
 - Education Services**
 - Employment Assistance and Job Training**
 - Outpatient Health Services**
 - Legal Services**
 - Life Skills Training**
 - Mental Health Services**
 - Substance Abuse Treatment Services**
 - Transportation**
 - Renovation**
 - Shelter Operations**
 - Maintenance, Rent, Security, Fuel, Equipment, Insurance, Utilities, Food, Furnishing, Supplies, and limited Hotel/Motel vouchers**
 - Uniform Relocation Assistance**
 - Minimum period of use**
 - Maintenance of effort**
- 3. Homelessness Prevention Component**

4. Rapid Re-Housing Component

Both Include:

Housing Relocation and Stabilization Services

Financial Assistance Costs

Rental Application Fees

Security Deposits

Last Month's Rent

Utility Deposits

Utility Payments

Moving Costs

Services Costs

Housing Search and Placement

Housing Stability Case Management

Mediation

Maximum Amounts and Periods of Assistance

Use with Other Subsidies (Cost Type Rule)

Short-Term and Medium-Term Rental Assistance

General Provisions

Short = up to 3 months

Medium = more than 3 months but not exceeding the grant period

One-time payment for up to 6 months of arrears

Discretion to Set Caps and Conditions

Use with Other Subsidies (Cost Type Rule)

Rent Restrictions (FMR and Rent Reasonableness)

Rental Assistance Agreement

Late Payments

Lease

Tenant-based Rental Assistance

Project-based Rental Assistance

Changes in Household Composition Limitation

5. HMIS Component

Part III—Program Requirements & Grant Administration

576.400 Area-wide systems coordination requirements.

576.401 Evaluation of program participant eligibility and needs.

576.402 Terminating assistance.

576.403 Shelter and housing standards.

576.404 Conflicts of interest.

576.405 Homeless participation.

576.406 Faith-based activities.

576.407 Other Federal requirements.

576.408 Displacement, relocation, and acquisition.

576.500 Recordkeeping and reporting requirements.

576.501 Enforcement.

Part IV—Request for Application Requirements

Preface (Discussion of Consultation)

In compliance with 24 CFR 91.110(e), the State consulted with each Continuum of Care within the state in determining how to allocate its Emergency Solutions Grant (ESG) for eligible activities; 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 operation and administration of the HMIS. From this consultation the funding allowed for street outreach and shelter activities has been set to the 50% with the remaining going to Homeless Prevention, Rapid Rehousing and HMIS, having an emphasis on Rapid Rehousing, working groups have been developed to determine how to approach the development of written standards, criteria for evaluating outcomes and performance standards, and for HMIS. However, through this consultation process it was also determined that while these processes are being developed throughout this year, the State will provide a form whereby each individual applicant can briefly describe its written standards for the activities for which it applies, the performance standards set forth in Section 427 for selection criteria of the HEARTH Act will be utilized, and the continuum will continue to be required to endorse applicants from within its area in an effort to ensure compliance with its participation and HMIS requirements.

Part I—Program Description

Purpose

The ESG program is authorized by subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371–11378) as amended by the HEARTH Act. The program authorizes the Department of Housing and Urban Development (HUD) to make grants to States, units of general purpose local government, and territories for the rehabilitation or conversion of buildings for use as emergency shelter for the homeless, for the payment of certain expenses related to operating emergency shelters, for essential services related to emergency shelters and street outreach for the homeless, and for homelessness prevention and rapid re-housing assistance.

Method of Distribution/Available Funding

Emergency Solutions Grant

The Governor's Office, Office of Economic Opportunity will administer the ESG or Emergency Solutions Grant Program, which replaced the previous Emergency Shelter Grant program and incorporates elements of the Homelessness Prevention and Rapid Re-housing Program (HPRP). While still providing support for emergency shelters and services to the homeless, the new ESG Solutions Program focuses more funding on preventing initial and recurrent homelessness, shortening the duration of homelessness, assisting in the transition from homelessness to independent living, and providing outreach, needs assessment and other services for unsheltered homeless.

South Carolina estimates it will receive a 2014 allocation of \$1,961,784. The plan for distributing funds was determined through consultation with the Continuums of Care, as follows: 7.5% for administration and the remaining 92.5% split evenly between street outreach and emergency shelter activities and homelessness prevention and rapid re-housing. This results in an estimated distribution plan as shown below.

ESG Distribution Plan		
Activity	Percentage of Total ESG Allocation	Estimated Amount*
Emergency shelter and street outreach at 60%	46.25%	\$907,325
Homeless prevention and re-housing	46.25%	\$907,325
Program Administration	7.50%	\$147,134
Total Estimated 2014 ESG Funds Available for Distribution	100%	\$1,961,784

*** The above percentages will be applied to the State's actual 2014 ESG allocation to arrive at the actual amounts for each of the funding categories above.*

An applicant may apply for a maximum of \$100,000 for street outreach and emergency shelter activities.

An applicant may apply for a maximum of \$250,000 for homelessness prevention and rapid re-housing.

Homeless Management Information Systems (HMIS) activities may be applied for within the above mentioned funding constraints.

Eligible Entities & Application Submission Requirements

All units of local government and public & private non-profit organizations (**with certification from the unit of local government in their area**) that provide services to the homeless and those at-risk of becoming homeless are eligible to apply for ESG funds. One application per agency/organization should be submitted to the OEO for consideration. Private non-profit organizations must have a 501(c)3 certification and be registered in the State of South Carolina as a charitable organization.

Applications for ESG Program funds must be prepared in accordance with the instructions provided in this Request for Applications (RFA). The contents of the application should be concise and objective. When statistics are cited, the source of the data is to be completely referenced.

The OEO must receive an original unbound application and three (3) bound copies no later than 5:00 p.m., on Friday, April 11, 2014. Only completed applications received on or before the due date will be considered for funding. Faxes are not allowed.

State Goals, Action Steps, and Performance Standards

Goal 1: Provide preventive and rapid re-housing services to approximately 500 low-income individuals and families during Program Year (PY) 2014 to assist them in avoiding or shortening an incidence of homelessness.

Action Step #1: The State will encourage the participation of organizations that demonstrated successful implementation of the Homelessness Prevention and Rapid Re-Housing Program.

Action Step #2: The State will provide technical assistance to organizations awarded funds for these activities in order to ensure their success.

Action Step #3: The State will prioritize funding for applicant organizations that demonstrate the successful provision of programs and services to chronically homeless individuals and families as defined by HUD to ensure that they make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

Goal 2: Provide Street Outreach and/or shelter services to approximately 12,000 homeless and/or chronically homeless individuals and families during PY 2014.

Action Step #1: The State will address the Emergency Shelter and Transitional housing needs of homeless persons by funding shelters with documented success in providing services, substantial community support and active community participation in the provision of programs and services, and outcomes and objectives that will assist the State in meeting Goal 2. All awarded shelters will provide adequate essential services to ensure ESG participants eventually obtain sustainable housing.

Action Step #2: To increase the numbers of homeless individuals served by ESG the State will encourage the new street outreach activity by awarding an automatic five (5) points to applications that include the provision of this service.

Action Step #3: The State will prioritize funding for applicant organizations that demonstrate the successful provision of programs and services to chronically homeless individuals and families as defined by HUD to ensure that they make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

Action Step #4: To assist individuals avoid becoming homeless, the State will continue its prohibition of discharge planning so as to ensure that individuals being discharged from publicly funded institutions and systems of care, such as health-care facilities, mental health facilities, foster care and youth facilities, and corrections programs and institutions are not placed into homelessness.

Performance Standards: The State will be utilizing the performance standards set forth in the selection criteria as outlined in Section 427 of the HEARTH Act, which can directly correlate to the above mentioned goals and action steps. The HEARTH Act Section 427 establishes the following:

- the length of time individuals and families remain homeless;
- the extent to which individuals and families who leave homelessness experience additional spells of homelessness;

- the thoroughness of grantees in the geographic area in reaching homeless individuals and families;
- overall reduction in the number of homeless individuals and families;
- jobs and income growth for homeless individuals and families;
- success at reducing the number of individuals and families who become homeless;

Prohibition of Discharge Planning

Pursuant to the McKinney-Vento Act, to the maximum extent practicable, persons discharged from publicly funded institutions or systems of care should not be discharged into homelessness, including the streets, shelter, or to HUD McKinney-Vento funded homeless projects. ESG-funded shelters are prohibited from assisting with the discharge of a person(s) from any system of care (i.e. prisons, jails, hospitals, substance abuse treatment centers, foster care) that will immediately result in homelessness—residing in the shelter facility.

Prohibition Against Involuntary Family Separation

The age of a child under age 18 must not be used as a basis for denying any family's admission to an emergency shelter that uses Emergency Solutions Grant (ESG) funding or services and provides shelter to families with children under age 18. All ESG-funded shelters that either provides shelter to families or women and their children must do so regardless of the age of the child. The family unit must be accepted all inclusive of children under the age of 18.

Prohibition Against Program Income

ESG subrecipients will be prohibited from collecting program income from any eligible activity. HUD has determined that the act of requiring the security deposits paid by ESG funds on the behalf of eligible clients be returned to the subgrantee in the event that the client vacates the property is earning program income. As such, subgrantees are prohibited from requiring that vendors return security deposit payments to the subgrantee if the client ceases to remain in a dwelling for known or unknown reasons. In the event that clients that have had a security deposit returned to them and are still active or are returning clients, the subgrantee will retain the right to either instruct clients on its use or in the case of a returning client, evaluate how the deposit was utilized in determining continued ESG service.

Matching Requirement

(a) *Required amount of matching contributions.*

The applicant must make matching contributions to supplement its ESG program in an amount that equals the amount of ESG funds awarded by OEO.

(b) *Eligible sources of matching contributions.*

- (1) OEO may also require its subrecipients to make matching contributions consistent with this section to help meet its matching requirement as well.
- (2) Matching contributions may be obtained from any source, including any Federal source other than the ESG program, as well as state, local, and private sources. However, the following requirements apply to matching contributions from a Federal source of funds:
 - (i) The subrecipient must ensure the laws governing any funds to be used as matching contributions do not prohibit those funds from being used to match Emergency Solutions Grant (ESG) funds.
 - (ii) If ESG funds are used to satisfy the matching requirements of another Federal program, then funding from that program may not be used to satisfy the matching requirements under this section.

(c) *Recognition of matching contributions.*

- (1) In order to meet the matching requirement, the matching contributions must meet all requirements that apply to the ESG funds provided by HUD, except for the expenditure limits in § 576.100.
 - (2) The matching contributions must be provided after the date that HUD signs the grant agreement.
 - (3) To count toward the required match for the subrecipient's fiscal year grant, cash contributions must be expended within the grant period, and noncash contributions must be made within the grant period.
 - (4) Contributions used to match a previous ESG grant may not be used to match a subsequent ESG grant.
 - (5) Contributions that have been or will be counted as satisfying a matching requirement of another Federal grant or award may not count as satisfying the matching requirement of this section.
- (d) ***Eligible types of matching contributions.*** The matching requirement may be met by one or both of the following:
- (1) Cash contributions. Cash expended for allowable costs, as defined in OMB Circulars A-87 (2 CFR part 225) and A-122 (2 CFR part 230), of the subrecipient.
 - (2) Noncash contributions. The value of any real property, equipment, goods, or services contributed to the subrecipient's ESG program, provided that if the subrecipient had to pay for them with grant funds, the costs would have been allowable. Noncash contributions may also include the purchase value of any donated building.
- (e) ***Calculating the amount of non-cash contributions.***
- (1) To determine the value of any donated material or building, or of any lease, the subrecipient must use a method reasonably calculated to establish the fair market value.
 - (2) Services provided by individuals must be valued at rates consistent with those ordinarily paid for similar work in the subrecipient's organization. If the subrecipient 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.
 - (3) Some noncash contributions are real property, equipment, goods, or services that, if the subrecipient had to pay for them with grant funds, the payments would have been indirect costs. Matching credit for these contributions must be given only if the subrecipient has established, along with its regular indirect cost rate, a special rate for allocating to individual projects or programs the value of those contributions.

Means of carrying out grant activities.

Subrecipients can only carry out all eligible activities through their employees, procurement contracts, or sub grants to private nonprofit organizations. **State ESG funds cannot be sub-subgranted.**

§ 576.2 Definitions

At risk of homelessness means:

- (1) An individual or family who:
 - (i) Has an annual income below 30 percent of median family income for the area, as determined by HUD;
 - (ii) Does not have sufficient resources or support networks, e.g., family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the 'homeless' definition in this section; and
 - (iii) Meets one of the following conditions:

- (A) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;
 - (B) Is living in the home of another because of economic hardship;
 - (C) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;
 - (D) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by Federal, State, or local government programs for low-income individuals;
 - (E) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 persons reside per room, as defined by the U.S. Census Bureau;
 - (F) Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or
 - (G) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the subrecipient's approved consolidated plan;
- (2) A child or youth who does not qualify as "homeless" under this section, but qualifies as "homeless" under section 387(3) of the Runaway and Homeless Youth Act (42 U.S.C.5732a(3)), section 637(11) of the Head Start Act (42 U.S.C. 9832(11)), section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), section 330(h)(5)(A) of the Public Health Service Act (42 U.S.C.254b(h)(5)(A)), section 3(m) of the Food and Nutrition Act of 2008 (7 U.S.C.2012(m)), or section 17(b)(15) of the Child Nutrition Act of 1966 (42 U.S.C.1786(b)(15)); or
- (3) A child or youth who does not qualify as "homeless" under this section, but qualifies as "homeless" under section 725(2) of the McKinney-Vento Homeless Assistance Act (42U.S.C. 11434a(2)), and the parent(s) or guardian(s) of that child or youth if living with her or him.

Consolidated plan means a plan prepared in accordance with 24 CFR part 91. An approved consolidated plan means a consolidated plan that has been approved by HUD in accordance with 24 CFR part 91.

Continuum of Care means the group composed of representatives of relevant organizations, which generally includes nonprofit homeless providers; victim service providers; faith-based organizations; governments; businesses; advocates; public housing agencies; school districts; social service providers; mental health agencies; hospitals; universities; affordable housing developers; law enforcement; organizations that serve homeless and formerly homeless veterans, and homeless and formerly homeless persons that are organized to plan for and provide, as necessary, a system of outreach, engagement, and assessment; emergency shelter; rapid re-housing; transitional housing; permanent housing; and prevention strategies to address the various needs of homeless persons and persons at risk of homelessness for a specific geographic area.

Emergency shelter means any facility, the primary purpose of which is to provide a temporary shelter for the homeless in general or for specific populations of the homeless and which does not require occupants to sign leases or occupancy agreements. Any project funded as an emergency shelter under a Fiscal Year 2010 Emergency Shelter grant may continue to be funded under ESG.

Homeless means:

- (1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

- (i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
 - (ii) An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low income individuals); or
 - (iii) An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;
- (2) An individual or family who will imminently lose their primary nighttime residence, provided that:
- (i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;
 - (ii) No subsequent residence has been identified; and
 - (iii) The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing;
- (3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:
- (i) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)) or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);
 - (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;
 - (iii) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and
 - (iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or
- (4) Any individual or family who:
- (i) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;
 - (ii) Has no other residence; and
 - (iii) Lacks the resources or support networks, e.g., family, friends, faith based or other social networks, to obtain other permanent housing.

Chronically homeless means:

- (1) An individual who:
- (i) Is homeless and lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and

- (ii) Has been homeless and living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter continuously for at least one year or on at least four separate occasions in the last 3 years, where each homeless occasion was at least 15 days; and
 - (iii) Can be diagnosed with one or more of the following conditions: substance use disorder, serious mental illness, developmental disability (as defined in section 102 of the Developmental Disabilities Assistance Bill of Rights Act of 2000 (42 U.S.C. 15002)), posttraumatic stress disorder, cognitive impairments resulting from brain injury, or chronic physical illness or disability;
- (2) An individual who has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all of the criteria in paragraph (1) before entering that facility; or
- (3) A family with an adult head of household (or if there is no adult in the family, a minor head of household) who meets all of the criteria in paragraph (1), including a family whose composition has fluctuated while the head of household has been homeless.

Homeless Management Information System (HMIS) means the information system designated by the Continuum of Care to comply with the HUD's data collection, management, and reporting standards and used to collect client level data and data on the provision of housing and services to homeless individuals and families and persons at risk of homelessness.

Metropolitan city means a city that was classified as a metropolitan city under 42 U.S.C. 5302(a) for the fiscal year immediately preceding the fiscal year for which ESG funds are made available. This term includes the District of Columbia.

Private nonprofit organization means a private nonprofit organization that is a secular or religious organization described in section 501(c) of the Internal Revenue Code of 1986 and which is exempt from taxation under subtitle A of the Code, has an accounting system and a voluntary board, and practices nondiscrimination in the provision of assistance. A private nonprofit organization does not include a governmental organization, such as a public housing agency or housing finance agency.

Program income shall have the meaning provided in 24 CFR 85.25. Program income includes any amount of a security or utility deposit returned to the subrecipient .

Program participant means an individual or family who is assisted under ESG program.

Program year means the consolidated program year established by the subrecipient under 24 CFR part 91.

Subrecipient means any State, territory, metropolitan city, or urban county, or in the case of reallocation, any unit of general purpose local government that is approved by HUD to assume financial responsibility and enters into a grant agreement with HUD to administer assistance under this part.

State means each of the several States and the Commonwealth of Puerto Rico.

Subsubrecipient means a unit of general purpose local government or private nonprofit organization to which a subrecipient makes available ESG funds.

Territory means each of the following: the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.

Unit of general purpose local government means any city, county, town, township, parish, village, or other general purpose political subdivision of a State.

Urban County means a county that was classified as an urban county under 42 U.S.C. 5302(a) for the fiscal year immediately preceding the fiscal year for which ESG funds are made available.

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.

Obligation, expenditure, and payment requirements.

(a) Obligation of funds.

All projects must begin within three (3) months of the date the state made the funds available to the applicant. If the program has not started within three (3) months of the award date, without written and justifiable cause, the state reserves the right to rescind the grant award. Start-up is defined as significant expenditure of funds. In addition, agencies must provide the OEO with written notification of closure within fifteen (15) days prior to actual closure.

The state reserves the right to recapture ESG funds under the following circumstances:

1. Those who do not meet the performance requirements outlined in the approved project;
2. Those who are unable to comply with the regulatory deadlines on obligation and disbursement as outlined at 24 CFR Part 576.55(a) (2); and,
3. Those who otherwise, without appropriate justification, have failed to implement the project as set forth in their approved ESG Grant Application.

Applicants are required to submit a timetable outlining the tasks required for accomplishment of project goals. The timetable submitted will be used to monitor project performance.

(b) Expenditures.

The grant period for ESG projects is one year; effective on the date the state makes funds available to the subgrantee. In general, projects requesting funds for rehabilitation may encounter a delay in obtaining results for the environmental review from the various agencies involved. Environmental reviews generally take 60-90 days to complete. Applicants may want to consider this factor in determining where to use local match.

ESG funds must be obligated within 180 days after the date the state makes the funds available to the ESG subgrantee and must be expended within one year of the date the state makes the funds available.

The subrecipient should draw down and expend funds from the grant on a monthly basis. All of the subrecipient's grant must be expended for eligible activity costs by June 30, 2014. For the purposes of this paragraph, expenditure means either an actual cash disbursement for a direct charge for a good or service or an indirect cost or the accrual of a direct charge for a good or service or an indirect cost.

(c) **Payments to subrecipients.**

Disbursement of funds will follow a cost reimbursement procedure and will be for actual funds expended. Subgrantees shall only be reimbursed for costs that have been incurred within the current grant year and corroborated with paid invoices or other evidence of subgrantee expenditure or outlays where a data quality report is submitted with the request for reimbursement. Requests for reimbursement should be submitted on a monthly basis.

Subgrantees must also submit the final request for reimbursement to the OEO within 15 days after the expiration of the grant period (by July 15, 2015).

Applicants are reminded that any costs incurred or paid prior to the beginning of the start-up date or after the ending date cannot be reimbursed by the grant.

Reallocations

The State reserves the right to reallocate Emergency Solutions Grants Program funds as provided for in the federal regulations governing the program in order to ensure that the funds provide the maximum benefit to South Carolina's homeless population. Funding (grant award) reallocations will be made on the basis of the State's determination of the best use of available funds. The State will consider the amount of available funds, subgrantee programmatic performance, subgrantee expenditure levels, and strategic programmatic needs in reallocating available funds.

Eligible Activities

Subrecipients may use ESG funds for five program components: street outreach, emergency shelter, homelessness prevention, rapid re-housing assistance, and HMIS. The five program components and the eligible activities that may be funded under each are set forth in § 576.101 through § 576.107.

Subject to the cost principles in OMB Circulars A-87 (2 CFR 225) and A-122 (2 CFR 230) and other requirements in this part, employee compensation and other overhead costs directly related to carrying out street outreach, emergency shelter, homelessness prevention, rapid rehousing, and HMIS are eligible costs of those program components. These costs are not administrative costs.

1. Street Outreach Component

(a) Eligible Activities.

Subject to the expenditure limit in § 576.100(b), ESG funds may be used for costs of providing essential services necessary to reach out to unsheltered homeless people; connect them with emergency shelter, housing, or critical services; and provide urgent, non-facility-based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility. For the purposes of this section, the term "unsheltered homeless people" means individuals and families who qualify as homeless under paragraph (1)(i) of the "homeless" definition under § 576.2. The eligible costs and requirements for essential services consist of:

- (1) **Engagement.** The costs of activities to locate, identify, and build relationships with unsheltered homeless people and engage them for the purpose of providing immediate

support, intervention, and connections with homeless assistance programs and/or mainstream social services and housing programs. These activities consist of making an initial assessment of needs and eligibility; providing crisis counseling; addressing urgent physical needs, such as providing meals, blankets, clothes, or toiletries; and actively connecting and providing information and referrals to programs targeted to homeless people and mainstream social services and housing programs, including emergency shelter, transitional housing, community-based services, permanent supportive housing, and rapid re-housing programs. Eligible costs include the cell phone costs of outreach workers during the performance of these activities.

- (2) **Case management.** The cost of assessing housing and service needs, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant. Eligible services and activities are as follows: using the centralized or coordinated assessment system as required under § 576.400(d); conducting the initial evaluation required under § 576.401(a), including verifying and documenting eligibility; counseling; developing, securing and coordinating services; obtaining Federal, State, and local benefits; monitoring and evaluating program participant progress; providing information and referrals to other providers; and developing an individualized housing and service plan, including planning a path to permanent housing stability.
- (3) **Emergency health services.**
 - (i) Eligible costs are for the direct outpatient treatment of medical conditions and are provided by licensed medical professionals operating in community-based settings, including streets, parks, and other places where unsheltered homeless people are living.
 - (ii) ESG funds may be used only for these services to the extent that other appropriate health services are inaccessible or unavailable within the area.
 - (iii) Eligible treatment consists of assessing a program participant's health problems and developing a treatment plan; assisting program participants to understand their health needs; providing directly or assisting program participants to obtain appropriate emergency medical treatment; and providing medication and follow-up services.
- (4) **Emergency mental health services.**
 - (i) Eligible costs are the direct outpatient treatment by licensed professionals of mental health conditions operating in community-based settings, including streets, parks, and other places where unsheltered people are living.
 - (ii) ESG funds may be used only for these services to the extent that other appropriate mental health services are inaccessible or unavailable within the community.
 - (iii) Mental health services are the application of therapeutic processes to personal, family, situational, or occupational problems in order to bring about positive resolution of the problem or improved individual or family functioning or circumstances.
 - (iv) Eligible treatment consists of crisis interventions, the prescription of psychotropic medications, explanation about the use and management of medications, and combinations of therapeutic approaches to address multiple problems.
- (5) **Transportation.**

The transportation costs of travel by outreach workers, social workers, medical professionals, or other service providers are eligible, provided that this travel takes place during the provision of services eligible under this section. The costs of transporting unsheltered people to emergency shelters or other service facilities are also eligible. These costs include the following:

 - (i) The cost of a program participant's travel on public transportation;
 - (ii) If service workers use their own vehicles, mileage allowance for service workers to visit program participants;

- (iii) The cost of purchasing or leasing a vehicle for the subrecipient in which staff transports program participants and/or staff serving program participants, and the cost of gas, insurance, taxes and maintenance for the vehicle; and
- (iv) The travel costs of subrecipient staff to accompany or assist program participants to use public transportation.

(6) *Services for special populations.*

ESG funds may be used to provide services for homeless youth, victim services, and services for people living with HIV/AIDS, so long as the costs of providing these services are eligible under paragraphs (a)(1) through (a)(5) of this section. The term victim services means services that assist program participants who are victims of domestic violence, dating violence, sexual assault, or stalking, including services offered by rape crisis centers and domestic violence shelters, and other organizations with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

(b) Minimum period of use.

The subrecipient must provide services to homeless individuals and families for at least the period during which ESG funds are provided.

(c) Maintenance of effort.

- (1) If the subrecipient is a unit of general purpose local government, its ESG funds cannot be used to replace funds the local government provided for street outreach and emergency shelter services during the immediately preceding 12-month period, unless HUD determines that the unit of general purpose local government is in a severe financial deficit.
- (2) Upon the subrecipient's request, HUD will determine whether the unit of general purpose local government is in a severe financial deficit, based on the subrecipient's demonstration of each of the following:
 - (i) The average poverty rate in the unit of general purpose local government's State was equal to or greater than 125 percent of the average national poverty rate, during the calendar year for which the most recent data are available, as determined according to information from the U.S. Census Bureau.
 - (ii) The average per-capita income in the unit of general purpose local government's State was less than 75 percent of the average national per capita income, during the calendar year for which the most recent data are available, as determined according to information from the Census Bureau.
 - (iii) The unit of general purpose local government has a current annual budget deficit that requires a reduction in funding for services for homeless people.
 - (iv) The unit of general purpose local government has taken all reasonable steps to prevent a reduction in funding of services for homeless people. Reasonable steps may include steps to increase revenue generation, steps to maximize cost savings, or steps to reduce expenditures in areas other than services for homeless people.

2. Emergency Shelter Component

(a) General.

Subject to the expenditure limit in § 576.100(b), ESG funds may be used for costs of providing essential services to homeless families and individuals in emergency shelters, renovating buildings to be used as emergency shelter for homeless families and individuals, and operating emergency shelters.

- (1) **Essential services.** ESG funds may be used to provide essential services to individuals and families who are in an emergency shelter, as follows:

- (i) **Case management.** The cost of assessing, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant is eligible. Component services and activities consist of:
 - (A) Using the centralized or coordinated assessment system as required under § 576.400(d);
 - (B) Conducting the initial evaluation required under § 576.401(a), including verifying and documenting eligibility;
 - (C) Counseling;
 - (D) Developing, securing, and coordinating services and obtaining Federal, State, and local benefits;
 - (E) Monitoring and evaluating program participant progress;
 - (F) Providing information and referrals to other providers;
 - (G) Providing ongoing risk assessment and safety planning with victims of domestic violence, dating violence, sexual assault, and stalking; and
 - (H) Developing an individualized housing and service plan, including planning a path to permanent housing stability.
- (ii) **Child care.** The costs of child care for program participants, including providing meals and snacks, and comprehensive and coordinated sets of appropriate developmental activities, are eligible. The children must be under the age of 13, unless they are disabled. Disabled children must be under the age of 18. The child-care center must be licensed by the State in which it operates in order for its costs to be eligible.
- (iii) **Education services.** When necessary for the program participant to obtain and maintain housing, the costs of improving knowledge and basic educational skills are eligible. Services include instruction or training in consumer education, health education, substance abuse prevention, literacy, English as a Second Language, and General Educational Development (GED). Component services or activities are screening, assessment and testing; individual or group instruction; tutoring; provision of books, supplies and instructional material; counseling; and referral to community resources.
- (iv) **Employment assistance and job training.** The costs of employment assistance and job training programs are eligible, including classroom, online, and/or computer instruction; on-the-job instruction; and services that assist individuals in securing employment, acquiring learning skills, and/or increasing earning potential. The cost of providing reasonable stipends to program participants in employment assistance and job training programs is an eligible cost. Learning skills include those skills that can be used to secure and retain a job, including the acquisition of vocational licenses and/or certificates. Services that assist individuals in securing employment consist of employment screening, assessment, or testing; structured job skills and job-seeking skills; special training and tutoring, including literacy training and prevocational training; books and instructional material; counseling or job coaching; and referral to community resources.
- (v) **Outpatient health services.** Eligible costs are for the direct outpatient treatment of medical conditions and are provided by licensed medical professionals. Emergency Solutions Grant (ESG) funds may be used only for these services to the extent that other appropriate health services are unavailable within the community. Eligible treatment consists of assessing a program participant's health problems and developing a treatment plan; assisting program participants to understand their health needs; providing directly or assisting program participants to obtain appropriate medical treatment, preventive medical care, and health maintenance services,

including emergency medical services; providing medication and follow-up services; and providing preventive and non-cosmetic dental care.

(vi) **Legal services.**

- (A) Eligible costs are the hourly fees for legal advice and representation by attorneys licensed and in good standing with the bar association of the State in which the services are provided, and by person(s) under the supervision of the licensed attorney, regarding matters that interfere with the program participant's ability to obtain and retain housing.
- (B) Emergency Solutions Grant (ESG) funds may be used only for these services to the extent that other appropriate legal services are unavailable or inaccessible within the community.
- (C) Eligible subject matters are child support, guardianship, paternity, emancipation, and legal separation, orders of protection and other civil remedies for victims of domestic violence, dating violence, sexual assault, and stalking, appeal of veterans and public benefit claim denials, and the resolution of outstanding criminal warrants.
- (D) Component services or activities may include client intake, preparation of cases for trial, provision of legal advice, representation at hearings, and counseling.
- (E) Fees based on the actual service performed (i.e., fee for service) are also eligible, but only if the cost would be less than the cost of hourly fees. Filing fees and other necessary court costs are also eligible. If the subrecipient is a legal services provider and performs the services itself, the eligible costs are the subrecipient's employees' salaries and other costs necessary to perform the services.
- (F) Legal services for immigration and citizenship matters and issues relating to mortgages are ineligible costs. Retainer fee arrangements and contingency fee arrangements are ineligible costs.

(vii) **Life skills training.** The costs of teaching critical life management skills that may never have been learned or have been lost during the course of physical or mental illness, domestic violence, substance use, and homelessness are eligible costs. These services must be necessary to assist the program participant to function independently in the community. Component life skills training are budgeting resources, managing money, managing a household, resolving conflict, shopping for food and needed items, improving nutrition, using public transportation, and parenting.

(viii) **Mental health services.**

- (A) Eligible costs are the direct outpatient treatment by licensed professionals of mental health conditions.
- (B) ESG funds may only be used for these services to the extent that other appropriate mental health services are unavailable or inaccessible within the community.
- (C) Mental health services are the application of therapeutic processes to personal, family, situational, or occupational problems in order to bring about positive resolution of the problem or improved individual or family functioning or circumstances. Problem areas may include family and marital relationships, parent-child problems, or symptom management.
- (D) Eligible treatment consists of crisis interventions; individual, family, or group therapy sessions; the prescription of psychotropic medications or explanations about the use and management of medications; and combinations of therapeutic approaches to address multiple problems.

(ix) **Substance abuse treatment services.**

- (A) Eligible substance abuse treatment services are designed to prevent, reduce, eliminate, or deter relapse of substance abuse or addictive behaviors and are provided by licensed or certified professionals.
- (B) ESG funds may only be used for these services to the extent that other appropriate substance abuse treatment services are unavailable or inaccessible within the community.
- (C) Eligible treatment consists of client intake and assessment, and outpatient treatment for up to 30 days. Group and individual counseling and drug testing are eligible costs. Inpatient detoxification and other inpatient drug or alcohol treatment are not eligible costs.
- (x) **Transportation.**

Eligible costs consist of the transportation costs of a program participant's travel to and from medical care, employment, child care, or other eligible essential services facilities. These costs include the following:

 - (A) The cost of a program participant's travel on public transportation;
 - (B) If service workers use their own vehicles, mileage allowance for service workers to visit program participants;
 - (C) The cost of purchasing or leasing a vehicle for the subrecipient in which staff transports program participants and/or staff serving program participants, and the cost of gas, insurance, taxes, and maintenance for the vehicle; and
 - (D) The travel costs of subrecipient staff to accompany or assist program participants to use public transportation.
- (xi) Services for special populations.

ESG funds may be used to provide services for homeless youth, victim services, and services for people living with HIV/AIDS, so long as the costs of providing these services are eligible under paragraphs (a)(1)(i) through (a)(1)(x) of this section. The term victim services means services that assist program participants who are victims of domestic violence, dating violence, sexual assault, or stalking, including services offered by rape crisis centers and domestic violence shelters, and other organizations with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.
- (2) **Renovation.** Eligible costs include labor, materials, tools, and other costs for renovation (including major rehabilitation of an emergency shelter or conversion of a building into an emergency shelter). The emergency shelter must be owned by a government entity or private nonprofit organization.
- (3) **Shelter operations.** Eligible costs are the costs of maintenance (including minor or routine repairs), rent, security, fuel, equipment, insurance, utilities, food, furnishings, and supplies necessary for the operation of the emergency shelter. Where no appropriate emergency shelter is available for a homeless family or individual, eligible costs may also include a hotel or motel voucher for that family or individual.
- (4) **Assistance required under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA).** Eligible costs are the costs of providing URA assistance under § 576.408, including relocation payments and other assistance to persons displaced by a project assisted with ESG funds. Persons that receive URA assistance are not considered "program participants" for the purposes of this part, and relocation payments and other URA assistance are not considered "rental assistance" or "housing relocation and stabilization services" for the purposes of this part.

(b) Minimum period of use.

- (1) Renovated buildings. Each building renovated with ESG funds must be maintained as a shelter for homeless individuals and families for not less than a period of 3 or 10 years, depending on the type of renovation and the value of the building. The “value of the building” is the reasonable monetary value assigned to the building, such as the value assigned by an independent real estate appraiser. The minimum use period must begin on the date the building is first occupied by a homeless individual or family after the completed renovation. A minimum period of use of 10 years, required for major rehabilitation and conversion, must be enforced by a recorded deed or use restriction.
 - (i) *Major rehabilitation.* If the rehabilitation cost of an emergency shelter exceeds 75 percent of the value of the building before rehabilitation, the minimum period of use is 10 years.
 - (ii) *Conversion.* If the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building after conversion, the minimum period of use is 10 years.
 - (iii) *Renovation other than major rehabilitation or conversion.* In all other cases where ESG funds are used for renovation, the minimum period of use is 3 years.
- (2) Essential services and shelter operations. Where the subrecipient uses ESG funds solely for essential services or shelter operations, the subrecipient must provide services or shelter to homeless individuals and families at least for the period during which the ESG funds are provided. The subrecipient does not need to limit these services or shelter to a particular site or structure, so long as the site or structure serves the same type of persons originally served with the assistance (e.g., families with children, unaccompanied youth, disabled individuals, or victims of domestic violence) or serves homeless persons in the same area where the subrecipient originally provided the services or shelter.

(c) Maintenance of effort

The maintenance of effort requirements under § 576.101(c), which apply to the use of ESG funds for essential services related to street outreach, also apply for the use of such funds for essential services related to emergency shelter.

3. Homelessness Prevention Component

ESG funds may be used to provide 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 or another place described in paragraph (1) of the “homeless” definition in § 576.2. This assistance, referred to as homelessness prevention, may be provided to individuals and families who meet the criteria under the “at risk of homelessness” definition, or who meet the criteria in paragraph (2), (3), or (4) of the “homeless” definition in § 576.2 and have an annual income below 30 percent of median family income for the area, as determined by HUD. The costs of homelessness prevention are only eligible to the extent that the assistance is necessary to help the program participant regain stability in the program participant’s current permanent housing or move into other permanent housing and achieve stability in that housing. Homelessness prevention must be provided in accordance with the housing relocation and stabilization services requirements in § 576.105, the short-term and medium-term rental assistance requirements in § 576.106, and the written standards and procedures established under § 576.400.

4. Rapid Re-Housing Assistance Component

ESG funds may be used to provide housing relocation and stabilization services and short- and/or medium-term rental assistance as necessary to help a homeless individual or family move as quickly as

possible into permanent housing and achieve stability in that housing. This assistance, referred to as rapid re-housing assistance, may be provided to program participants who meet the criteria under paragraph (1) of the “homeless” definition in § 576.2 or who meet the criteria under paragraph (4) of the “homeless” definition and live in an emergency shelter or other place described in paragraph (1) of the “homeless” definition. The rapid rehousing assistance must be provided in accordance with the housing relocation and stabilization services requirements in § 576.105, the short- and medium-term rental assistance requirements in § 576.106, and the written standards and procedures established under § 576.400.

§ 576.105 Housing relocation and stabilization services.

- (a) **Financial assistance costs.** Subject to the general conditions under § 576.103 and § 576.104, ESG funds may be used to pay housing owners, utility companies, and other third parties for the following costs:
- (1) **Rental application fees.** ESG funds may pay for the rental housing application fee that is charged by the owner to all applicants.
 - (2) **Security deposits.** ESG funds may pay for a security deposit that is equal to no more than 2 months’ rent.
 - (3) **Last month’s rent.** If necessary to obtain housing for a program participant, the last month’s rent may be paid from ESG funds to the owner of that housing at the time the owner is paid the security deposit and the first month’s rent. This assistance must not exceed one month’s rent and must be included in calculating the program participant’s total rental assistance, which cannot exceed 24 months during any 3-year period.
 - (4) **Utility deposits.** ESG funds may pay for a standard utility deposit required by the utility company for all customers for the utilities listed in paragraph (5) of this section.
 - (5) **Utility payments.** ESG funds may pay for up to 24 months of utility payments per program participant, per service, including up to 6 months of utility payments in arrears, per service. A partial payment of a utility bill counts as one month. This assistance may only be provided if the program participant or a member of the same household has an account in his or her name with a utility company or proof of responsibility to make utility payments. Eligible utility services are gas, electric, water, and sewage. No program participant shall receive more than 24 months of utility assistance within any 3-year period.
 - (6) **Moving costs.** ESG funds may pay for moving costs, such as truck rental or hiring a moving company. This assistance may include payment of temporary storage fees for up to 3 months, provided that the fees are accrued after the date the program participant begins receiving assistance under paragraph (b) of this section and before the program participant moves into permanent housing. Payment of temporary storage fees in arrears is not eligible.
- (b) **Services costs.** Subject to the general restrictions under § 576.103 and § 576.104, ESG funds may be used to pay the costs of providing the following services:
- (1) **Housing search and placement.** Services or activities necessary to assist program participants in locating, obtaining, and retaining suitable permanent housing, include the following:
 - (i) Assessment of housing barriers, needs, and preferences;
 - (ii) Development of an action plan for locating housing;
 - (iii) Housing search;
 - (iv) Outreach to and negotiation with owners;
 - (v) Assistance with submitting rental applications and understanding leases;
 - (vi) Assessment of housing for compliance with Emergency Solutions Grant (ESG) requirements for habitability, lead-based paint, and rent reasonableness;

- (vii) Assistance with obtaining utilities and making moving arrangements; and
 - (viii) Tenant counseling.
 - (2) **Housing stability case management.** ESG funds may be used to pay cost of assessing, arranging, coordinating, and monitoring the delivery of individualized services to facilitate housing stability for a program participant who resides in permanent housing or to assist a program participant in overcoming immediate barriers to obtaining housing. This assistance cannot exceed 30 days during the period the program participant is seeking permanent housing and cannot exceed 24 months during the period the program participant is living in permanent housing. Component services and activities consist of:
 - (A) Using the centralized or coordinated assessment system as required under § 576.400(d), to evaluate individuals and families applying for or receiving homelessness prevention or rapid re-housing assistance;
 - (B) Conducting the initial evaluation required under § 576.401(a), including verifying and documenting eligibility, for individuals and families applying for homelessness prevention or rapid rehousing assistance;
 - (C) Counseling;
 - (D) Developing, securing, and coordinating services and obtaining Federal, State, and local benefits;
 - (E) Monitoring and evaluating program participant progress;
 - (F) Providing information and referrals to other providers;
 - (G) Developing an individualized housing and service plan, including planning a path to permanent housing stability; and
 - (H) Conducting re-evaluations required under § 576.401(b).
 - (3) **Mediation.** ESG funds may pay for mediation between the program participant and the owner or person(s) with whom the program participant is living, provided that the mediation is necessary to prevent the program participant from losing permanent housing in which the program participant currently resides.
 - (4) **Legal services.** ESG funds may pay for legal services, as set forth in § 576.102(a)(1)(vi), except that the eligible subject matters also include landlord/tenant matters, and the services must be necessary to resolve a legal problem that prohibits the program participant from obtaining permanent housing or will likely result in the program participant losing the permanent housing in which the program participant currently resides.
 - (5) **Credit repair.** ESG funds may pay for credit counseling and other services necessary to assist program participants with critical skills related to household budgeting, managing money, accessing a free personal credit report, and resolving personal credit problems. This assistance does not include the payment or modification of a debt.
- (c) **Maximum amounts and periods of assistance.** The subrecipient may set a maximum dollar amount that a program participant may receive for each type of financial assistance under paragraph (a) of this section. The subrecipient may also set a maximum period for which a program participant may receive any of the types of assistance or services under this section. However, except for housing stability case management, the total period for which any program participant may receive the services under paragraph (b) of this section must not exceed 24 months during any 3-year period. The limits on the assistance under this section apply to the total assistance an individual receives, either as an individual or as part of a family.
- (d) **Use with other subsidies.** Financial assistance under paragraph (a) of this section 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.

§ 576.106 Short-term and medium-term rental assistance.

- (a) **General provisions.** Subject to the general conditions under § 576.103 and § 576.104, the subrecipient may provide a program participant with up to 24 months of rental assistance during any 3-year period. This assistance may be short-term rental assistance, medium-term rental assistance, payment of rental arrears, or any combination of this assistance.
- (1) Short-term rental assistance is assistance for up to 3 months of rent.
 - (2) Medium-term rental assistance is assistance for more than 3 months but not more than 24 months of rent.
 - (3) Payment of rental arrears consists of a one-time payment for up to 6 months of rent in arrears, including any late fees on those arrears.
 - (4) Rental assistance may be tenant-based or project-based, as set forth in paragraphs (h) and (i) of this section.
- (b) **Discretion to set caps and conditions.** Subject to the requirements of this section, the subrecipient may set a maximum amount or percentage of rental assistance that a program participant may receive a maximum number of months that a program participant may receive rental assistance, or a maximum number of times that a program participant may receive rental assistance. The subrecipient may also require program participants to share in the costs of rent.
- (c) **Use with other subsidies.** Except for a one-time payment of rental arrears on the tenant's portion of the rental payment, rental assistance cannot be provided 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. Rental assistance may not be provided 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.
- (d) **Rent restrictions.**
- (1) Rental assistance cannot be provided unless the rent does not exceed the Fair Market Rent established by HUD, as provided under 24 CFR part 888, and complies with HUD's standard of rent reasonableness, as established under 24CFR 982.507.
 - (2) For purposes of calculating rent under this section, the rent shall equal the sum of the total monthly rent for the unit, any fees required for occupancy under the lease (other than late fees and pet fees) and, if the tenant pays separately for utilities, the monthly allowance for utilities (excluding telephone) established by the public housing authority for the area in which the housing is located.
- (e) **Rental assistance agreement.** The subrecipient may make rental assistance payments only to an owner with whom the subrecipient has entered into a rental assistance agreement. The rental assistance agreement must set forth the terms under which rental assistance will be provided, including the requirements that apply under this section. The rental assistance agreement must provide that, during the term of the agreement, the owner must give the subrecipient a copy of any notice to the program participant to vacate the housing unit, or any complaint used under state or local law to commence an eviction action against the program participant.

- (f) **Late payments.** The subrecipient must make timely payments to each owner in accordance with the rental assistance agreement. The rental assistance agreement must contain the same payment due date, grace period, and late payment penalty requirements as the program participant's lease. The subrecipient is solely responsible for paying late payment penalties that it incurs with non-ESG funds.
- (g) **Lease.** Each program participant receiving rental assistance must have a legally binding, written lease for the rental unit, unless the assistance is solely for rental arrears. The lease must be between the owner and the program participant. Where the assistance is solely for rental arrears, an oral agreement may be accepted in place of a written lease, if the agreement gives the program participant an enforceable leasehold interest under state law and the agreement and rent owed are sufficiently documented by the owner's financial records, rent ledgers, or canceled checks. For program participants living in housing with project-based rental assistance under paragraph (i) of this section, the lease must have an initial term of one year.
- (h) **Tenant-based rental assistance.**
 - (1) 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.
 - (2) The subrecipient may require that all program participants live within a particular area for the period in which the rental assistance is provided.
 - (3) 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.
- (i) **Project-based rental assistance.** If the subrecipient identifies a permanent housing unit that meets ESG requirements and becomes available before a program participant is identified to lease the unit, the subrecipient may enter into a rental assistance agreement with the owner to reserve the unit and subsidize its rent in accordance with the following requirements:
 - (1) The rental assistance agreement may cover one or more permanent housing units in the same building. Each unit covered by the rental assistance agreement ("assisted unit") may only be occupied by program participants, except as provided under paragraph (i)(4) of this section.
 - (2) The subrecipient may pay up to 100 percent of the first month's rent, provided that a program participant signs a lease and moves into the unit before the end of the month for which the first month's rent is paid. The rent paid before a program participant moves into the unit must not exceed the rent to be charged under the program participant's lease and must be included when determining that program participant's total rental assistance.
 - (3) The subrecipient may make monthly rental assistance payments only for each whole or partial month an assisted unit is leased to a program participant. When a program participant moves out of an assisted unit, the subrecipient may pay the next month's rent, i.e., the first month's rent for a new program participant, as provided in paragraph (i) (2) of this section.
 - (4) The program participant's lease must not condition the term of occupancy to the provision of rental assistance payments. If the program participant is determined ineligible or reaches the maximum number of months over which rental assistance can be provided, the subrecipient or sub-subrecipient must suspend or terminate the rental assistance payments for the unit. If the payments are suspended, the individual or family may remain in the assisted unit as permitted under the lease, and the subrecipient may resume payments if the individual or family again

becomes eligible and needs further rental assistance. If the payments are terminated, the rental assistance may be transferred to another available unit in the same building, provided that the other unit meets all ESG requirements.

- (5) The rental assistance agreement must have an initial term of one year. When a new program participant moves into an assisted unit, the term of the rental assistance agreement may be extended to cover the initial term of the program participant's lease. If the program participant's lease is renewed, the rental assistance agreement may be renewed or extended, as needed, up to the maximum number of months for which the program participant remains eligible. However, under no circumstances may the subrecipient commit ESG funds to be expended beyond the expenditure deadline in § 576.203 or commit funds for a future ESG grant before the grant is awarded.

- (j) **Changes in household composition.** The limits on the assistance under this section apply to the total assistance an individual receives, either as an individual or as part of a family.

5. HMIS component.

(a) Eligible costs.

- (1) The subrecipient may use ESG funds to pay the costs of contributing data to the HMIS designated by the Continuum of Care for the area, including the costs of:
- (i) Purchasing or leasing computer hardware;
 - (ii) Purchasing software or software licenses;
 - (iii) Purchasing or leasing equipment, including telephones, fax machines, and furniture;
 - (iv) Obtaining technical support;
 - (v) Leasing office space;
 - (vi) Paying charges for electricity, gas, water, phone service, and high-speed data transmission necessary to operate or contribute data to the HMIS;
 - (vii) Paying salaries for operating HMIS, including:
 - (A) Completing data entry;
 - (B) Monitoring and reviewing data quality;
 - (C) Completing data analysis;
 - (D) Reporting to the HMIS Lead;
 - (E) Training staff on using the HMIS or comparable database; and
 - (F) Implementing and complying with HMIS requirements;
 - (viii) Paying costs of staff to travel to and attend HUD-sponsored and HUD approved training on HMIS and programs authorized by Title IV of the McKinney-Vento Homeless Assistance Act;
 - (ix) Paying staff travel costs to conduct intake; and
 - (x) Paying participation fees charged by the HMIS Lead, if the subrecipient is not the HMIS Lead. The HMIS Lead is the entity designated by the Continuum of Care to operate the area's HMIS.
- (2) If the subrecipient is the HMIS lead agency, as designated by the Continuum of Care in the most recent fiscal year Continuum of Care Homeless Assistance Grants Competition, it may also use ESG funds to pay the costs of:
- (i) Hosting and maintaining HMIS software or data;
 - (ii) Backing up, recovering, or repairing HMIS software or data;
 - (iii) Upgrading, customizing, and enhancing the HMIS;
 - (iv) Integrating and warehousing data, including development of a data warehouse for use in aggregating data from subrecipients using multiple software systems;
 - (v) Administering the system;

- (vi) Reporting to providers, the Continuum of Care, and HUD; and
 - (vii) Conducting training on using the system or a comparable database, including traveling to the training.
- (3) If the subrecipient is a victim services provider or a legal services provider, it may use ESG funds to establish and operate 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.
- (b) **General restrictions.** Activities funded under this section must comply with HUD's standards on participation, data collection, and reporting under a local HMIS.

§ 576.109 Indirect costs.

- (a) **In general.** ESG grant funds may be used to pay indirect costs in accordance with OMB Circular A-87 (2 CFR part 225), or A-122 (2 CFR part 230), as applicable.
- (b) **Allocation.** Indirect costs may be allocated to each eligible activity under § 576.101 through § 576.108, so long as that allocation is consistent with an indirect cost rate proposal developed in accordance with OMB Circular A-87 (2 CFR part 225), or A-122 (2 CFR part 230), as applicable.
- (c) **Expenditure limits.** The indirect costs charged to an activity subject to an expenditure limit under § 576.100 must be added to the direct costs charged for that activity when determining the total costs subject to the expenditure limit.

Part III—Program Requirements & Grant Administration

§ 576.400 Area-wide systems coordination requirements.

- (a) **Consultation with Continuums of Care.** The subrecipient must consult with each Continuum of Care that serves the subrecipient's State in determining 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.
- (b) **Coordination with other targeted homeless services.** The subrecipient 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 include:
- (1) Shelter Plus Care Program (24 CFR part 582);
 - (2) Supportive Housing Program (24 CFR part 583);
 - (3) Section 8 Moderate Rehabilitation Program for Single Room Occupancy Program for Homeless Individuals (24 CFR part 882);
 - (4) 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));
 - (5) 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.*));
 - (6) Grants for the Benefit of Homeless Individuals (section 506 of the Public Health Services Act (42 U.S.C. 290aa-5));

- (7) Healthcare for the Homeless (42 CFR part 51c);
 - (8) Programs for Runaway and Homeless Youth (Runaway and Homeless Youth Act (42 U.S.C. 5701 *et seq.*));
 - (9) 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.*));
 - (10) Services in Supportive Housing Grants (section 520A of the Public Health Service Act); Emergency Food and Shelter Program (title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331 *et seq.*));
 - (11) 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));
 - (12) (13) Homeless Veterans Reintegration Program (section 5(a)(1)) of the Homeless Veterans Comprehensive Assistance Act (38 U.S.C. 2021);
 - (13) Domiciliary Care for Homeless Veterans Program (38 U.S.C. 2043);
 - (14) VA Homeless Providers Grant and Per Diem Program (38 CFR part 61);
 - (15) Health Care for Homeless Veterans Program (38 U.S.C. 2031);
 - (16) Homeless Veterans Dental Program (38 U.S.C. 2062);
 - (17) Supportive Services for Veteran Families Program (38 CFR part 62); and
 - (18) Veteran Justice Outreach Initiative (38 U.S.C. 2031).
- (c) **System and program coordination with mainstream resources.** The subrecipient 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:
- (1) 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);
 - (2) 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);
 - (3) Supportive Housing for Persons with Disabilities (Section 811) (24 CFR part 891);
 - (4) HOME Investment Partnerships Program (24 CFR part 92);
 - (5) Temporary Assistance for Needy Families (TANF) (45 CFR parts 260–265);
 - (6) Health Center Program (42 CFR part 51c);
 - (7) State Children’s Health Insurance Program (42 CFR part 457);
 - (8) Head Start (45 CFR chapter XIII, subchapter B);
 - (9) Mental Health and Substance Abuse Block Grants (45 CFR part 96); and
 - (10) 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. The subrecipient 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.
- (e) **Written standards for providing ESG assistance.**

The subrecipient must establish and consistently apply written standards for providing ESG assistance. At a minimum these written standards must include:

- (i) Standard policies and procedures for evaluating individuals' and families' eligibility for assistance under Emergency Solutions Grant (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 rehousing 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 rehousing 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 rehousing 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.
- (f) **Participation in HMIS.** The subrecipient must ensure that data on all persons served and all activities assisted under ESG are entered into the applicable community-wide HMIS in the area in which those persons and activities are located, or a comparable database, in accordance with HUD's standards on participation, data collection, and reporting under a local HMIS. If the subrecipient is a victim service provider or a legal services provider, it must 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. Subgrantee organizations will be required to submit monthly data quality reports to ensure compliance with this provision.

§ 576.401 Evaluation of program participant eligibility and needs.

- (a) **Evaluations.** The subrecipient must conduct an initial evaluation to determine the eligibility of each individual or family's eligibility for ESG assistance and the amount and types of assistance the individual or family needs to regain stability in permanent housing. These evaluations must be conducted in accordance with the centralized or coordinated assessment requirements set forth under § 576.400(d) and the written standards established under § 576.400(e).
- (b) **Re-evaluations for homelessness prevention and rapid re-housing assistance.**

- (1) The subrecipient must re-evaluate the program participant's eligibility and the types and amounts of assistance the program participant needs not less than once every 3 months for program participants receiving homelessness prevention assistance, and not less than once annually for program participants receiving rapid re-housing assistance. At a minimum, each re-evaluation of eligibility must establish that:
 - (i) The program participant does not have an annual income that exceeds 30 percent of median family income for the area, as determined by HUD; and
 - (ii) The program participant lacks sufficient resources and support networks necessary to retain housing without ESG assistance.
 - (2) The subrecipient may require each program participant receiving homelessness prevention or rapid re-housing assistance to notify the subrecipient regarding changes in the program participant's income or other circumstances (e.g., changes in household composition) that affect the program participant's need for assistance under ESG. When notified of a relevant change, the subrecipient must re-evaluate the program participant's eligibility and the amount and types of assistance the program participant needs.
- (c) **Annual income.** When determining the annual income of an individual or family, the must use the standard for calculating annual income under 24 CFR 5.609 as follows:
- a. Annual income means all amounts, monetary or not, which:
 - (1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or
 - (2) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
 - (3) Which are not specifically excluded in paragraph (c) of this section.
 - (4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.
 - b. Annual income includes, but is not limited to:
 - (1) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
 - (2) The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;
 - (3) Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in paragraph (b)(2) of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD;
 - (4) The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the

- delayed start of a periodic amount (except as provided in paragraph (c)(14) of this section);
- (5) Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (except as provided in paragraph (c)(3) of this section);
 - (6) Welfare assistance payments.
 - (i) Welfare assistance payments made under the Temporary Assistance for Needy Families (TANF) program are included in annual income only to the extent such payments:
 - (A) Qualify as assistance under the TANF program definition at 45 CFR 260.31; and
 - (B) Are not otherwise excluded under paragraph (c) of this section.
 - (ii) If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of:
 - (A) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
 - (B) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage.
 - (7) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling;
 - (8) All regular pay, special pay and allowances of a member of the Armed Forces (except as provided in paragraph (c)(7) of this section).
 - (9) For section 8 programs only and as provided in 24 CFR 5.612, any financial assistance, in excess of amounts received for tuition, that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or from an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except that financial assistance described in this paragraph is not considered annual income for persons over the age of 23 with dependent children. For purposes of this paragraph, financial assistance does not include loan proceeds for the purpose of determining income.
- c. Annual income does not include the following:
- (1) Income from employment of children (including foster children) under the age of 18 years;
 - (2) Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);
 - (3) Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (except as provided in paragraph (b)(5) of this section);
 - (4) Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
 - (5) Income of a live-in aide, as defined in ? 5.403;
 - (6) Subject to paragraph (b)(9) of this section, the full amount of student financial assistance paid directly to the student or to the educational institution;
 - (7) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;

- (8) (i-v)
 - i. Amounts received under training programs funded by HUD;
 - ii. Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
 - iii. Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;
 - iv. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the PHA's governing board. No resident may receive more than one such stipend during the same period of time;
 - v. Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program;
- (9) Temporary, nonrecurring or sporadic income (including gifts);
- (10) Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
- (11) Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
- (12) Adoption assistance payments in excess of \$480 per adopted child;
- (13) [Reserved]
- (14) Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts.
- (15) Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;
- (16) Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or
- (17) Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply. A notice will be published in the Federal Register and distributed to PHAs and housing owners identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary.
- d. Annualization of income. If it is not feasible to anticipate a level of income over a 12-month period (e.g., seasonal or cyclic income), or the subrecipient believes that past income is the best available indicator of expected future income, the subrecipient may annualize the income anticipated for a shorter period, subject to a redetermination at the end of the shorter period.

(d) **Connecting program participants to mainstream and other resources.** The subrecipient and its must assist each program participant, as needed, to obtain:

- (1) Appropriate supportive services, including assistance in obtaining permanent housing, medical health treatment, mental health treatment, counseling, supervision, and other services essential for achieving independent living; and
- (2) Other Federal, State, local, and private assistance available to assist the program participant in obtaining housing stability, including:
 - (iii) Medicaid (42 CFR chapter IV, subchapter C);
 - (iv) Supplemental Nutrition Assistance Program (7 CFR parts 271–283);
 - (v) Women, Infants and Children (WIC) (7 CFR part 246);
 - (vi) Federal-State Unemployment Insurance Program (20 CFR parts 601–603, 606, 609, 614–617, 625, 640, 650);
 - (vii) Social Security Disability Insurance (SSDI) (20 CFR part 404);
 - (viii) Supplemental Security Income (SSI) (20 CFR part 416);
 - (ix) Child and Adult Care Food Program (42 U.S.C. 1766(t) (7 CFR part 226));
 - (x) Other assistance available under the programs listed in § 576.400(c).

(e) Housing stability case management.

- (1) While providing homelessness prevention or rapid rehousing assistance to a program participant, the subrecipient must:
 - (i) Require the program participant to meet with a case manager not less than once per month to assist the program participant in ensuring long-term housing stability; and
 - (ii) Develop a plan to assist the program participant to retain permanent housing after the ESG assistance ends, taking into account all relevant considerations, such as the program participant's current or expected income and expenses; other public or private assistance for which the program participant will be eligible and likely to receive; and the relative affordability of available housing in the area.
- (2) The subrecipient is exempt from the requirement under paragraph (e)(1)(i) of this section if the Violence Against Women Act of 1994 (42 U.S.C. 13701 *et seq.*) or the Family Violence Prevention and Services Act (42 U.S.C. 10401 *et seq.*) prohibits that subrecipient from making its shelter or housing conditional on the participant's acceptance of services.

§ 576.402 Terminating assistance.

- (a) *In general.* If a program participant violates program requirements, the subrecipient may terminate the assistance in accordance with a formal process established by the subrecipient that recognizes the rights of individuals affected. The subrecipient must exercise judgment and examine all extenuating circumstances in determining when violations warrant termination so that a program participant's assistance is terminated only in the most severe cases.
- (b) *Program participants receiving rental assistance or housing relocation and stabilization services.* To terminate rental assistance or housing relocation and stabilization services to a program participant, the required formal process, at a minimum, 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 a subordinate of that person) who made or approved the termination decision; and
 - (3) Prompt written notice of the final decision to the program participant.
- (c) *Ability to provide further assistance.* Termination under this section does not bar the subrecipient from providing further assistance at a later date to the same family or individual.

§ 576.403 Shelter and housing standards.

- (a) Lead-based paint remediation and disclosure. The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821–4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42U.S.C. 4851–4856), and implementing regulations in 24 CFR part 35, subparts A, B, H, J, K, M, and R apply to all shelters assisted under ESG program and all housing occupied by program participants.
- (b) Minimum standards for emergency shelters. Any building for which Emergency Solutions Grant (ESG) funds are used for conversion, major rehabilitation, or other renovation, 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 subrecipient may also establish standards that exceed or add to these minimum standards.
- (1) *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.
 - (2) *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. 3601 *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.
 - (3) *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.
 - (4) *Interior air quality.* Each room or space within the shelter must have a natural or mechanical means of ventilation. The interior air must be free of pollutants at a level that might threaten or harm the health of residents.
 - (5) *Water supply.* The shelter's water supply must be free of contamination.
 - (6) *Sanitary facilities.* Each program participant in the shelter must have access to sanitary facilities that are in proper operating condition, are private, and are adequate for personal cleanliness and the disposal of human waste.
 - (7) *Thermal environment.* The shelter must have any necessary heating/cooling facilities in proper operating condition.
 - (8) *Illumination and electricity.* The shelter must have adequate natural or artificial illumination to permit normal indoor activities and support health and safety. There must be sufficient electrical sources to permit the safe use of electrical appliances in the shelter.
 - (9) *Food preparation.* Food preparation areas, if any, must contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.
 - (10) *Sanitary conditions.* The shelter must be maintained in a sanitary condition.
 - (11) *Fire safety.* There must be at least one working smoke detector in each occupied unit of the shelter. Where possible, smoke detectors must be located near sleeping areas. The fire alarm system must be designed for hearing-impaired residents. All public areas of the shelter must have at least one working smoke detector. There must also be a second means of exiting the building in the event of fire or other emergency.
- (c) *Minimum standards for permanent housing.* The subrecipient cannot use ESG funds to help a program participant remain or move into housing that does not meet the minimum habitability

standards provided in this paragraph (c). The subrecipient may also establish standards that exceed or add to these minimum standards.

- (1) *Structure and materials.* The structures must be structurally sound to protect residents from the elements and not pose any threat to the health and safety of the residents.
- (2) *Space and security.* Each resident must be provided adequate space and security for themselves and their belongings. Each resident must be provided an acceptable place to sleep.
- (3) *Interior air quality.* Each room or space must have a natural or mechanical means of ventilation. The interior air must be free of pollutants at a level that might threaten or harm the health of residents.
- (4) *Water supply.* The water supply must be free from contamination.
- (5) *Sanitary facilities.* Residents must have access to sufficient sanitary facilities that are in proper operating condition, are private, and are adequate for personal cleanliness and the disposal of human waste.
- (6) *Thermal environment.* The housing must have any necessary heating/cooling facilities in proper operating condition.
- (7) *Illumination and electricity.* The structure must have adequate natural or artificial illumination to permit normal indoor activities and support health and safety. There must be sufficient electrical sources to permit the safe use of electrical appliances in the structure.
- (8) *Food preparation.* All food preparation areas must contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.
- (9) *Sanitary conditions.* The housing must be maintained in a sanitary condition.
- (10) *Fire safety*
 - (i) There must be a second means of exiting the building in the event of fire or other emergency.
 - (ii) Each unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each occupied level of the unit. Smoke detectors must be located, to the extent practicable, in a hallway adjacent to a bedroom. If the unit is occupied by hearing impaired persons, smoke detectors must have an alarm system designed for hearing-impaired persons in each bedroom occupied by a hearing-impaired person.
 - (iii) The public areas of all housing must be equipped with a sufficient number, but not less than one for each area, of battery-operated or hard-wired smoke detectors. Public areas include, but are not limited to, laundry rooms, community rooms, day care centers, hallways, stairwells, and other common areas.

§ 576.404 Conflicts of interest.

- (a) *Organizational conflicts of interest.* The provision of any type or amount of ESG assistance may not be conditioned on an individual's or family's acceptance or occupancy of emergency shelter or housing owned by the subrecipient, or a parent or subsidiary of the subrecipient. No subrecipient may, with respect to individuals or families occupying housing owned by the subrecipient, or any parent or subsidiary of the subrecipient, carry out the initial evaluation required under § 576.401 or administer homelessness prevention assistance under § 576.103.
- (b) *Individual conflicts of interest.* For the procurement of goods and services, the subrecipient and must comply with the codes of conduct and conflict of interest requirements under 24 CFR 85.36 (for governments) and 24 CFR 84.42 (for private nonprofit organizations). For all other transactions and activities, the following restrictions apply:

- (1) *Conflicts prohibited.* No person described in paragraph (b)(2) of this section who exercises or has exercised any functions or responsibilities with respect to activities assisted under the ESG program, or who is in a position to participate in a decision-making process or gain inside information with regard to activities assisted under the program, may obtain a financial interest or benefit from an assisted activity; have a financial interest in any contract, subcontract, or agreement with respect to an assisted activity; or have a financial interest in the proceeds derived from an assisted activity, either for him or herself or for those with whom he or she has family or business ties, during his or her tenure or during the one-year period following his or her tenure.
- (2) *Persons covered.* The conflict-of-interest provisions of paragraph (b)(1) of this section apply to any person who is an employee, agent, consultant, officer, or elected or appointed official of the subrecipient.
- (3) *Exceptions.* Upon the written request of the subrecipient, HUD may grant an exception to the provisions of this subsection on a case-by-case basis, taking into account the cumulative effects of the criteria in paragraph (b)(3)(ii) of this section, provided that the subrecipient has satisfactorily met the threshold requirements of paragraph (b)(3)(i) of this section.
 - i. *Threshold requirements.* HUD will consider an exception only after the subrecipient has provided the following documentation:
 - (A) If the subrecipient is a government, disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and
 - (B) An opinion of the subrecipient's attorney that the interest for which the exception is sought would not violate state or local law.
 - ii. *Factors to be considered for exceptions.* In determining whether to grant a requested exception after the subrecipient has satisfactorily met the threshold requirements under paragraph (b)(3)(i) of this section, HUD must conclude that the exception will serve to further the purposes of the ESG program and the effective and efficient administration of the subrecipient's program or project, taking into account the cumulative effect of the following factors, as applicable:
 - (A) Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available;
 - (B) Whether an opportunity was provided for open competitive bidding or negotiation;
 - (C) Whether the affected person has withdrawn from his or her functions, responsibilities or the decision-making process with respect to the specific activity in question;
 - (D) Whether the interest or benefit was present before the affected person was in the position described in paragraph (b)(1) of this section;
 - (E) Whether undue hardship results to the subrecipient, or the person affected, when weighed against the public interest served by avoiding the prohibited conflict; and
 - (F) Any other relevant considerations.
- (c) *Contractors.* All contractors of the subrecipient must comply with the same requirements that apply to subrecipients under this section.

§ 576.405 Homeless participation.

- (a) The subrecipient must provide for the participation of not less than one homeless individual or formerly homeless individual on the board of directors or other equivalent policymaking entity of

the subrecipient, to the extent that the entity considers and makes policies and decisions regarding any facilities, services, or other assistance that receive funding under Emergency Solutions Grant (ESG).

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

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

§ 576.406 Faith-based activities.

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

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

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

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

(e) ESG funds may not be used for the rehabilitation of structures to the extent that those structures are used for inherently religious activities. Solutions ESG funds may be used for the rehabilitation of structures only to the extent that those structures are used for conducting eligible activities under the ESG program. Where a structure is used for both eligible and inherently religious activities, ESG funds may not exceed the cost of those portions of the rehabilitation that are attributable to eligible activities in accordance with the cost accounting requirements applicable to ESG funds. Sanctuaries, chapels, or other rooms that an ESG-funded religious

congregation uses as its principal place of worship, however, are ineligible for funded improvements under the program. Disposition of real property after the term of the grant, or any change in use of the property during the term of the grant, is subject to government-wide regulations governing real property disposition (see 24 CFR parts 84 and 85).

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

§ 576.407 Other Federal requirements.

- (a) *General.* The requirements in 24 CFR part 5, subpart A are applicable, including the nondiscrimination and equal opportunity requirements at 24 CFR 5.105(a). Section 3 of the Housing and Urban Development Act of 1968, 12 U.S.C. 1701u, and implementing regulations at 24 CFR part 135 apply, except that homeless individuals have priority over other Section 3 residents in accordance with § 576.405(c).
- (b) *Affirmative outreach.* The subrecipient must make known that use of the facilities, assistance, and services are available to all on a nondiscriminatory basis. If it is unlikely that the procedures that the subrecipient intends to use to make known the availability of the facilities, assistance, and services will to reach persons of any particular race, color, religion, sex, age, national origin, familial status, or disability who may qualify for those facilities and services, the subrecipient must establish additional procedures that ensure that those persons are made aware of the facilities, assistance, and services. The subrecipient must take appropriate steps to ensure effective communication with persons with disabilities including, but not limited to, adopting procedures that will make available to interested persons information concerning the location of assistance, services, and facilities that are accessible to persons with disabilities. Consistent with Title VI and Executive Order 13166, subrecipients are also required to take reasonable steps to ensure meaningful access to programs and activities for limited English proficiency (LEP) persons.
- (c) *Uniform Administrative Requirements.* The requirements of 24 CFR part 85 apply to the subrecipient that are units of general purpose local government, except that 24 CFR 85.24 and 85.42 do not apply, and program income is to be used as match under 24 CFR 85.25(g). The requirements of 24 CFR part 84 apply to subsubrecipients that are private nonprofit organizations, except that 24 CFR 84.23 and 84.53 do not apply, and program income is to be used as the nonfederal share under 24 CFR 84.24(b). These regulations include allowable costs and non-Federal audit requirements.
- (d) *Environmental review responsibilities*
 - (1) Activities under this part are subject to environmental review by HUD under 24 CFR part 50. The subrecipient shall supply all available, relevant information necessary for HUD to perform for each property any environmental review required by 24 CFR part 50. The subrecipient also shall carry out mitigating measures required by HUD or select alternate eligible property. HUD may eliminate from consideration any application that would require an Environmental Impact Statement (EIS).
 - (2) The subrecipient, or any contractor of the subrecipient, may not acquire, rehabilitate, convert, lease, repair, dispose of, demolish, or construct property for a project under this part, or commit or expend HUD or local funds for eligible activities under this part,

until HUD has performed an environmental review under 24 CFR part 50 and the subrecipient has received HUD approval of the property.

- (e) *Davis-Bacon Act*. The provisions of the Davis-Bacon Act (40 U.S.C. 276a to 276a–5) do not apply to the ESG program.
- (f) *Procurement of Recovered Materials*. The subrecipient and its contractors must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

§ 576.408 Displacement, relocation, and acquisition.

- (a) *Minimizing displacement*. Consistent with the other goals and objectives of Emergency Solutions Grant (ESG), the subrecipient must assure that they have taken all reasonable steps to minimize the displacement of persons (families, individuals, businesses, nonprofit organizations, and farms) as a result of a project assisted under Emergency Solutions Grant (ESG).
- (b) *Temporary relocation not permitted*. No tenant-occupant of housing (a dwelling unit) that is converted into an emergency shelter may be required to relocate temporarily for a project assisted with ESG funds, or be required to move to another unit in the same building/complex. When a tenant moves for a project assisted with ESG funds under conditions that trigger the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), 42 U.S.C. 4601–4655, as described in paragraph (c) of this section, the tenant should be treated as permanently displaced and offered relocation assistance and payments consistent with that paragraph.
- (c) *Relocation assistance for displaced persons*.
 - (1) *In general*. A displaced person (defined in paragraph (c)(2) of this section) must be provided relocation assistance at the levels described in, and in accordance with, the URA and 49 CFR part 24. A displaced person must be advised of his or her rights under the Fair Housing Act (42 U.S.C. 3601 *et seq.*). Whenever possible, minority persons shall be given reasonable opportunities to relocate to comparable and suitable decent, safe, and sanitary replacement dwellings, not located in an area of minority concentration, that are within their financial means. This policy, however, does not require providing a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling. (See 49 CFR 24.205(c)(2)(ii)(D).) As required by Section 504 of the Rehabilitation Act (29 U.S.C. 794) and 49 CFR part 24, replacement dwellings must also contain the accessibility features needed by displaced persons with disabilities.
 - (2) *Displaced Person*.
 - (i) For purposes of paragraph (c) of this section, the term “displaced person” means any person (family, individual, business, nonprofit organization, or farm,

including any corporation, partnership, or association) that moves from real property, or moves personal property from real property, permanently, as a direct result of acquisition, rehabilitation, or demolition for a project assisted under the ESG program. This includes any permanent, involuntary move for an assisted project, including any permanent move from the real property that is made:

- (A) After the owner (or person in control of the site) issues a notice to move permanently from the property or refuses to renew an expiring lease, if the move occurs on or after:
 - I. The date of the submission by the subrecipient (, as applicable) of an application for assistance to HUD (or the subrecipient, as applicable) that is later approved and funded if the subrecipient (, as applicable) has site control as evidenced by a deed, sales contract, or option contract to acquire the property; or
 - II. The date on which the subrecipient (, as applicable) selects the applicable site, if the subrecipient (, as applicable) does not have site control at the time of the application, provided that the subrecipient (, as applicable) eventually obtains control over the site;
 - (B) Before the date described in paragraph (c)(2)(i)(A) of this section, if the subrecipient or HUD determines that the displacement resulted directly from acquisition, rehabilitation, or demolition for the project; or
 - (C) By a tenant-occupant of a dwelling unit and the tenant moves after execution of the agreement covering the acquisition, rehabilitation, or demolition of the property for the project.
- (ii) Notwithstanding paragraph (c)(2)(i) of this section, a person does not qualify as a displaced person if:
- (A) The person has been evicted for cause based upon a serious or repeated violation of the terms and conditions of the lease or occupancy agreement; violation of applicable Federal, State or local law, or other good cause; and the subrecipient determines that the eviction was not undertaken for the purpose of evading the obligation to provide relocation assistance.
 - (B) The person moved into the property after the submission of the application but, before signing a lease and commencing occupancy, was provided written notice of the project, its possible impact on the person (*e.g.*, the person may be displaced), and the fact that the person would not qualify as a “displaced person” (or for any assistance under this section) as a result of the project;
 - (C) The person is ineligible under 49 CFR 24.2(a)(9)(ii); or
 - (D) HUD determines that the person was not displaced as a direct result of acquisition, rehabilitation, or demolition for the project.
- (iii) The subrecipient may, at any time, request that HUD to determine whether a displacement is or would be covered by this rule.
- (3) *Initiation of negotiations.* For purposes of determining the type of replacement housing payment assistance to be provided to a displaced person pursuant to this section:
- (i) If the displacement is the direct result of privately undertaken rehabilitation, demolition, or acquisition of the real property, “initiation of negotiations” means the execution of the agreement between the subrecipient and the person owning or controlling the property;

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

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

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

Subpart F—Grant Administration

§ 576.500 Recordkeeping and reporting requirements.

- (a) *In general.* The subrecipient must have policies and procedures to ensure the requirements of this part are met. The policies and procedures must be established in writing and implemented by the subrecipient to ensure that ESG funds are used in accordance with the requirements. In addition, sufficient records must be established and maintained to enable the subrecipient and HUD to determine whether ESG requirements are being met.
- (b) *Homeless status.* The subrecipient must maintain and follow written intake procedures to ensure compliance with the homeless definition in § 576.2. The procedures must require documentation at intake of the evidence relied upon to establish and verify homeless status. The procedures must establish the order of priority for obtaining evidence as third-party documentation first, intake worker observations second, and certification from the person seeking assistance third. However, lack of third-party documentation must not prevent an individual or family from being immediately admitted to emergency shelter, receiving street outreach services, or being immediately admitted to shelter or receiving services provided by a victim service provider. Records contained in an HMIS or comparable database used by victim service or legal service providers are acceptable evidence of third-party documentation and intake worker observations if the HMIS retains an auditable history of all entries, including the person who entered the data, the date of entry, and the change made; and if the HMIS prevents overrides or changes of the dates on which entries are made.
 - (1) If the individual or family qualifies as homeless under paragraph (1)(i) or (ii) of the homeless definition in § 576.2, acceptable evidence includes a written observation by an outreach worker of the conditions where the individual or family was living, a written referral by another housing or service provider, or a certification by the individual or head of household seeking assistance.
 - (2) If the individual qualifies as homeless under paragraph (1)(iii) of the homeless definition in § 576.2, because he or she resided in an emergency shelter or place not meant for human habitation and is exiting an institution where he or she resided for 90 days or less, acceptable evidence includes the evidence described in paragraph (b)(1) of this section and one of the following:

- (i) Discharge paperwork or a written or oral referral from a social worker, case manager, or other appropriate official of the institution, stating the beginning and end dates of the time residing in the institution. All oral statements must be recorded by the intake worker; or
 - (ii) Where the evidence in paragraph (b)(2)(i) of this section is not obtainable, a written record of the intake worker's due diligence in attempting to obtain the evidence described in paragraph (b)(2)(i) and a certification by the individual seeking assistance that states he or she is exiting or has just exited an institution where he or she resided for 90 days or less.
- (3) If the individual or family qualifies as homeless under paragraph (2) of the homeless definition in § 576.2, because the individual or family will imminently lose their housing, the evidence must include:
 - (i)
 - (A) A court order resulting from an eviction action that requires the individual or family to leave their residence within 14 days after the date of their application for homeless assistance; or the equivalent notice under applicable state law, a Notice to Quit, or a Notice to Terminate issued under state law;
 - (B) For individuals and families whose primary nighttime residence is a hotel or motel room not paid for by charitable organizations or federal, state, or local government programs for low-income individuals, evidence that the individual or family lacks the resources necessary to reside there for more than 14 days after the date of application for homeless assistance; or
 - (C) An oral statement by the individual or head of household that the owner or renter of the housing in which they currently reside will not allow them to stay for more than 14 days after the date of application for homeless assistance. The intake worker must record the statement and certify that it was found credible. To be found credible, the oral statement must either:
 - I. be verified by the owner or renter of the housing in which the individual or family resides at the time of application for homeless assistance and documented by a written certification by the owner or renter or by the intake worker's recording of the owner or renter's oral statement; or
 - II. if the intake worker is unable to contact the owner or renter, be documented by a written certification by the intake worker of his or her due diligence in attempting to obtain the owner or renter's verification and the written certification by the individual or head of household seeking assistance that his or her statement was true and complete;
 - (ii) Certification by the individual or head of household that no subsequent residence has been identified; and
 - (iii) Certification or other written documentation that the individual or family lacks the resources and support networks needed to obtain other permanent housing.
- (4) If the individual or family qualifies as homeless under paragraph (3) of the homeless definition in § 576.2, because the individual or family does not otherwise qualify as homeless under the homeless definition but is an unaccompanied youth under 25 years of age, or homeless family with one or more children or youth, and is defined as homeless under another Federal statute or section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), the evidence must include:
 - (i) For paragraph (3)(i) of the homeless definition in § 576.2, certification of homeless status by the local private nonprofit organization or state or local governmental entity responsible for administering assistance under the Runaway and Homeless Youth Act (42 U.S.C. 5701 *et seq.*), the Head Start Act (42 U.S.C. 9831 *et seq.*),

- subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e *et seq.*), section 330 of the Public Health Service Act (42 U.S.C. 254b), the Food and Nutrition Act of 2008 (7 U.S.C. 2011 *et seq.*), section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), or subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 *et seq.*), as applicable;
- (ii) For paragraph (3)(ii) of the homeless definition in § 576.2, referral by a housing or service provider, written observation by an outreach worker, or certification by the homeless individual or head of household seeking assistance;
 - (iii) For paragraph (3)(iii) of the homeless definition in § 576.2, certification by the individual or head of household and any available supporting documentation that the individual or family moved two or more times during the 60-day period immediately preceding the date of application for homeless assistance, including: recorded statements or records obtained from each owner or renter of housing, provider of shelter or housing, or social worker, case worker, or other appropriate official of a hospital or institution in which the individual or family resided; or, where these statements or records are unobtainable, a written record of the intake worker's due diligence in attempting to obtain these statements or records. Where a move was due to the individual or family fleeing domestic violence, dating violence, sexual assault, or stalking, then the intake worker may alternatively obtain a written certification from the individual or head of household seeking assistance that they were fleeing that situation and that they resided at that address; and
 - (iv) For paragraph (3)(iv) of the homeless definition in § 576.2, written diagnosis from a professional who is licensed by the state to diagnose and treat that condition (or intake staff recorded observation of disability that within 45 days of date of the application for assistance is confirmed by a professional who is licensed by the state to diagnose and treat that condition); employment records; department of corrections records; literacy, English proficiency tests; or other reasonable documentation of the conditions required under paragraph (3)(iv) of the homeless definition.
- (5) If the individual or family qualifies under paragraph (4) of the homeless definition in § 576.2, because the individual or family is fleeing domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions related to violence, then acceptable evidence includes an oral statement by the individual or head of household seeking assistance that they are fleeing that situation, that no subsequent residence has been identified and that they lack the resources or support networks, e.g. family, friends, faith-based or other social networks, needed to obtain other housing. If the individual or family is receiving shelter or services provided by a victim service provider, the oral statement must be documented by either a certification by the individual or head of household; or a certification by the intake worker. Otherwise, the oral statement that the individual or head of household seeking assistance has not identified a subsequent residence and lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain housing must be documented by a certification by the individual or head of household that the oral statement is true and complete, and, where the safety of the individual or family would not be jeopardized, the domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening condition must be verified by a written observation by the intake worker or a written referral by a housing or service provider, social worker, legal assistance provider, health-care provider, law enforcement agency, legal assistance provider, pastoral counselor, or any other organization from whom the individual or head of household has sought assistance for domestic violence, dating violence, sexual assault, or stalking. The written

referral or observation need only include the minimum amount of information necessary to document that the individual or family is fleeing, or attempting to flee domestic violence, dating violence, sexual assault, and stalking.

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

- (1) If the program participant meets the criteria under paragraph (1) of the "at risk of homelessness" definition in § 576.2:
 - (i) The documentation specified under this section for determining annual income;
 - (ii) The program participant's certification on a form specified by HUD that the program participant has insufficient financial resources and support networks; *e.g.*, family, friends, faith-based or other social networks, immediately available to attain housing stability and meets one or more of the conditions under paragraph (1)(iii) of the definition of "at risk of homelessness" in § 576.2;
 - (iii) The most reliable evidence available to show that the program participant does not have sufficient resources or support networks; *e.g.*, family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the "homeless" definition. Acceptable evidence includes:
 - (A) Source documents (*e.g.*, notice of termination from employment, unemployment compensation statement, bank statement, health-care bill showing arrears, utility bill showing arrears);
 - (B) To the extent that source documents are unobtainable, a written statement by the relevant third party (*e.g.*, former employer, public administrator, relative) or the written certification by the subrecipient's intake staff of the oral verification by the relevant third party that the applicant meets one or both of the criteria under paragraph (1)(ii) of the definition of "at risk of homelessness" in § 576.2; or
 - (C) To the extent that source documents and third-party verification are unobtainable, a written statement by the subrecipient's intake staff describing the efforts taken to obtain the required evidence; and
 - (iv) The most reliable evidence available to show that the program participant meets one or more of the conditions under paragraph (1)(iii) of the definition of "at risk of homelessness" in § 576.2. Acceptable evidence includes:
 - (A) Source documents that evidence one or more of the conditions under paragraph (1)(iii) of the definition (*e.g.*, eviction notice, notice of termination from employment, bank statement);
 - (B) To the extent that source documents are unobtainable, a written statement by the relevant third party (*e.g.*, former employer, owner, primary leaseholder, public administrator, hotel or motel manager) or the written certification by the subrecipient's intake staff of the oral verification by the relevant third party that the applicant meets one or more of the criteria under paragraph (1)(iii) of the definition of "at risk of homelessness"; or
 - (C) To the extent that source documents and third-party verification are unobtainable, a written statement by the subrecipient's intake staff that the staff person has visited the applicant's residence and determined that the applicant meets one or more of the criteria under paragraph (1)(iii) of

the definition or, if a visit is not practicable or relevant to the determination, a written statement by the subrecipient's intake staff describing the efforts taken to obtain the required evidence; or (2) If the program participant meets the criteria under paragraph (2) or (3) of the "at risk of homelessness" definition in § 576.2, certification of the child or youth's homeless status by the agency or organization responsible for administering assistance under the Runaway and Homeless Youth Act (42 U.S.C. 5701 *et seq.*), the Head Start Act (42 U.S.C. 9831 *et seq.*), subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e *et seq.*), section 330 of the Public Health Service Act (42 U.S.C. 254b), the Food and Nutrition Act of 2008 (7 U.S.C. 2011 *et seq.*), section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786) or subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 *et seq.*), as applicable.

- (D) *Determinations of ineligibility.* For each individual and family determined ineligible to receive Emergency Solutions Grant (ESG) assistance, the record must include documentation of the reason for that determination.
- (E) *Annual income.* For each program participant who receives homelessness prevention assistance, or who receives rapid re-housing assistance longer than one year, the following documentation of annual income must be maintained:
 - (1) Income evaluation form containing the minimum requirements specified by HUD and completed by the subrecipient ; and
 - (2) Source documents for the assets held by the program participant and income received over the most recent period for which representative data is available before the date of the evaluation (*e.g.*, wage statement, unemployment compensation statement, public benefits statement, bank statement);
 - (3) To the extent that source documents are unobtainable, a written statement by the relevant third party (*e.g.*, employer, government benefits administrator) or the written certification by the subrecipient's intake staff of the oral verification by the relevant third party of the income the program participant received over the most recent period for which representative data is available; or
 - (4) To the extent that source documents and third party verification are unobtainable, the written certification by the program participant of the amount of income the program participant received for the most recent period representative of the income that the program participant is reasonably expected to receive over the 3-month period following the evaluation.
- (F) *Program participant records.* In addition to evidence of homeless status or "at risk of homelessness" status, as applicable, records must be kept for each program participant that document:
 - (1) The services and assistance provided to that program participant, including, as applicable, the security deposit, rental assistance, and utility payments made on behalf of the program participant;
 - (2) Compliance with the applicable requirements for providing services and assistance to that program participant under the program components and eligible activities provisions at § 576.101 through § 576.106, the provision on determining eligibility and amount and type

- of assistance at § 576.401(a) and (b), and the provision on using appropriate assistance and services at § 576.401(d) and (e); and
- (3) Where applicable, compliance with the termination of assistance requirement in § 576.402.
- (G) *Centralized or coordinated assessment systems and procedures.* The subrecipient must keep documentation evidencing the use of, and written intake procedures for, the centralized or coordinated assessment system(s) developed by the Continuum of Care(s) in accordance with the requirements established by HUD.
- (H) *Rental assistance agreements and payments.* The records must include copies of all leases and rental assistance agreements for the provision of rental assistance, documentation of payments made to owners for the provision of rental assistance, and supporting documentation for these payments, including dates of occupancy by program participants.
- (I) *Utility allowance.* The records must document the monthly allowance for utilities (excluding telephone) used to determine compliance with the rent restriction.
- (J) *Shelter and housing standards.* The records must include documentation of compliance with the shelter and housing standards in § 576.403, including inspection reports.
- (K) *Emergency shelter facilities.* The subrecipient must keep records of the emergency shelters assisted under the ESG program, including the amount and type of assistance provided to each emergency shelter. As applicable, the subrecipient's records must also include documentation of the value of the building before the rehabilitation of an existing emergency shelter or after the conversion of a building into an emergency shelter and copies of the recorded deed or use restrictions.
- (L) *Services and assistance provided.* The subrecipient must keep records of the types of essential services, rental assistance, and housing stabilization and relocation services provided under the subrecipient's program and the amounts spent on these services and assistance. The subrecipient that are units of general purpose local government must keep records to demonstrate compliance with the maintenance of effort requirement, including records of the unit of the general purpose local government's annual budgets and sources of funding for street outreach and emergency shelter services.
- (M) *Coordination with Continuum(s) of Care and other programs.* The subrecipient must document their compliance with the requirements of § 576.400 for consulting with the Continuum(s) of Care and coordinating and integrating ESG assistance with programs targeted toward homeless people and mainstream service and assistance programs.
- (N) *HMIS.* The subrecipient must keep records of the participation in HMIS or a comparable database by all projects of the subrecipient.
- (O) *Matching.* The subrecipient must keep records of the source and use of contributions made to satisfy the matching requirement in § 576.201. The records must indicate the particular fiscal year grant for which each matching contribution is counted. The records must show how the value placed on third-party, noncash contributions was derived. To the extent feasible, volunteer services must be supported by the same methods that the organization uses to support the allocation of regular personnel costs.

- (P) *Conflicts of interest.* The subrecipient must keep records to show compliance with the organizational conflicts-of-interest requirements in § 576.404(a), a copy of the personal conflicts of interest policy or codes of conduct developed and implemented to comply with the requirements in § 576.404(b), and records supporting exceptions to the personal conflicts of interest prohibitions.
- (Q) *Homeless participation.* The subrecipient must document its compliance with the homeless participation requirements under § 576.405.
- (R) *Faith-based activities.* The subrecipient must document their compliance with the faith-based activities requirements under § 576.406.
- (S) *Other Federal requirements.* The subrecipient must document their compliance with the Federal requirements in § 576.407, as applicable, including:
 - (1) Records demonstrating compliance with the nondiscrimination and equal opportunity requirements under § 576.407(a), including data concerning race, ethnicity, disability status, sex, and family characteristics of persons and households who are applicants for, or program participants in, any program or activity funded in whole or in part with ESG funds and the affirmative outreach requirements in § 576.407(b).
 - (2) Records demonstrating compliance with the uniform administrative requirements in 24 CFR part 85 (for governments) and 24 CFR part 84 (for nonprofit organizations).
 - (3) Records demonstrating compliance with the environmental review requirements, including flood insurance requirements.
 - (4) Certifications and disclosure forms required under the lobbying and disclosure requirements in 24 CFR part 87.
- (T) *Relocation.* The records must include documentation of compliance with the displacement, relocation, and acquisition requirements in § 576.408.
- (U) *Financial records.*
 - (1) The subrecipient must retain supporting documentation for all costs charged to the ESG grant.
 - (2) The subrecipient must keep documentation showing that ESG grant funds were spent on allowable costs in accordance with the requirements for eligible activities under § 576.101-§ 576.109 and the cost principles in OMB Circulars A-87 (2 CFR part 225) and A-122 (2 CFR part 230).
 - (3) The subrecipient must retain records of the receipt and use of program income.
 - (4) The subrecipient must keep documentation of compliance with the expenditure limits in § 576.100 and the expenditure deadline in § 576.203.
- (V) *Contractors*
 - (1) The subrecipient must retain copies of all solicitations of and agreements with contractors, records of all payment requests by and dates of payments made to contractors, and documentation of all monitoring and sanctions of contractors, as applicable.
 - (2) The subrecipient must retain copies of all procurement contracts and documentation of compliance with the procurement requirements in 24 CFR 85.36 and 24 CFR 84.40-84.48.

- (3) The subrecipient must ensure that its contractors comply with the recordkeeping requirements specified by the subrecipient and HUD notice or regulations.
- (W) *Other records specified by HUD.* The subrecipient must keep other records specified by HUD.
- (X) *Confidentiality*
 - (1) The subrecipient must develop and implement written procedures to ensure:
 - (i) All records containing personally identifying information (as defined in HUD's standards for participation, data collection, and reporting in a local HMIS) of any individual or family who applies for and/or receives ESG assistance will be kept secure and confidential;
 - (ii) The address or location of any domestic violence, dating violence, sexual assault, or stalking shelter project assisted under the ESG will not be made public, except with written authorization of the person responsible for the operation of the shelter; and
 - (iii) The address or location of any housing of a program participant will not be made public, except as provided under a preexisting privacy policy of the subrecipient and consistent with state and local laws regarding privacy and obligations of confidentiality.
 - (2) The confidentiality procedures of the subrecipient must be in writing and must be maintained in accordance with this section.
- (Y) *Period of record retention.* All records pertaining to each fiscal year of ESG funds must be retained for the greater of 5 years or the period specified below. Copies made by microfilming, photocopying, or similar methods may be substituted for the original records.
 - (1) Documentation of each program participant's qualification as a family or individual at risk of homelessness or as a homeless family or individual and other program participant records must be retained for 5 years after the expenditure of all funds from the grant under which the program participant was served;
 - (2) Where ESG funds are used for the renovation of an emergency shelter involves costs charged to the ESG grant that exceed 75 percent of the value of the building before renovation, records must be retained until 10 years after the date that ESG funds are first obligated for the renovation; and
 - (3) Where ESG funds are used to convert a building into an emergency shelter and the costs charged to the ESG grant for the conversion exceed 75 percent of the value of the building after conversion, records must be retained until 10 years after the date that ESG funds are first obligated for the conversion.
- (Z) *Access to records.*
 - (1) *Federal government rights.* Notwithstanding the confidentiality procedures established under paragraph (w) of this section, HUD, the HUD Office of the Inspector General, and the Comptroller General of the United States, or any of their authorized representatives, must have the right of access to all books, documents, papers, or other records of the subrecipient that are pertinent to the ESG grant, in

order to make audits, examinations, excerpts, and transcripts. These rights of access are not limited to the required retention period but last as long as the records are retained.

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

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

§ 576.501 Enforcement.

(a) Performance reviews.

- (1) HUD will review the performance of each subrecipient in carrying out its responsibilities under this part whenever determined necessary by HUD, but at least annually. In conducting performance reviews, HUD will rely primarily on information obtained from the records and reports from the subrecipient and as well as information from onsite monitoring, audit reports, and information from IDIS and HMIS. Where applicable, HUD may also consider reliant information pertaining to the subrecipient's performance gained from other sources, including citizen comments, complaint determinations, and litigation. Reviews to determine compliance with specific requirements of this part will be conducted as necessary, with or without prior notice to the subrecipient.
- (2) If HUD determines preliminarily that the subrecipient or one of its subsubrecipients has not complied with an ESG program requirement, HUD will give the subrecipient notice of this determination and an opportunity to demonstrate, within the time prescribed by HUD and on the basis of substantial facts and data, that the subrecipient has complied with Emergency Solutions Grant (ESG) requirements. HUD may change the method of payment to require the subrecipient to obtain HUD's prior approval each time the subrecipient draws down Emergency Solutions Grant (ESG) funds. To obtain prior approval, the subrecipient may be required to manually submit its payment requests and supporting documentation to HUD in order to show that the funds to be drawn down will be expended on eligible activities in accordance with all ESG program requirements.
- (3) If the subrecipient fails to demonstrate to HUD's satisfaction that the activities were carried out in compliance with ESG program requirements, HUD will take one or more of the remedial actions or sanctions specified in paragraph of this section.

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

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

- (i) Preparing and following a schedule of actions for carrying out activities affected by the noncompliance, including schedules, timetables, and milestones necessary to implement the affected activities;
 - (ii) Establishing and following a management plan that assigns responsibilities for carrying out the remedial actions;
 - (iii) Canceling or revising activities likely to be affected by the noncompliance, before expending ESG funds for the activities;
 - (iv) Reprogramming ESG funds that have not yet been expended from affected activities to other eligible activities;
 - (v) Suspending disbursement of ESG funds for some or all activities;
 - (vi) Reducing or terminating the remaining grant of a subrecipient and reallocating those funds to other subrecipients; and
 - (vii) Making matching contributions before or as draws are made from the subrecipient's ESG grant.
- (2) HUD may change the method of payment to a reimbursement basis.
 - (3) HUD may suspend payments to the extent HUD deems it necessary to preclude the further expenditure of funds for affected activities.
 - (4) HUD may remove the subrecipient from participation in reallocations of funds under subpart D of this part.
 - (5) HUD may deny matching credit for all or part of the cost of the affected activities and require the subrecipient to make further matching contributions to make up for the contribution determined to be ineligible.
 - (6) HUD may require the subrecipient to reimburse its line of credit in an amount equal to the funds used for the affected activities.
 - (7) HUD may reduce or terminate the remaining grant of a subrecipient and reallocate those funds to other subrecipients in accordance with subpart D of this part.
 - (8) HUD may condition a future grant.
 - (9) HUD may take other remedies that are legally available.

(c) *Subrecipient sanctions.* If the subrecipient determines that a subrecipient is not complying with an ESG program requirement or its subgrantee agreement, the subrecipient must take appropriate actions, as prescribed for HUD in paragraphs (a) and (b) of this section. If the subrecipient is a State and funds become available as a result of an action under this section, the subrecipient must reallocate those funds to other subrecipients as soon as practicable. If the subrecipient is a unit of general purpose local government of territory, it must either reallocate those funds to other subrecipients or reprogram the funds for other activities to be carried out by the subrecipient as soon as practicable. The subrecipient must amend its Consolidated Plan in accordance with its citizenship participation plan if funds become available and are reallocated or reprogrammed under this section. The reallocated or reprogrammed funds must be used by the expenditure deadline in § 576.203. Dated: November 9, 2011.

PART II:APPLICATION COMPONENTS

OEO forms must be used. Do not alter OEO forms unless the form indicates that it can be modified. Applications must be organized in the following order:

- 1. Applicant Overview
- 2. Identification of Funding Sources & Past Performance
- 3. Statement of Need

4. Agency Outcome Measures / Planned Accomplishments & National Objectives and Outcomes (Planned Accomplishments Form and Accomplishments Analysis Form, as applicable)
5. Local Capacity and Timetable
6. Project Activity Detail/Justification
7. Project Budget/Match
8. Current Fidelity Bond
9. Most Recent Certified Independent Audit, if required
10. Assurances, Certifications, Current Board Roster, and Supporting Documentation

Please include forms and attachments in the application sections specified by the RFA.

Each section must begin on a separate page and be appropriately labeled.

An original unbound and three (3) bound copies of the application must be submitted to the OEO by the application due date. The original and copies should have tabs to mark each requirement in "A" above.

At the discretion of the OEO, a grant may not be awarded to an emergency shelter which has a serious, outstanding audit or monitoring finding involving the potential for significant monetary restitution, non-responsiveness, or non-responsible performance on any previously funded ESG grant.

**PY 2014 Emergency Solutions Grant
Application Cover Page**

DATE:	
Organization Name:	
Organization Street Address:	
Street City/State/ZIP:	
Organization Mailing Address	
Mailing City/State/ZIP	
Executive Director/Title	
Contact Person/Title:	
Telephone Number:	
Fax Number:	
Email Address:	
Federal Employer I.D. #:	
DUNS # (required):	
CCR Cage #	
Applicant's Fiscal Year:	
Board Chair Name	
Board Chair Mailing Address City/State/ZIP	
AMOUNT OF FUNDS REQUESTED:	

Name:	2014 ESG Funding Requested	
Address:	2014 Matching Funds	
	2014 Total Application Budget	
	2013 ESG Funding Granted	

BLOCK II. Signatures of Individuals Authorized to draw on the Request for Reimbursement and Sign Checks

A. Please Type or Print	B. Please Type or Print
Name: _____	Name: _____
Title: _____	Title: _____
Phone Number: _____	Phone Number: _____
Email Address: _____	Email Address: _____
Signature: _____	Signature: _____
C. Please Type or Print	D. Please Type or Print
Name: _____	Name: _____
Title: _____	Title: _____
Phone Number: _____	Phone Number: _____
Email Address: _____	Email Address: _____
Signature: _____	Signature: _____

BLOCK III. Administering Agency Contact

☐ Local Government
 ☐ Non-Profit
 ☐ Faith-based Non-Profit

Name: _____
 Title: _____
 Agency: _____
 Address: _____
 Phone: _____ Email: _____
 Signature: _____

BLOCK IV. Mail Checks To:

Agency Name: _____
 Mailing Address: _____

BLOCK V. Other Contacts (If the person to complete Requests for Reimbursement is not otherwise listed on this form, please provide their contact information here.)

Name: _____
 Phone: _____
 Email: _____

BLOCK VI. Executive Director Form Approval

I certify that the signatures in Block II, A, B, C, and D are of the individuals authorized to draw payment vouchers for the Grant and sign checks.

Name: _____
 Title: _____ Executive Director
 Signature: _____

BLOCK VII. Board Form Approval

Name: _____
 Title: _____ Board Chairperson
 Mailing Address: _____
 Signature: _____

Section 1: Applicant Overview (All Applicants)

The overview should be clear and concise and include the following:

A.	Identification of the applicant organization, the exact location (physical address) of the administrative office and each funded shelter and not more than one paragraph summarizing the applicant's capability.
Admin. Office Address:	
Shelter 1 Address:	
Shelter 2 Address:	
Shelter 3 Address:	
B.	Reason(s) for the grant request.
C.	The target population, service area, the agency's/shelter's days /hours of operation, and the agency's bed capacity (as appropriate).
D.	Provide a brief narrative description of the applicant's programs and services, proposed ESG activities, and how the two relate.
E.	Applicants with projects involving rehabilitation are required to complete Section 106 Project Review Form and the Preliminary Environmental Review Checklist included in the appendices, in addition to the project narrative.

Please be very concise. The narrative should not exceed one page.

Section 2: Identification of Funding (All previously funded applicants)
--

OEO Identification of Funding Form (2/14)

(This form is intended to capture all agency funds to include State, local, private, Federal, and non-Federal)

Subgrantee Name: _____

Street Address: _____

City, State, Zip Code: _____

Counties of Agency Service Area: _____

[illegible]

Section 2: Past Performance (All previously funded applicants)

Past Performance must reflect historical expenditure data, reporting and/or monitoring issues, and outcome tracking. Use the Identification of Funding Form and Past Performance Form to complete this section. Complete forms in their entirety.

Grant Amount:	
Grant Period:	
Use of Funds	
Rehab/Conv.	
Essential Services	
Preventive	
Operations	
Total Grant Expenditures	
Discuss Reporting Issues	
Discuss Monitoring Issues	
Discuss Performance	

Grant Amount:	
Grant Period:	
Use of Funds	
Rehab/Conv.	
Essential Services	
Preventive	
Operations	
Total Grant Expenditures	
Discuss Reporting Issues	
Discuss Monitoring Issues	
Discuss Performance	

Grant Amount:	
Grant Period:	

2014 Emergency Solutions Grant Annual Action Plan

Use of Funds	
Rehab/Conv.	
Essential Services	
Preventive	
Operations	
Total Grant Expenditures	
Discuss Reporting Issues	
Discuss Monitoring Issues	
Discuss Performance	

Grant Amount:	
Grant Period:	
Use of Funds	
Rehab/Conv.	
Essential Services	
Preventive	
Operations	
Total Grant Expenditures	
Discuss Reporting Issues	
Discuss Monitoring Issues	
Discuss Performance	

Section 3: Statement of Need (Street Outreach/Shelter/Homelessness Prevention/ Rapid Re-Housing/HMIS)
--

In the statement of need, the applicant must describe, as accurately as possible, the homeless and at-risk situations as they exist in its service area. The following components must be addressed:

A. (1) Identify the target population (homeless or at-risk persons) and subpopulation if planning to serve homeless persons (for example "chronically homeless," homeless children, homeless families, homeless veterans, victims of domestic violence) that you are seeking to serve. Define your service area and include specific data on the estimated number of homeless and at-risk persons in your service area, with reference to the data sources. Describe any unique characteristics of your target population that may impact the type, manner, and scope of the services that are provided and/or needed.

(2) Describe any substantially unmet needs of homeless and at-risk persons in your service area in terms of housing and support services, particularly among your target population.

(3) Describe any other special conditions that make the homeless and at-risk problems especially difficult in your service area.

B. Describe the problems affecting your target population and/or the needs that you are seeking to address through your proposed project. Please list problems/needs in order of priority, starting with the most important need. Discuss the fit between the housing needs you have identified in your community and the specific services you propose to provide with Emergency Solutions funds.

D. Describe the organization's plan to outreach and connect with the unsheltered homeless population and persons at-risk of becoming homeless.
E. Describe how the number of individuals and families who become homeless will be reduced in the community.
F. Describe how the length of time that individuals and families remain homeless will be reduced.
G. Describe how the organization will collaborate with local education authorities to assist in the identification of individuals and families who become or remain homeless and are informed of their eligibility for services.

H. Describe the extent to which the organization will address the needs of all relevant subpopulations and the strategies that will be utilized for reducing homelessness.
I. List other shelters and resources available to assist the homeless in your service area, and for each, briefly describing the following: (Complete using the inventory facilities form)

Inventory of Facilities/Services Form

(Utilize this form to list facilities as required in Section 3, I.)

[illegible]

Section 4: Agency Outcome Measures / Planned Accomplishments & National Objectives and Outcomes
--

I. **Accomplishments Form** (planned outcomes)

Agency Outcome Measures: In accordance with Federal requirements, applicants must submit detailed documentation concerning outcome measures. Explain the types of services offered to the agency's clients beyond those specifically intended to meet the emergency needs. Outcome measures demonstrate the applicant's ability to move their clients toward self-sufficiency. For example, an outcome measure for an applicant might be the number of shelter clients placed into a transitional housing program. **Agency objectives and outcome measures to be achieved should be indicated in the narrative section of the OEO Accomplishments Form.**

A. **Planned Accomplishments & National Objectives and Outcomes:** Applicants must complete and provide the OEO Accomplishments Form in order to indicate targets for the 2014 ESG year.

- a. Identify the National Performance Measurement Objective that most accurately describes what the agency intends to accomplish by performing the activity.
 1. Suitable Living Environments: (Emergency shelters and transitional shelters for homeless persons including rehabilitation, operations and services) Activities that benefit communities, families, or individuals by addressing issues in their living environment.
 2. Decent Affordable Housing: (Homeless prevention activities) Housing activities that meet individual, family or community needs.
 3. Creating Economic Opportunities: Activities related to economic development, commercial revitalization, and job creation. (This does not include job training or educational services.)
- b. Identify the National Performance Measurement Outcome that most accurately describes what the agency intends to accomplish by performing the activity.
 1. Availability/Accessibility: (Emergency shelters and transitional shelters for homeless persons including rehabilitation, operations and services) Activities that make shelter and services available and accessible. Note that accessibility does not refer only to physical barriers.
 2. Affordability: (Homeless prevention activities) Activities that provide affordability through rent/mortgage assistance, utility assistance, and 1st month rent/security deposit assistance and landlord/tenant mediation/legal services.
 3. Sustainability: Activities that promote livable or viable communities and neighborhoods by removing slums or blighted areas.

Note: ESG Guidance: Objective / Outcome

ESG Activity	Performance Objective		Performance Outcome	
	Create Suitable Living Environments	Provide Decent Affordable Housing	Availability/Accessibility	Affordability
Shelter	X		X	
Street Outreach	X		X	
Homeless Prevention		X		X
Rapid Re-Housing		X		X

B. Self-Assessment of Outcomes

If an applicant has been previously funded, the current application for funding must include an assessment of its previously planned versus actual accomplishments submitted during the prior grant cycle. Utilize OEO's Accomplishments Analysis Form to complete this section.

Program Accomplishment Data (ESG Form 14)
EMERGENCY SHELTER (Rehabilitation, Essential, & Operations)

Please indicate the appropriate report submission with an "x"

	Planned (Application) Accomplishments April 11, 2014
	Actual Cumulative Unduplicative April 4, 2015
	Actual Cumulative Unduplicative Final by July 15, 2015

Agency Name and Physical Address.

Accomplishment Narrative:

Indicate program(s) and service(s) with an "x"

<input type="checkbox"/>	emergency shelter facilities	<input type="checkbox"/>	transitional housing
<input type="checkbox"/>	vouchers for shelters	<input type="checkbox"/>	outreach
<input type="checkbox"/>	drop-in-center	<input type="checkbox"/>	soup kitchen/meal distribution
<input type="checkbox"/>	food pantry	<input type="checkbox"/>	health care
<input type="checkbox"/>	mental health	<input type="checkbox"/>	HIV/AIDS services
<input type="checkbox"/>	alcohol/drug program	<input type="checkbox"/>	employment
<input type="checkbox"/>	child care	<input type="checkbox"/>	homeless prevention
<input type="checkbox"/>	other		

Organization Type:

<input type="checkbox"/>	Public Agency	<input type="checkbox"/>	Faith Based Non-Profit	<input type="checkbox"/>	Other Non-Profit	<input type="checkbox"/>
--------------------------	---------------	--------------------------	------------------------	--------------------------	------------------	--------------------------

ESGP Objective and Outcome (Choose one objective and one outcome)

Objective

- ☐ Create suitable living environment
☐ Provide decent affordable housing
☐ Create economic opportunities

Emergency Shelter Bed Capacity:

Transitional Shelter Bed Capacity:

Outcome

- ☐ Availability/accessibility
☐ Affordability
☐ Sustainability

SPECIAL CHARACTERISTICS--Activity Location (select all that apply):

- ☐ CDBG target area: A HUD approved Neighborhood Revitalization Strategy Area
☐ Local target area: locally designated non-CDBG strategy area targeted for assistance
☐ Disaster area: A Presidentially declared major disaster area
☐ Historic preservation: An area designated for historic preservation by local, state, or federal officials

Brownfield redevelopment: An abandoned, idled, or underused property where expansion or redevelopment is complicated by real or potential environmental contamination

Persons Served with Financial Assistance

	Total
Annual Number Adults Served	
Annual Number Children Served	
Total	

Persons Served with Non-financial Services

	Total
Annual Number Adults and Children Served	

* This number should also match annual number served by race.

2014 Emergency Solutions Grant Annual Action Plan

EMERGENCY SHELTER (Rehabilitation, Essential, & Operations)

Number Served with Financial Assistance by Housing Type

	Total
Barracks	
Group/Large House	
Scattered Site Apartment	
Single Family Detached House	
Single Room Occupancy	
Mobile Home/Trailer	
Hotel/Motel	
Other	
Total:	0

Annual Number Served

Race	Total	Hispanic
White		
Black/African American		
Asian		
American Indian/Alaskan Native		
Native Hawaiian/Other Pacific Islander		
American Indian/Alaskan Native & White		
Asian & White		
Black/African American & White		
Am. Indian/Alaskan Native & Black African Am.		
Other Multi-Racial		
TOTAL	0	0

Subpopulations Served

	Total
Chronically Homeless (Emergency Shelter Only)	
Severely Mentally Ill	
Chronic Substance Abuse	
Other Disability	
Veterans	
Persons with HIV/AIDS	
Victims of Domestic Violence	
Elderly	
Total	0

Total Number of Persons

	Male	Female	Total
Unaccompanied 18 and Over			0
Unaccompanied Under 18			0

Annual Number of Family Households with Children Headed By Single Parents

	Male	Female	Total
Single Parent 18 and Over			0
Single Parent Under 18			0

Annual Number of Family Households

	Total
Two Parents 18 and Over with Children	
Two Parents Under 18 with Children	
Family Households with No Children	

Total Number Served

	Total
Total Number of Persons	
Total Number of Households	

ESG Funds

Homelessness Assistance	Amount
Conversion	
Major Rehabilitation	
Renovation	
Operations	
Essential Services	
Total	0
ESG Disbursed Amount	

Other Funds

	Amount
Other HUD Funds	
Other Federal Funds	
State Government	
Local Government	
Private Funds	
Other	
Fees	
Total	0

Activity Costs (ESG + Other Funds)

	Amount
Total	0

2014 Emergency Solutions Grant Annual Action Plan

Program Accomplishment Data (ESG Form 14)

Please indicate the appropriate report submission with an "x"

<input type="checkbox"/>	Planned (Application) Accomplishments April 11, 2014
<input type="checkbox"/>	Actual Cumulative Unduplicative April 4, 2015
<input type="checkbox"/>	Actual Cumulative Unduplicative Final by July 15, 2015

Agency Name and Physical Address:

Accomplishment Narrative:

Indicate program(s) and service(s) with an "x"

<input type="checkbox"/>	emergency shelter facilities	<input type="checkbox"/>	transitional housing
<input type="checkbox"/>	vouchers for shelters	<input type="checkbox"/>	outreach
<input type="checkbox"/>	drop-in-center	<input type="checkbox"/>	soup kitchen/meal distribution
<input type="checkbox"/>	food pantry	<input type="checkbox"/>	health care
<input type="checkbox"/>	mental health	<input type="checkbox"/>	HIV/AIDS services
<input type="checkbox"/>	alcohol/drug program	<input type="checkbox"/>	employment
<input type="checkbox"/>	child care	<input type="checkbox"/>	homeless prevention
<input type="checkbox"/>	other		

Organization Type:

<input type="checkbox"/>	Public Agency	<input type="checkbox"/>	Faith Based Non-Profit	<input type="checkbox"/>	Other Non-Profit
--------------------------	---------------	--------------------------	------------------------	--------------------------	------------------

ESGP Objective and Outcome (Choose one objective and one outcome)

Objective

<input type="checkbox"/>	Create suitable living environment	Emergency Shelter Bed Capacity: _____
<input type="checkbox"/>	Provide decent affordable housing	Transitional Shelter Bed Capacity: _____
<input type="checkbox"/>	Create economic opportunities	

Outcome

<input type="checkbox"/>	Availability/accessibility
<input type="checkbox"/>	Affordability
<input type="checkbox"/>	Sustainability

SPECIAL CHARACTERISTICS--Activity Location (select all that apply):

<input type="checkbox"/>	CDBG target area: A HUD approved Neighborhood Revitalization Strategy Area
<input type="checkbox"/>	Local target area: locally designated non-CDBG strategy area targeted for assistance
<input type="checkbox"/>	Disaster area: A Presidentially declared major disaster area
<input type="checkbox"/>	Historic preservation: An area designated for historic preservation by local, state, or federal officials
<input type="checkbox"/>	Brownfield redevelopment: An abandoned, idled, or underused property where expansion or redevelopment is complicated by real or potential environmental contamination

Persons Served with Financial Assistance

	Total
Annual Number Adults Served	
Annual Number Children Served	
Total	

Persons Served with Non-financial Services

	Total
Annual Number Adults and Children Served	

* This number should also match annual number served by race.

2014 Emergency Solutions Grant Annual Action Plan

Number Served with Financial Assistance by Housing Type

	Total
Barracks:	
Group/Large House	
Scattered Site Apartment	
Single Family Detached House:	
Single Room Occupancy:	
Mobile Home/Trailer	
Hotel/Motel	
Other	
Total:	0

Annual Number Served

Race	Total	Hispanic
White:		
Black/African American:		
Asian:		
American Indian/Alaskan Native:		
Native Hawaiian/Other Pacific Islander		
American Indian/Alaskan Native & White:		
Asian & White:		
Black/African American & White:		
Am. Indian/Alaskan Native & Black African Am.:		
Other Multi-Racial:		
TOTAL:	0	0

Subpopulations Served

	Total
Chronically Homeless (Emergency Shelter Only)	
Severely Mentally Ill	
Chronic Substance Abuse	
Other Disability	
Veterans	
Persons with HIV/AIDS	
Victims of Domestic Violence	
Elderly	
Total	0

Total Number of Persons

	Male	Female	Total
Unaccompanied 18 and Over			0
Unaccompanied Under 18			

Annual Number of Family Households with Children Headed By Single Parents

	Male	Female	Total
Single Parent 18 and Over			0
Single Parent Under 18			

Annual Number of Family Households

	Total
Two Parents 18 and Over with Children	
Two Parents Under 18 with Children	
Family Households with No Children	
Total	

Total Number Served

	Total
Total Number of Persons	
Total Number of Households	

ESG Funds

Homelessness Assistance	Amount
Conversion	
Major Rehabilitation	
Renovation	
Operations	
Essential Services	
Total	0
ESG Disbursed Amount	

Other Funds

	Amount
Other HUD Funds	
Other Federal Funds	
State Government	
Local Government	
Private Funds	
Other	
Fees	
Total	0

Activity Costs (ESG + Other Funds)

	Amount
Total	0

2014 Emergency Solutions Grant Annual Action Plan

Program Accomplishment Data (ESG FORM 14)
HOMELESSNESS PREVENTION | HOUSING SUBSIDIES/INCENTIVES | SERVICES | OTHER HOUSING PROGRAMS

Please indicate the appropriate report submission with an "x"

	Planned (Application) Accomplishments April 11, 2014
	Actual Cumulative Unduplicative April 4, 2015
	Actual Cumulative Unduplicative Final by July 15, 2015

Agency Name and Physical Address: _____

Accomplishment Narrative:

Indicate program(s) and service(s) with an "x"

<input type="checkbox"/> emergency shelter facilities <input type="checkbox"/> vouchers for shelters <input type="checkbox"/> drop-in-center <input type="checkbox"/> food pantry <input type="checkbox"/> mental health <input type="checkbox"/> alcohol/drug program <input type="checkbox"/> child care <input type="checkbox"/> other _____	<input type="checkbox"/> transitional housing <input type="checkbox"/> outreach <input type="checkbox"/> soup kitchen/meal distribution <input type="checkbox"/> health care <input type="checkbox"/> HIV/AIDS services <input type="checkbox"/> employment <input type="checkbox"/> homeless prevention
--	--

Organization Type: ☐ Public Agency ☐ Faith Based Non-Profit ☐ Other Non-Profit ☐

ESGP Objective and Outcome (Choose one objective and one outcome)

Objective

<input type="checkbox"/> Create suitable living environment <input type="checkbox"/> Provide decent affordable housing <input type="checkbox"/> Create economic opportunities	Emergency Shelter Bed Capacity: _____ Transitional Shelter Bed Capacity: _____
---	---

Outcome

<input type="checkbox"/> Availability/accessibility <input type="checkbox"/> Affordability <input type="checkbox"/> Sustainability	
--	--

SPECIAL CHARACTERISTICS--Activity Location (select all that apply):

<input type="checkbox"/> CDBG target area: A HUD approved Neighborhood Revitalization Strategy Area <input type="checkbox"/> Local target area: locally designated non-CDBG strategy area targeted for assistance <input type="checkbox"/> Disaster area: A Presidentially declared major disaster area <input type="checkbox"/> Historic preservation: An area designated for historic preservation by local, state, or federal officials <input type="checkbox"/> Brownfield redevelopment: An abandoned, idled, or underused property where expansion or redevelopment is complicated by real or potential environmental contamination	
---	--

Persons Served with Financial Assistance	Total
Annual Number Adults Served	
Annual Number Children Served	
Total	

Persons Served with Non-financial Services	Total
Annual Number Adults and Children Served	

* This number should also match annual number served by race.

2014 Emergency Solutions Grant Annual Action Plan

HOMELESSNESS PREVENTION (Housing stabilization/Relocation services to "at risk for homeless persons)			Total
			0
			0

Number Served with Financial Assistance by Housing Type		Total
Barracks		
Group/Large House		
Scattered Site Apartment		
Single Family Detached House		
Single Room Occupancy		
Mobile Home/Trailer		
Hotel/Motel		
Other		
Total		0

Annual Number Served		Race	Total	Hispanic
	White			
	Black/African American			
	Asian			
	American Indian/Alaskan Native			
	Native Hawaiian/Other Pacific Islander			
	American Indian/Alaskan Native & White			
	Asian & White			
	Black/African American & White			
	Am Indian/Alaskan Native & Black African Am.			
	Other Multi-Racial			
TOTAL			0	0

Subpopulations Served		Total
Chronically Homeless (Emergency Shelter Only)		
Severely Mentally Ill		
Chronic Substance Abuse		
Other Disability		
Veterans		
Persons with HIV/AIDS		
Victims of Domestic Violence		
Elderly		
Total		0

Activity Costs (ESG + Other Funds)		Amount
Total		0

Total Number of Persons		Male	Female	Total
Unaccompanied 18 and Over				
Unaccompanied Under 18				
				0

Annual Number of Family Households with Children Headed By Single Parents		Male	Female	Total
Single Parent 18 and Over				
Single Parent Under 18				
				0

Annual Number of Family Households		Total
Two Parents 18 and Over with Children		
Two Parents Under 18 with Children		
Family Households with No Children		
		0

Total Number Served		Total Number of Persons	Total Number of Households

ESG Funds		Amount
Homelessness Prevention		
Homelessness Prevention Services		
Homelessness Prevention Fin. Asst.		
Total		0
ESG Disbursed Amount		

Other Funds		Amount
Other HUD Funds		
Other Federal Funds		
State Government		
Local Government		
Private Funds		
Other		
Fees		
Total		0

68 | Page

#Hispanic

2014 Emergency Solutions Grant Annual Action Plan

RAPID RE-HOUSING (housing relocation and stabilization services to homeless persons)		Total
		0
		0

Number Served with Financial Assistance by Housing Type		Total
Barracks:		
Group/Large House		
Scattered Site Apartment:		
Single Family Detached House:		
Single Room Occupancy		
Mobile Home/Trailer		
Hotel/Motel:		
Other:		
Total:	0	

Total Number of Persons		
	Male	Female
Unaccompanied 18 and Over		
Unaccompanied Under 18		
Total		0

Annual Number of Family Households with Children Headed By Single Parents		
	Male	Female
Single Parent 18 and Over		
Single Parent Under 18		
Total		0

Annual Number of Family Households		
Two Parents 18 and Over with Children		
Two Parents Under 18 with Children		
Family Households with No Children		
Total		

Total Number Served		
Total Number of Persons		
Total Number of Households		

ESG Funds	
	Amount
Homelessness Prevention	
Homelessness Prevention Services	
Homelessness Prevention Fin. Asst.	
Total	0
ESG Disbursed Amount	

Other Funds	
	Amount
Other HUD Funds	
Other Federal Funds	
State Government	
Local Government	
Private Funds	
Other	
Fees	
Total	0

Annual Number Served		
Race	Total	Hispanic
White		
Black/African American		
Asian		
American Indian/Alaskan Native		
Native Hawaiian/Other Pacific Islander		
American Indian/Alaskan Native & White		
Asian & White		
Black/African American & White		
Am.Indian/Alaskan Native & Black African Am.		
Other Multi-Racial		
TOTAL	0	0

Subpopulations Served	
	Total
Chronically Homeless (Emergency Shelter Only)	
Severely Mentally Ill	
Chronic Substance Abuse	
Other Disability	
Veterans	
Persons with HIV/AIDS	
Victims of Domestic Violence	
Elderly	
Total	0

Activity Costs (ESG + Other Funds)	
	Amount
Total	0

2014 Emergency Solutions Grant Annual Action Plan

Program Accomplishment Data (ESG FORM 14)
PREVENTIVE & REHOUSING SPECIFICS AND EMERGENCY/TRANSITIONAL SHELTER EVOLUTION

Preventive Outcomes	
Annual Number of Households Served:	
# of Households that Maintained Permanent Housing for 3 Months	
# of Individuals that Maintained Permanent Housing for 3 Months	
# of Households that Maintained Permanent Housing for 6 Months	
# of Individuals that Maintained Permanent Housing for 6 Months	
Average Cost per Client Receiving One-time only FA	
Rapid Rehousing Outcomes	
Annual Number of Households Served:	
# of Households that Maintained Permanent Housing for 3 Months	
# of Individuals that Maintained Permanent Housing for 3 Months	
# of Households that Maintained Permanent Housing for 6 Months	
# of Individuals that Maintained Permanent Housing for 6 Months	
Average Cost per Client Receiving One-time only FA	

Homeless Number Served and Demographics: RESIDENTIAL (EMERGENCY OR TRANSITIONAL SHELTERS)			Unsheltered Homeless		
Annual Number of Adults Served:			Annual Number of Adults Served	#Total	
Annual Number of Children Served:			Annual Number of Children Served:		
	Sub-Total:			Sub-Total:	
	#Total	#Hispanic			
White:			White:		
Black/African American:			Black/African American:		
Asian:			Asian:		
American Indian/Alaskan Native:			American Indian/Alaskan Native:		
Native Hawaiian/Other Pacific Islander:			Native Hawaiian/Other Pacific Islander:		
American Indian/Alaskan Native & White:			American Indian/Alaskan Native & White:		
Asian & White:			Asian & White:		
Black/African American & White:			Black/African American & White:		
Am. Indian/Alaskan Native & Black African Am.:			Am. Indian/Alaskan Native & Black African Am.:		
Other Multi-Racial:			Other Multi-Racial:		
TOTAL:			TOTAL:		
# of emergency shelter residents:			# of unsheltered entering emergency shelter:		
# of emergency shelter residents exiting to transitional shelter:			# of unsheltered entering transitional shelter:		
# of emergency shelter residents exiting to permanent housing:			# of unsheltered entering permanent housing:		
# of transitional shelter residents:					
# of transitional shelter residents exiting to permanent housing:					

Section 5: Local Capacity and Timetable
--

Applicants must:

- A. Identify the person(s) in their organization(s) who will be responsible for the administration of the ESG award and identify their experience and responsibilities with respect to this project. Describe the specific types of programs/services/activities/project the applicant provides that are relevant to ESG. (Add space as necessary.)

- B. Each applicant must submit a timetable outlining how and when the various facets of the project will be executed. The timetable should detail the expected expenditure of funds as compared with the elapsed time within the program year at least on a quarterly basis. Additionally, the timetable should also indicate guidelines for achieving the national objectives and outcomes, as well as the local goals provided in Section 4 of the application. (Add space as necessary.)

- C. Applicants are required to describe their financial management capacity and procedures. (Add space as necessary.)

Section 5: Local Capacity and Timetable (continued)

- D. Considering the requirements listed under “Area-Wide Systems Coordination,” the provision of comprehensive assistance to the homeless individuals either through direct services or referrals to other human services providers is a requirement of the ESG. State how you propose to provide the homeless with supportive services or state the agency(s) that you will coordinate with to provide those services. Be as specific as possible, listing the agency, nature and amount of service or assistance provided.
- E. Applicants must submit documentation or a plan on how the shelter will be maintained in subsequent years.
- F. Describe the extent to which the homeless and at-risk clients’ needs could be adequately addressed by other resources in your community without the requested ESG services.
- G. Applicants must complete and include in this section the **OEO COC/HMIS Form** and an endorsement letter from the HMIS that will provide information on the applicant’s participation in both its local continuum of care and the Homeless Management Information System. **Insert the OEO COC/HMIS Form (Appendix D) and endorsement letter directly behind this section.**

Section 5: Local Capacity and Timetable (continued)

H. If the applicant is a non-profit organization, explain if debarred by HUD or restricted from entering into contracts with any federal agency.

I. Describe any potential conflicts of interest, if applicable

Written Standards and Policies

The subrecipient must establish and consistently apply written standards for providing ESG assistance. Please complete the all under “General” and the others as applicable for the activities for which funding is being requested:

General

Policies and procedures for evaluating individual and family eligibility for assistance under Emergency Solutions Grant (ESG)

Standards for coordination among emergency shelter providers, essential services providers, homelessness prevention, and rapid rehousing 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)

Standards for use of the HMIS to complete data entry and a description of the process the applicant will utilize to ensure that the data is of high quality and adheres to HUD’s guidelines and expectations

Standard policies and procedures for completing re-evaluations

Standard policies and procedures for determining and ensuring the correctness of AMI calculation

Standard policies and procedures for delivering case management as well as any forms developed

Standard/Policy for terminating assistance that recognizes and sets forth the process for a participant's right to grieve a termination to independent parties

Standard procedures for conducting lead and habitability inspections

Conflict of Interest policy and disclosures of potential conflicts that exist

Homeless participation policy that complies with 576.405

Standard policies and procedures to ensure that requirements of 576.406 Faith-based activities are adhered to

Outreach

Standards for targeting people living in a place not meant for human habitation, such as cars, parks, sidewalks abandoned buildings, or on the street and providing essential services related to street outreach

Shelter

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

Homelessness Prevention/Rapid-Rehousing

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 rehousing assistance

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

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

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

Section 7: Project Activity Detail/Justification

Applicants should describe, in detail, based on the major program categories described under Eligible Activities on pages 13 through 24 of this document, the work to be performed or activities to be undertaken. For example, if an applicant plans to perform Street Outreach, the applicant must explain what particular subcategories will be performed and how it will be implemented. *Applicants are advised to carefully design this section. The Grantee will not approve any project revision during the grant period, except under extra-ordinary circumstances.*

All procurements of goods and services must comply with both the State and the Federal government procurement guidelines. **Furthermore, all bids submitted with the application will be used for evaluation purposes only. Approval of the application shall therefore not constitute approval of the bids. Subgrantees will be required to submit new bids for the purposes of the program.**

Section 8: Project Budget/Match

Budget

- A. Each applicant must submit a budget for all funds requested and applicant's contribution. If awarded, funds cannot be expended until the budget is approved by OEO and the grant agreement has been executed.
- B. Applicants must make sure they do not exceed the budget caps associated with the various service elements. As previously stated, salary expense must be accompanied by staff names and position descriptions and regulatory guidelines concerning eligible and ineligible activities must be adhered to.
- C. Applicants must include a detailed Budget Narrative, including estimated costs for services to be procured, salary expenses, and/or equipment to be purchased. All budget documentation must exhibit adherence to the ESG guidance provided throughout this RFA.
- D. If an application includes costs for any item classified as repair according to the HUD Maintenance memo previously referenced in this RFA, the application will be considered incomplete if it does not include the required environmental documentation.

Match

ESG requires a dollar-for-dollar match. The match can be either in cash contribution, donated resources, or volunteer services. Please refer to 24 CFR part 576.71 and/or Part I, Section D of this RFA to determine allowable sources for match and other related information. Applicants must:

- A. Identify the sources(s), amount(s) and specific use of all local matching funds and resources. **Special Note: You will be expected to produce and use any funds/resources listed here. Please ensure that any funds/resources listed here are available for your use.** Applicants are reminded that resources used in previous ESG cycles as subgrantee contribution cannot be utilized. Additionally, resources used to fulfill the match requirement of another grant within the same program year as the ESG grant received cannot be utilized. Finally, if staff salaries are to be included as a match expense, names and position descriptions must also be submitted.
- B. Include commitment letters for every component of local funds. The commitment letter must include, but is not limited to, the following information:
 - 1. Language which indicates that funds or in-kind contributions have been committed by individuals or organizations authorized to award the funds.
 - 2. The specific dollar amount/resource and time period.
 - 3. An itemization of any in-kind contributions and a description of how the value was determined.
 - 4. Signature of authorized official.

Use the Budget, Match, and Narrative Forms to complete this section. Please include names and position descriptions for all staff indicated in the budget.

Section 9: Current Fidelity Bond

The purchase of a fidelity bond is an allowable cost for ESG, in accordance with OMB Circular A-122. The agency's Board of Directors must deem the purchase of a fidelity bond to be a necessary cost. The agency will be required to submit Board minutes approving the purchase of a fidelity bond. The OEO will only approve a reimbursement not to exceed the grant's actual pro rata share of the bond.

Section 10: Most Recent Certified Independent Audit Report

Applicants must submit a copy of the most recent certified independent audit report if required by Federal law (within nine months of the grant award). New shelter applicants will have nine (9) months after the first fiscal year to submit their audit report. **In accordance with OMB Circular A-133, the cost of audits are allowable charges provided the agency has federal award expenditures of greater than \$500,000 and the audit costs are allocated proportionately across audited programs such that the percentage of costs charged shall not exceed the percentage derived by ESG funding in relationship to the total federal expenditures.**

Section 11: Assurances, Certifications, Current Board Roster and Supporting Documents

- A. Attach to your application an endorsement from the unit of local government that authorizes the submission of the application and identifies and commits the local match funds, if appropriate. If, due to scheduling, the governing body cannot provide

an endorsement, a letter signed by the chief elected or duly authorized representative (i.e., City or County Manager) may be substituted for the endorsement. If the shelter is within an incorporated area, then the local government endorsement must be from that representative body.

- B. Attach to your application a letter of commitment from the chairperson of the agency's Board of Directors. The letter must state the commitment of the Board and the shelter toward this project.
- C. Please attach a map showing the location of the proposed project(s). In the case of renovations, identify the current space and the area to be renovated.
- D. **The following certifications must be executed and returned as a part of this application.** Each certification must be signed by the Executive Director, Board Chairperson or the Chief Elected Official of the unit of local government, in cases where the unit of local government is the subgrantee.
 - 1. Federal Certifications.
 - 2. Certification (Endorsement) of Local Government Commitment. This is not required where the unit of local government is the applicant.
 - 3. Certification of Matching Funds.
 - 4. Certification of Safe Environs.
- E. A copy of the most recent review and rating documentation conducted at the facility to meet license and code requirements must be submitted—to include both DHEC and Fire Inspection reports stating whether or not the facility is in compliance with all applicable health & safety requirements (as well as all other pertinent documents indicating compliance with applicable codes). **Additionally, for all facilities that provide shelter to children for more than 100 days and were constructed prior to 1978, the applicant must provide evidence of a lead-based paint inspection, as well as any corrective measures that have been performed.**
- F. **All applicants must submit documentation to demonstrate their non-profit status. Private non-profit organizations must have a 501(c) 3 certification and be registered in the State of South Carolina.**
- G. **Attach to your application the agency's confidentiality policy.**
- H. **Current Board Roster**
- I. **Attach any operational licenses your organization or facility has been granted by the either State or local government**

PART III: SELECTION PROCESS

- A. Evaluation: The evaluation process will ensure that funds are awarded to units of local government and/or non-profit applicants that successfully demonstrate: (1) the nature and extent of the unmet homeless and at-risk need within its service area, (2)

proposed activities that directly address those needs, and (3) the ability to utilize awarded funds promptly.

Each complete application will be evaluated by a review panel. The evaluation instrument is included. Each major application section will be rated according to the total points that have been allotted to the section. The state will endeavor to ensure grant awards are made to shelters within each region of the state to ensure a continuum of care. In addition, priority consideration will be given to applications that demonstrate the following:

1. History of satisfactory performance in implementing ESG- and HPRP-type activities and grant requirements.
2. Adequate agency capacity to carry-out grant objectives and meet grant requirements.
3. The agency's ability to assist in meeting the State's goals and action steps in compliance with the performance standards.
4. ESG funds are needed to address concerns creating minor health and safety issues for applicants that exhibit exceptional client services.
5. Maximum support services will be provided by the shelter in coordination with other human services agencies.
6. The applicant has substantial community/public support for the project.
7. Homeless individuals will be extensively involved in the operation of the shelter, or in other related activities. (for example, client mentoring programs).

B. Pre-Award Site Visit:

The OEO staff may conduct a pre-award visit to shelters to make an on-site appraisal of the program.

C. Notification:

The OEO will notify all applicants in writing and host a post-award workshop with the selected applicants.

EVALUATION PROCESS **Emergency Shelter Grants Program**

Performance. Up to 15 points will be awarded based on the applicant's past performance with ESG. New applicants that have never received ESG or have not received it within the span of OEO record keeping will receive these points automatically. For applicants that have received ESG within the span of OEO record keeping the following criteria will apply:

1. Whether the applicant has complied with start-up guidelines.
2. Whether applicant has achieved Accomplishments as planned.
3. Timely and accurate submission of reports, monitoring responses, and other requested information.
4. Whether the applicant has maintained expenditure rates consistent with the elapsed time within the program year.
5. Whether the applicant has unresolved programmatic or audit monitoring concerns or findings.
6. Whether all grant funds were expended.

7. Whether the requested reimbursement contained excessive unallowable costs and/or requests for reimbursement required numerous corrections.

Applicant capacity. Up to 15 points will be awarded based on the extent to which the application demonstrates the capacity of the applicant agency. The application must demonstrate that the agency staff has adequate credentials and experience to carry out the proposed project. This means that in addition to knowledge of and experience in serving the homeless in general, the organization carrying out the project, its employees, or its partners, must have the necessary experience and qualifications to carry out the specific activities proposed. Factors to be considered will include: prior agency experience and results in the type of work being proposed; suitable agency fiscal capacity and organizational infrastructure to implement the project immediately; and employee experience and credentials in the area to be implemented. OEO's monitoring records of previously funded projects will also be included in determining applicant capacity.

Project quality. Up to 20 points will be awarded based on the extent to which the application demonstrates the quality of the project. The housing and services proposed must be appropriate to the needs of the target population. The application must demonstrate a clear understanding of the grant guidelines presented in the RFA, the needs of the clients, the services to be offered, and the effectiveness of the services in meeting those client's needs. Special consideration will be given to applications that demonstrate service to "at-risk" households, "chronically homeless" individuals (i.e. substance abuse programs, vocational rehabilitation, psychological counseling, and employment training), and that exemplify the agency's ability to assist the State in meeting its goals as outlined throughout the RFA. **Note: For applicants who propose preventive funds in their budget, if awarded, the agency must keep at least 75% of the proposed preventive funds in that line item.**

Need for Project. Up to 25 points may be awarded based on the extent to which the application demonstrates the need for the project. It must describe the need for the specific project compared against existing local services. The project may be judged to adequately describe the need for the project if it addresses the following points:

1. The need for the project is documented by use of waiting lists, references to similar programs, etc.
2. The project is consistent with the priorities described in the State's Consolidated Plan;
3. The project does not duplicate existing programs and services.

Operational Feasibility. Up to 15 points may be awarded based on the extent to which the application demonstrates the feasibility of the project. The application must include:

1. Clear and complete plans for implementing the project;
2. Adequate committed funding to implement the project;
3. An adequate strategy for securing additional support and commitment;
4. Adequate number of well-trained staff to carry out the proposed project;
5. Indicators that demonstrate that the project is ready to be implemented immediately (approximately 25% expenditure of funds within the first quarter);

Leveraging and Local Support. Up to 10 points may be awarded based on the extent to which the application demonstrates the organization's overall leveraging and maximum local support. The following will be considered:

1. All applications must provide a demonstration that a local match of cash and/or in-kind resources has been fully committed for the project in compliance with ESG regulations.

2014 Emergency Solutions Grant Annual Action Plan

2. Applicants demonstrate substantial local support with movement towards a continuum of care strategy, which could include nonprofit organizations, governmental agencies, other providers, private foundations, neighborhood groups and others. This can be accomplished with letters of support and other commitments and should reflect broad-based community support and not be restricted to agencies affiliated with the formal human services delivery system.
3. The extent to which volunteers have been associated with the operation of the shelter and how they defray the costs of other professionals who otherwise would be required to perform their functions.

The scores for each factor will be added in order to obtain a total score for each application. The applications will then be ranked from highest to lowest according to the combined scores. Funding will be awarded to applications according to ranking, beginning with the highest score.

Inventory of Facilities to

<u>Region</u>	<u>Capacity</u>
----------------------	------------------------

The Upstate - (Anderson, Cherokee, Greenville, Greenwood, Laurens, Pickens, Oconee, Spartanburg, Union, York counties)

1. The Salvation Army of Anderson (Anderson)	40 Men & Women
2. Helping Hands of Clemson (Pickens)	54 Children
3. Bowers-Rodgers Home, Inc. (Greenwood)	12 Children
4. MEG's House for Abused Women & Children (Greenwood)	26 Women & Children
5. McCormick Children's Home (Greenwood)	16 Children
6. Safe Harbor, Inc. (Greenville)	54 Women
7. SHARE, Inc. (Greenville)	37 Men, Women, & Children
8. The Salvation Army of Greenville (Greenville)	130 Men & Women
9. Safe Passage (York)	22 Women
10. Children's Attention Home (York)	20 Children
11. Pilgrim's Inn (York)	28 Families
12. Laurens County SAFE Home	23 Women & Children
13. Interfaith Hospitality Network of York (York)	14 Family Members
14. Divinity Care (Spartanburg)	17 Men
15. Safe Homes Rape Crisis Coalition (Spartanburg)	50 Women & Children
16. The Haven, Inc. (Spartanburg)	30 Men, Women, & Children
17. Spartanburg Children's Shelter (Spartanburg)	32 Children
18. Cherokee Children's Home (Cherokee)	19 Children
19. Upstate Homeless Coalition (Greenville)	20+ Families

<u>Region</u>	<u>Capacity</u>
----------------------	------------------------

The Midlands - (Aiken, Fairfield, Lexington, Orangeburg, Richland, Sumter counties)

20. Cumbee Center (Aiken)	25 Women & Children
21. Nurture Home (Aiken)	5 Young Women & their Children
22. The Salvation Army of Aiken (Aiken)	28 Men & Women
23. Nancy K. Perry Children's Shelter	14 Children
24. Sistercare (Lexington)	64 Women & Children

2014 Emergency Solutions Grant Annual Action Plan

25. Alston Wilkes Society (Richland)	18 Male Veterans
26. The Cooperative Ministry (Richland)	N/A Families Goods & Services
27. The Family Shelter (Richland)	32 Families
28. Palmetto Place Children's Shelter (Richland)	28 Children
29. The Salvation Army of Columbia (Richland)	132 Women & Men
30. The Women's Shelter (Richland)	34 Women
31. Volunteers of America (Richland)	N/A Homeless Child Care
32. Citizens Against Spouse Abuse (CASA) (Orangeburg)	24 Women & Children
33. Greenhouse Runaway Shelter (Sumter)	12 Individuals
34. Samaritan House (Sumter)	15 Individuals
35. Wateree CAA (Sumter)	45 Individuals
36. The Haven Men's Shelter (Rock Hill)	12 Men

Region

Capacity

The Pee Dee - (Chesterfield, Dillon, Florence, Horry counties)

37. Pee Dee Coalition Against Domestic & Sexual Abuse (Florence)	25 Women & Children
--	---------------------

Inventory of Facilities to Receive a 2011 Request for Application Package (continued)

Region

Capacity

38. Pee Dee Community Action Agency (Florence)	22 Families
39. Citizens Against Spouse Abuse (CASA) (Horry)	22 Women & Children
40. Jubilation House (Horry)	8 Families
41. House of Hope of the Pee Dee	Men, Women, and Children

Region

Capacity

The Lowcountry - (Beaufort, Charleston, Colleton, Dorchester counties)

42. Child Abuse Prevention Association/Open Arms (Beaufort)	18 Children
43. Citizens Opposed To Domestic Abuse (Beaufort)	32 Women & Children
44. Carolina Youth Development (N. Charleston)	50 Children
45. The Good Neighbor Center (Charleston)	18 Families
46. Crisis Ministries (Charleston)	250 Families
47. Salvation Army of Charleston (Charleston)	38 Men only
48. Women & Children's Shelter (Summerville)	28 Women & Children
49. Dorchester Interfaith Outreach Ministries (Dorchester)	12 Families
50. Lowcountry Community Action Agency (Walterboro)	12 Families

Certification of Compliance with South Carolina's Consolidated Plan for Housing and Community Development Program Years: 2011 – 2015

In accordance with the proposed accomplishments in the South Carolina Consolidated Plan for Housing and Community Development, the Emergency Solutions Grants Program will provide benefits to approximately 20,000 households annually in the areas of facility repair, operations, and services. Approximately 300 households will be assisted annually with homelessness prevention/rapid re-housing assistance.

The Governor's Office of Economic Opportunity will administer the Emergency Solutions Grants Program and award approximately twenty (20) to thirty-two (32) grants annually.

Sign

Date