

THE WAY HOME CONTINUUM OF CARE EMERGENCY SOLUTIONS GRANTS WRITTEN STANDARDS

The Way Home Continuum of Care Steering Committee, as the decision-making body for The Way Home Continuum of Care (TX-700) has approved these Written Standards as of April 9, 2020.

TABLE OF CONTENTS

INTRODUCTION.....	4
DEFINITIONS	4
STANDARDS APPLICABLE TO ALL PROGRAM COMPONENTS.....	7
ELIGIBLE ESG PROGRAM COMPONENTS.....	7
ESG SERVICE PROVIDER REQUIREMENTS	7
COORDINATED ACCESS.....	7
VERIFICATION OF HOMELESS STATUS	7
COC PROVIDER INPUT FORUM	8
PARTICIPATE IN ANY STANDARDIZED TRAINING	8
PARTICIPATION IN THE WAY HOME ANNUAL POINT IN TIME COUNT	8
COORDINATING WITH MAINSTREAM AND TARGETED HOMELESS PROVIDERS	8
FAIR HOUSING ACT COMPLIANCE	9
EQUAL ACCESS TO HOUSING FINAL RULES.....	9
WAIVERS	10
FMR WAIVER FOR HURRICANE HARVEY-IMPACTED HOUSEHOLDS REGISTERED WITH FEMA:	10
TEXAS PROPERTY CODE OCCUPANCY LIMITS	10
STANDARDS SPECIFIC TO EMERGENCY SHELTER	12
ELIGIBILITY: HOMELESS STATUS	12
ELIGIBILITY: INTAKE AND ASSESSMENT	12
ELIGIBILITY: PRIORITIZATION & REFERRAL POLICIES.....	12
ELIGIBILITY: STATUS AS HOMELESS OR AT-RISK OF HOMELESSNESS	13
HOMELESSNESS PREVENTION	13
RAPID REHOUSING	13
ELIGIBILITY: INTAKE AND ASSESSMENT	14
TARGETED POPULATIONS: CLIENT PRIORITIZATION.....	14
HOMELESSNESS PREVENTION.....	14
RAPID REHOUSING	14
FINANCIAL ASSISTANCE.....	15
DURATION AND AMOUNT OF ASSISTANCE	15
PARTICIPANT SHARE	15
HOUSING STABILIZATION AND RELOCATION RELATED ASSISTANCE AND SERVICES.....	16
ELIGIBILITY: PERIODIC RE-CERTIFICATION	18
ELIBILITY: HOMELESS STATUS.....	19

TARGET POPULATION 19

ENGAGEMENT/COLLABORATION 19

ELIGIBILITY: INTAKE AND ASSESSMENT 19

APPENDIX A: HUD DEFINITION FOR HOMELESS 20

APPENDIX B: HUD DEFINITION FOR AT RISK OF HOMELESSNESS..... 22

APPENDIX C: CROSS WALK OF HUD HOMELESS AND AT RISK DEFINITIONS AND ELIGIBILITY TO ESG PROGRAM COMPONENTS 23

APPENDIX D: ELIGIBILITY CRITERIA AND PRIORITIZATION TOOL FOR HOMELESSNESS PREVENTION SYSTEM 24

ATTACHMENT A: HOMELESS PREVENTION INCOME LIMITS ELIGIBILITY CRITERIA AND PRIORITIZATION TOOL FOR HOMELESSNESS PRIORITIZATION 25

ATTACHMENT B: HOMELESS PREVENTION TRIGGER CRISIS ANALYSIS 26

ATTACHMENT C: OTHER DEFINITIONS OF HOMELESSNESS 27

Violence Against Women Act of 1994; subtitle N (42 U.S.C. 14043e et seq.) 27

Public Health Service Act; section 330 (42 U.S.C. 254b) 27

Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) 27

Child Nutrition Act of 1966; section 17 (42 U.S.C. 1786) 28

..... 28

ATTACHMENT D: HOMELESS PREVENTION PRIORITIZATION SCORING 29

INTRODUCTION

The Way Home Continuum of Care has developed the following standards for providing assistance with Emergency Solutions Grants (ESG) funds as required by 24 CFR 576.400 (e). These standards were created in coordination with representatives of The Way Home Continuum of Care including Harris, Fort Bend and Montgomery County and the cities of Houston, Pasadena and Conroe repenetrates. They are in accordance with the interim rule for the Emergency Solutions Grants Program released by the U.S. Department of Housing and Urban Development on December 4, 2011 and the final rule for the definition of homelessness also released by the U.S. Department of Housing and Urban Development on December 4, 2011.

The Way Home Continuum of Care expects that the standards will adjust through gained experience and data is collected from services provided with the Emergency Solutions Grants program. The Standards serve as the guiding principles for funding programs. These Written Standards outline the operations and process for carrying out each program component.

DEFINITIONS

Chronically Homeless – a homeless individual with a disability who lives either in a place not meant for human habitation, a safe haven, or in an emergency shelter, or in an institutional care facility if the individual has been living in the facility for fewer than 90 days and had been living in a place not meant for human habitation, a safe haven, or in an emergency shelter immediately before entering the institutional care facility. In order to meet the “chronically homeless” definition, the individual also must have been living as described above continuously for at least 12 months, or on at least 4 separate occasions in the last 3 years, where the combined occasions total a length of time of at least 12 months. Each period separating the occasions must include at least 7 nights of living in a situation other than a place not meant for human habitation, in an emergency shelter, or in a safe haven.

Continuum of Care (CoC) – 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 – 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.

Homeless Management Information System (HMIS) – 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.

Homelessness Prevention – Housing relocation and stabilization services and short-and/or medium-term rental assistance as necessary to prevent the individual or family from moving to an emergency shelter, a place not meant for human habitation, or another place described in Homeless Category 1 of Appendix A: HUD Definition for Homeless.

Private Nonprofit Organization – 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 Participant – an individual or family who is assisted under ESG program.

Rapid Rehousing– Housing relocation and stabilization services and/or short-and/or medium- term rental assistance as necessary to help individuals or families living in shelters or in places not meant for human habitation move as quickly as possible into permanent housing and achieve stability in that housing.

Service Area (applicable to Homelessness Prevention only) – The Way Home Continuum of Care supports any agencies or services operated within the CoC’s jurisdiction of Harris, Fort Bend & Montgomery Counties and the cities of Houston, Pasadena and Conroe.

Street Outreach – Essential Services related to reaching out to unsheltered homeless individuals and families, connecting them with emergency shelter, housing, or critical services, and providing them with urgent, non-facility-based care.

Subrecipient – a unit of general-purpose local government or private nonprofit organization to which a recipient makes available ESG funds.

Victim Service Provider – 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.

STANDARDS APPLICABLE TO ALL PROGRAM COMPONENTS

ELIGIBLE ESG PROGRAM COMPONENTS

There are five (5) ESG Program Components:

1. Rapid Rehousing
2. Emergency Shelter
3. Homeless Management Information System
4. Homelessness Prevention and
5. Street Outreach.

Funds for ESG can be used to support any of the eligible components. The Way Home Continuum of Care gives priority to funding that supports securing housing options for homeless households and to support the expansion of rapid rehousing.

ESG SERVICE PROVIDER REQUIREMENTS

COORDINATED ACCESS

The Way Home Continuum of Care expects that all providers participate in the coordinated assessment system or approved comparable system for Domestic Violence (DV) providers. The system consists of an electronic assessment system housed in the HMIS and is managed by a dedicated Project Manager through the CoC Lead Agency. Coordinated assessment uses a common housing assessment and triage tool to ensure that all homeless individuals are referred to the appropriate housing intervention. Coordinated assessment will be used as each housing intervention supported by ESG is fully integrated into the system referral process. Prior to full implementation of coordinated assessment, agencies may continue to accept direct referrals from individuals and other agencies.

VERIFICATION OF HOMELESS STATUS

Project level staff are required to obtain documentation at project intake of homeless or at-risk of homelessness status. This status must be maintained in the client's file and available for monitoring as schedules. These Standards establish the order of priority for obtaining evidence [per 24 CFR 576.500 (b)] as:

1. Third-party documentation,
2. Intake worker observations, and
3. Certification from the person seeking assistance.

COC PROVIDER INPUT FORUM

Each agency will assign two representatives to the input forum, in addition to one member (CEO/ED) who has decision making capacity for the program. CoC Provider Input Forums will meet quarterly, or more often as required by current CoC policies. The Provider Input Forum is the venue where providers give and receive information regarding CoC strategies and policies.

PARTICIPATE IN ANY STANDARDIZED TRAINING

The CoC will provide a vetted and standardized training curriculum for all housing stability case managers. Training will be available for all agencies providing case management for housing-based services. The curriculum and standards will be developed as part of and in partnership with the Continuum of Care Technical Assistance plan from the Department of Housing and Urban Development. This will focus on the requirements of maintaining stable housing and ensure access to mainstream resources that will provide ongoing, necessary supportive services for households.

PARTICIPATION IN THE WAY HOME ANNUAL POINT IN TIME COUNT

Any Emergency Solutions Grant Recipient agrees to participate in the Annual Point-In-Time Count by:

- Dedicating agency staff to perform the unsheltered count (at least two (2) agency representatives per day for agencies with more than 20 employees. Agencies with 20 staff or below, (1) agency representative per day is required)
- Completing the Housing Inventory Chart for the shelter count
- Participating in Gaps Analysis and Needs Assessment

COORDINATING WITH MAINSTREAM AND TARGETED HOMELESS PROVIDERS

The Way Home Continuum of Care expects that every agency that is funded through ESG will coordinate with and access mainstream and other targeted homeless resources. The Way Home Continuum of Care will evaluate performance of each provider based on outcomes achieved. Outcomes are outlined and updated in the housing models adopted by the CoC Steering committee. These outcome measures will be used to evaluate program success annually. The Way Home Continuum of Care will use this and other performance metrics to guide funding

decisions for ESG funded programs. Required outcomes for each intervention will match the outcomes approved by the CoC Steering Committee annually.

FAIR HOUSING ACT COMPLIANCE

The Department of Housing and Urban Development ("HUD") is responsible for enforcing the federal Fair Housing Act (the "Act"), which prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, familial status, and disability. One type of disability discrimination prohibited by the Act is the refusal to make reasonable accommodations in rules, policies, practices, or services when such accommodations may be necessary to afford a person with a disability the equal opportunity to use and enjoy a dwelling. HUD and DOJ frequently respond to complaints alleging that housing providers have violated the Act by refusing reasonable accommodations to persons with disabilities. State and federal laws require entities to make reasonable changes to policies, practices, procedures and/or physical changes to housing units and/or buildings if such changes are necessary to enable a person with a disability to have equal access to the housing and/or building. Please note that such changes must be necessary as a result of the person's disability. To read more about what this policy entails refer to the link below:

https://www.hud.gov/program_offices/fair_housing_equal_opp/fair_housing_act_overview.

Agencies receiving ESG Funds must have a policy in place for program recipients to request reasonable accommodations.

EQUAL ACCESS TO HOUSING FINAL RULES

On February 3, 2012, HUD published a final rule in the Federal Register entitled Equal Access to Housing in HUD Programs regardless of Sexual Orientation or Gender Identity. The rule creates a new regulatory provision that generally prohibits considering a person's marital status, sexual orientation, or gender identity (a person's internal sense of being male or female) in making housing assistance available. Lesbian, gay, bisexual, and transgender people are guaranteed equal access to all housing for all types of housing (affordable, permanent, transitional and emergency) funded through HUD.

In addition to the final rule on Equal Access to Housing, HUD published a final rule in the Federal Register entitled "Equal Access in Accordance with an Individual's Gender Identity in Community Planning and Development Programs". This rule was published on September 21, 2016. This rule ensures that each individual in accordance with their gender identity will have equal access to housing and shelter programs administered by HUD. This rule creates a new regulatory provision that requires those entities that are receiving any HUD funding grant equal access to

facilities, benefits, accommodations and services to individuals in accordance with the individual's gender identity and in a manner that affords equal access to the individual's family.

WAIVERS

A Fair Market Rent Waiver is permission from an authorized HUD office to assist with rent payments above the established Fair Market Rent (FMR). It is considered an "exception" to established requirements. FMRs are used as a guide to determine the level of HUD subsidy for various programs such as the Emergency Solutions Grant (ESG). However, the FMR is not in itself the standard used for determining eligible rents. Each HUD rental assistance program is governed by its own set of statutes and regulations which determine how much rent HUD will pay.

Emergency Solutions Grant short- and medium-term rental assistance can be provided to eligible program participants only when the rent, including utilities (gross rent) for the housing unit does not exceed the FMR established by HUD for the MSA and complies with HUD's standard of rent reasonableness. HUD may consider waiver requests from ESG grantees to increase these rent limits. Subrecipients such as ACAM have requested and received waivers, but it should be noted that these waivers are time-limited (often, but not always, one year) and the requirement for rent reasonableness is not waived even when there is an FMR Waiver in place.

FMR WAIVER FOR HURRICANE HARVEY-IMPACTED HOUSEHOLDS REGISTERED WITH FEMA:

The restriction of rental assistance to units with rent at or below Fair Market Rent (FMR) is waived for households that have registered with FEMA as affected by Hurricane Harvey that are renting or execute a lease for any rent amount that 1) meets the rent reasonableness standard and that 2) becomes due between October 30, 2017, and the earlier of the end of the term of the vendor organization's ESG agreement or October 12, 2019, where the unit is located in an individual assistance county under FEMA-DR-4322 (Hurricane Harvey), or where the family was displaced by Hurricane Harvey, Irma or Maria. Case Managers must obtain a copy of the FEMA application and must document that the unit meets the rent reasonableness standard.

TEXAS PROPERTY CODE OCCUPANCY LIMITS

Texas Property Code Section 92.10 Occupancy Limits

Except as provided by Subsection (b), the maximum number of adults that a landlord may allow to occupy a dwelling is three times the number of bedrooms in the dwelling.

(b)A landlord may allow an occupancy rate of more than three adult tenants per bedroom:

(1) to the extent that the landlord is required by a state or federal fair housing law to allow a higher occupancy rate; or

(2) if an adult whose occupancy causes a violation of Subsection (a) is seeking temporary sanctuary from family violence, as defined by Section 71.004 (Family Violence), Family Code, for a period that does not exceed one month.

(c)An individual who owns or leases a dwelling within 3,000 feet of a dwelling as to which a landlord has violated this section, or a governmental entity or civic association acting on behalf of the individual, may file suit against a landlord to enjoin the violation. A party who prevails in a suit under this subsection may recover court costs and reasonable attorney's fees from the other party. In addition to court costs and reasonable attorney's fees, a plaintiff who prevails under this subsection may recover from the landlord \$500 for each violation of this section.

(d)In this section:

(1) "Adult" means an individual 18 years of age or older.

(2) "Bedroom" means an area of a dwelling intended as sleeping quarters. The term does not include a kitchen, dining room, bathroom, living room, utility room, or closet or storage area of a dwelling.

STANDARDS SPECIFIC TO EMERGENCY SHELTER

ELIGIBILITY: HOMELESS STATUS

Homeless clients entering into the shelter system must meet the HUD criteria for homelessness as either literally homeless (Homeless Category 1), at imminent risk of homelessness (Homeless Category 2), homeless under another federal statute (Homeless Category 3), or fleeing/attempting to flee domestic violence (Homeless Category 4).

For additional details related to the HUD definition of Homeless and applicability to each program component, see Appendix A and Appendix C.

ELIGIBILITY: INTAKE AND ASSESSMENT

As already indicated above under Coordinating Assessment & Services, case managers will use the Continuum wide assessment tool to review client situation, understand eligibility, and begin the process of determining length of assistance.. The tool may include an assessment form for diversion. Providers must enter data into HMIS or a comparable database for DV providers.

ELIGIBILITY: PRIORITIZATION & REFERRAL POLICIES

Emergency shelters will prioritize individuals/families that:

- Cannot be diverted
- Are literally homeless
- Can be safely accommodated in the shelter
- Are not in need of emergency medical or psychiatric services or are a danger to self or others
- Emergency Shelters cannot discriminate per HUD regulations
- There are no requirements related to ID, income or employment
- Transgender placement is based on self-identification of gender

STANDARDS SPECIFIC TO HOMELESSNESS PREVENTION AND RAPID REHOUSING

ELIGIBILITY: STATUS AS HOMELESS OR AT-RISK OF HOMELESSNESS

HOMELESSNESS PREVENTION

Individuals/families, who meet the HUD criteria for the following definitions, are eligible for Homelessness Prevention assistance:

- At Risk of Homelessness
- Homeless Category 2: Imminently at-risk of homelessness
- Homeless Category 3: Homeless under other federal statute and
- Homeless Category 4: Fleeing/attempting to flee DV (as long as the individuals/families fleeing or attempting to flee DV are **not** also literally homeless. If the individuals/families are also literally homeless they would actually qualify for Rapid Re-Housing instead. See below.)

Additional eligibility requirements related to Homelessness Prevention include:

- **Proof of residence** within The Way Home Continuum of Care service area.
- **Total household income below 30 percent of Area Median Income (AMI)** for the area at initial assessment. Clients must provide documentation of household income, including documentation of unemployment and zero income affidavit for clients without income.
 - For the most updated AMI information, please see this link:

RAPID REHOUSING

Individuals/families, who meet the HUD criteria for the following definitions, are eligible for Rapid Rehousing assistance:

- Homeless Category 1: Literally homeless
- Homeless Category 4: Fleeing/attempting to flee DV (as long as the individuals/families fleeing or attempting to flee DV are **also** literally homeless).

For additional details related to the HUD definition of Homeless and At Risk of Homelessness and applicability of these definitions to each program component, see Appendix A, B and C.

ELIGIBILITY: INTAKE AND ASSESSMENT

Once Coordinated Access is available for all housing interventions, all clients must have an initial eligibility assessment and triage for appropriate housing by a specially trained housing assessor. All clients come through Coordinated Access and are assessed using the housing triage in HMIS. Housing triage will identify, based on the standard assessment, individuals who are best suited for rapid rehousing. The standard assessment accounts for length and frequency of homelessness, physical and mental health status, criminal history, veteran status, domestic violence experience, substance abuse conditions and employment history.

TARGETED POPULATIONS: CLIENT PRIORITIZATION

HOMELESSNESS PREVENTION

Note that all targeted individuals and families described below have to meet the minimum HUD requirements for eligibility to HP.

The Way Home Continuum of Care will use a shared assessment form that will target those clients with the most barriers to housing. Each barrier will have an allotment of points, and the higher score (and more barriers) the more likely the client will receive services. The assessment of barriers is based on an objective review of each client's current situation using the tool rather than the subjective opinion of a case manager assessing each client's needs. All clients must have a minimum score of 20 to receive assistance. See Appendix D for a copy of the assessment form.

Additionally, The Way Home Continuum of Care prioritizes and assists households who have previously received Rapid Rehousing assistance and are at risk of becoming homeless again regardless of barrier assessment score. These households will be identified and triaged through the Coordinated Access system.

RAPID REHOUSING

Coordinated Access will prioritize individuals who are currently homeless but not in need of permanent supportive housing as eligible for rapid rehousing. This can include, but is not limited to individuals and households who,

- are first time homeless;
- have few recent episodes of homelessness; or

- are part of a family that is homeless.

It should be noted, rapid rehousing funds are directed to individuals with income or work history and skills that indicate employability.

FINANCIAL ASSISTANCE

DURATION AND AMOUNT OF ASSISTANCE

The Way Home Continuum of Care has adopted the CoC approved Housing Models and Business Rules to measure community outcomes for all housing interventions. The CoC requires that all subrecipients for ESG Rapid Rehousing funds use the CoC-wide assessment tools to assist in determining the duration and amount of assistance. The tools do not dictate the amount of assistance that each household receives, but guides the case manager and client to determine the appropriate amount of assistance for each household.

- All clients are assessed to determine initial need and create a budget to outline planned need for assistance.
- Agencies cannot set organizational maximums or minimums but must rely on the CoC standardized tools located in The Way Home CoC Rapid Rehousing Business Rules to evaluate household need.
- Through case management, client files are reviewed monthly to ensure that planned expenditures for the month validate the financial assistance request.
- The Way Home Continuum of Care expects that households will receive the minimum amount of assistance necessary to stabilize in housing.

Clients cannot exceed 24 months of assistance in a 36-month period. The Rapid Rehousing Business Rules outline processes that may require supervisory approval.

PARTICIPANT SHARE

Participant share will be determined by use of common assessment and budgeting tools approved through The Way Home Continuum of Care. These tools will assist in determining the monthly assistance and client contribution amounts. Clients will participate in the development of their individual housing plan with a case manager. The housing plan will be based on client goals and shared goals for achieving housing stability. Case managers will use the housing plan to assist in determining the client contribution toward rent. Clients are expected to contribute a

portion of their income based on budgeting to ensure housing stability. Financial assistance is available for households with zero income. Details of when clients are terminated or redirected to a more appropriate intervention are outlined in the The Way Home Rapid Rehousing Business Rules.

HOUSING STABILIZATION AND RELOCATION RELATED ASSISTANCE AND SERVICES

REQUIRED SERVICES: CASE MANAGEMENT & CASE LOADS

The Way Home Continuum of Care requires that all clients are referred to a case manager through the Coordinated Access system. Coordinated Access will triage homeless clients for rapid rehousing that are in need of short to medium term assistance based on individual circumstances and vulnerability. Coordinated Access will refer to a rapid rehousing service provider. The case manager will perform an individual assessment and create a housing plan using the common assessment tools. This begins the process to rapidly re-house the homeless household as quickly and efficiently as possible.

Homelessness prevention clients must have an initial home visit when first approved for assistance and subsequent house visits with each recertification every three months. It is expected that case managers will conduct office visits with homelessness prevention clients between home visits, at least once per month. Case managers and program managers are encouraged to provide more than the minimum required services through case management.

Rapid rehousing case managers will maintain an average case load as identified in The Way Home Rapid Rehousing Business Rules. This will allow case managers to provide quality case management and ensure that services are targeted to individuals most likely to be successful with rapid rehousing assistance. As the rapid rehousing program for the continuum expands, this number may change.

Case management includes, but is not limited to:

- housing assistance
- home
- office visits determined by client need and other supportive services required by the housing plan.

Case management staff must communicate with the landlord and ensure that the landlord has an updated copy of the Rental Assistance Agreement. The agency paying rent will have the most updated Rental Agreement and work with all parties to ensure all are aware of anticipated

changes to the participant rent share.

REQUIRED SERVICES: HOUSING LOCATION SERVICES

Any subrecipient of ESG assistance must also agree to utilize and may contribute to the function of housing specialist for households receiving rapid rehousing. This role may be a part of standard case management duties or it may be a specialized position. Any subrecipient of ESG assistance must have staff, as part or all of their duties are, to find appropriate housing and develop relationships with affordable housing providers so that ESG clients have greater access to housing choice, rather than expecting clients to navigate the system on their own.

REQUIRED SERVICES: INSPECTION AND LANDLORD AGREEMENT

Any unit that receives financial assistance through rapid rehousing must pass a Housing Quality Standards Inspection as outlined in the ESG regulations. The inspections will be conducted by a qualified agency with expertise in inspection and the process for identifying units and conducting an inspection is outlined in the rapid rehousing business rules.

Any unit that receives rental assistance payments through rapid rehousing must have an agreement in place between the rental assistance provider and the property. The rental assistance agreement details the terms under which rental assistance will be provided. The rental assistance agreement outlines the requirements for rental payment as well as terms regarding any notice to vacate or eviction by the owner.

INELIGIBLE SERVICES: CREDIT REPAIR AND LEGAL SERVICES

While regulations do allow these services, The Way Home Continuum of Care will not allow ESG funds to be used for credit repair or legal services but can be used as match for ESG programs. These services are deemed ineligible activities locally. The Way Home Continuum of Care has found limited access to this resource by clients and providers and will instead encourage the use mainstream service providers and establish them as part of the system of providers with formal relationship.

OPTIONAL SERVICES: SECURITY/UTILITY DEPOSITS

Rental and utility deposits can be included in housing stabilization services as dictated by the housing stabilization plan. Rental and utility deposits can be included in lieu of or in combination with rental assistance for a unit. Requirements for inspections and rental assistance agreements for units with only security deposits are outlined in the rapid rehousing business rules.

- Security deposits can cover up to two months of rent.
- Deposits may remain with the client if they are stably housed as outlined in the case management and caseloads section.
- Security and utility deposit transactions will be managed through the case management fiscal agent and are outlined in the business rules.

OPTIONAL SERVICES: RENTAL APPLICATION FEES

The Way Home Continuum of Care expects that rapid rehousing location specialists will work closely with housing providers and establish trusting relationships among landlords in a way that will encourage property owners and managers to waive application fees for rental properties. To that end, application fees can only be provided for one application at a time. Case managers and housing specialists can and should work with clients and landlords to process as many free applications as possible.

ELIGIBILITY: PERIODIC RE-CERTIFICATION

All case managers are required to re-certify clients based on the following schedule. At that time, a case manager may decide to extend, decrease or discontinue providing assistance.

Program Component	Schedule	Re-certification Criteria
Homelessness Prevention	Every 3 months	For both HP and RRH, to continue to receive assistance, clients must <ul style="list-style-type: none">• be at or below 30% AMI AND• lack sufficient resources and support networks necessary to retain housing without ESG assistance.
Rapid Rehousing	Annually	

STANDARDS SPECIFIC TO STREET OUTREACH

ELIBILITY: HOMELESS STATUS

Individuals/families who meet the HUD criteria for the following definitions are eligible for Street Outreach services:

- Homeless Category 1: Literally Homeless
- Homeless Category 4: Fleeing/attempting to flee DV (where the individuals/families also meet the criteria for Category 1)

In addition, individuals and families must be living on the streets or other places not meant for human habitation **and** be unwilling or unable to access services in an emergency shelter.

TARGET POPULATION

Although the homeless population is considered a vulnerable population, street outreach activities should target those who are extremely vulnerable including youth and chronically homeless persons.

ENGAGEMENT/COLLABORATION

The Way Home Continuum of Care requires that agencies conducting street outreach activities must engage with unsheltered homeless persons for the purpose of providing immediate support, intervention or connections with mainstream social service programs. The connection of any unsheltered person to an emergency shelter, supportive housing, and/or referral to social service agencies will serve as immediate support and intervention for housing stabilization or critical services.

Agencies are encouraged to use evidenced based practices for their street outreach efforts; including the Housing First Model that quickly connects individuals to permanent housing in the face of acute barriers to entry into housing programs. Additionally, the agencies will participate in the local Continuum of Care's Street Outreach Workgroup and utilize the Coordinated Access Assessment to identify barriers to housing.

ELIGIBILITY: INTAKE AND ASSESSMENT

The Way Home Continuum of Care requires that agencies conducting street outreach activities must provide individuals and families with an assessment and enter data into HMIS or a comparable database for DV providers. The Way Home CoC encourages providers to develop relationships with unsheltered homeless persons that will help connect them with emergency shelter and housing services primarily through a referral to Coordinated Access.

APPENDIX A: HUD DEFINITION FOR HOMELESS

HUD CRITERIA FOR DEFINING HOMELESS	Category 1	Literally Homeless	<p>Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:</p> <ul style="list-style-type: none"> • Has a primary nighttime residence that is a public or private place not meant for human habitation; • Is living in a 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 and local government programs); <u>or</u> • Is exiting an institution where (s)he has resided for 90 days or less <u>and</u> who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution
	Category 2	Imminent Risk of Homelessness	<p>Individual or family who will imminently lose their primary nighttime residence, provided that:</p> <ul style="list-style-type: none"> • Residence will be lost within 14 days of the date of application for homeless assistance; • No subsequent residence has been identified; <u>and</u> • The individual or family lacks the resources or support networks needed to obtain other permanent housing
	Category 3	Homeless under other Federal statutes	<p>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:</p> <ul style="list-style-type: none"> • Are defined as homeless under the other listed federal statutes; • Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application; • Have experienced persistent instability as measured by two moves or more during in the preceding 60 days; and • Can be expected to continue in such status for an extended period of time due to special needs or barriers

	<p>Category 4</p>	<p>Fleeing/ Attempting to Flee DV</p>	<p>Any individual or family who:</p> <ul style="list-style-type: none"> • Is fleeing, or is attempting to flee, domestic violence; • Has no other residence; <u>and</u> • Lacks the resources or support networks to obtain other permanent housing
--	------------------------------	---	--

APPENDIX B: HUD DEFINITION FOR AT RISK OF HOMELESSNESS

HUD CRITERIA FOR DEFINING AT RISK OF HOMELESSNESS	Category 1	Individuals and Families	<p>An individual or family who:</p> <ul style="list-style-type: none"> (i) Has an annual income below <u>30%</u> of median family income for the area; <u>AND</u> (ii) Does not have sufficient resources or support networks immediately available to prevent them from moving to an emergency shelter or another place defined in Category 1 of the “homeless” definition; <u>AND</u> (iii) Meets one of the following conditions: <ul style="list-style-type: none"> A. Has moved because of economic reasons 2 or more times during the 60 days immediately preceding the application for assistance; <u>OR</u> B. Is living in the home of another because of economic hardship; <u>OR</u> C. Has been notified that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance; <u>OR</u> D. Lives in a hotel or motel and the cost is not paid for by charitable organizations or by Federal, State, or local government programs for low-income individuals; <u>OR</u> E. Lives in an SRO or efficiency apartment unit in which there reside more than 2 persons or lives in a larger housing unit in which there reside more than one and a half persons per room; <u>OR</u> F. Is exiting a publicly funded institution or system of care; <u>OR</u> G. Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient’s approved Con Plan
	Category 2	Unaccompanied Children and Youth	A child or youth who does not qualify as homeless under the homeless definition, but qualifies as homeless under another Federal statute
	Category 3	Families with Children and Youth	An unaccompanied youth who does not qualify as homeless under the homeless definition, but qualifies as homeless under section 725(2) of the McKinney-Vento Homeless Assistance Act, and the parent(s) or guardian(s) or that child or youth if living with him or her.

APPENDIX C: CROSS WALK OF HUD HOMELESS AND AT RISK DEFINITIONS AND ELIGIBILITY TO ESG PROGRAM COMPONENTS

Eligibility	Emergency Shelter	<p>Individuals and families defined as Homeless under the following categories are eligible for assistance in ES projects:</p> <ul style="list-style-type: none"> • Category 1: Literally Homeless • Category 2: Imminent Risk of Homeless • Category 3: Homeless Under Other Federal Statutes • Category 4: Fleeing/Attempting to Flee DV
	Rapid Rehousing	<p>Individuals and families defined as Homeless under the following categories are eligible for assistance in RRH projects:</p> <ul style="list-style-type: none"> • Category 1: Literally Homeless • Category 4: Fleeing/Attempting to Flee DV (if the individual or family is also literally homeless)
	Homelessness Prevention	<p>Individuals and families defined as Homeless under the following categories are eligible for assistance in HP projects:</p> <ul style="list-style-type: none"> • Category 2: Imminent Risk of Homeless • Category 3: Homeless Under Other Federal Statutes • Category 4: Fleeing/Attempting to Flee DV (if the individual or family is NOT also literally homeless) <p>Individuals and families who are defined as At Risk of Homelessness Additionally, HP projects must only serve individuals and families that have an annual income BELOW 30% AMI</p>
	Street Outreach	<p>Individuals and families defined as Homeless under the following categories are eligible for assistance in SO projects:</p> <ul style="list-style-type: none"> • Category 1: Literally Homeless • Category 4: Fleeing/Attempting to Flee DV (if the individual or family is also literally homeless) <p>Additional limitations on eligibility within Category 1 require that individuals and families must be living on the streets (or other places not meant for human habitation) and be unwilling or unable to access services in emergency shelter.</p>

APPENDIX D: ELIGIBILITY CRITERIA AND PRIORITIZATION TOOL FOR HOMELESSNESS PREVENTION SYSTEM

Eligibility Requirements

All potential clients will be screened for the following:

Income – Only households with income below 30% of the Area Median Income are eligible for Homelessness Prevention services (see Attachment A for income limits)

PLUS

Trigger Crisis – An event has occurred which is expected to result in housing loss within 30 days due to one of the listed reasons (see Attachment B for qualifying trigger crises)

PLUS

No resources or support network to prevent homelessness –No other options are possible for resolving this crisis. “But for this assistance” this household would become literally homeless—staying in a shelter, a car, or another place not meant for human habitation

OR

Unaccompanied children and youth who qualify as homeless under another Federal statute – See Runaway and Homeless Youth Act definition or Documentation for school district certification of homelessness (see Attachment C for other definitions of homelessness)

OR

Families with children or youth who qualify as homeless under another Federal statute –See Runaway and Homeless Youth Act definition or Documentation for school district certification of homelessness (see Attachment C for other definitions of homelessness)

PLUS

Score of at least 20 points—or 15 – 19 points with override sign-off (see Attachment D for score sheet)

ATTACHMENT A: HOMELESS PREVENTION INCOME LIMITS ELIGIBILITY CRITERIA AND PRIORITIZATION TOOL FOR HOMELESSNESS PRIORITIZATION

30% Area Median Income

HUD provides current information for income limits on the HUD USER website at <http://www.huduser.org/portal/datasets/il.html> . Note: The information that HUD provides on HUD USER website reflects data based on changes to the definition of “extremely low-income (ELI).” ESG recipients should continue to use data for Area Median Income (AMI) and not the new ELI data. For more information on this change, and to access the 30 % AMI tables, please refer to <https://www.hudexchange.info/news/impact-of-recent-changes-in-income-limits-and-utility-allowances>

ATTACHMENT B: HOMELESS PREVENTION TRIGGER CRISIS ANALYSIS

Will lose housing within 30 days due to one of the following:

- Moved twice or more in the past 60 days
- Living in the home of another person because of economic hardship
- Notified that right to occupy their current housing or living situation will be terminated within 21 days after date of application
- Living in hotel or motel and cost is not paid for by charitable organization or government program for low-income people
- Living in SRO or efficiency where more than 2 people live; or in a larger housing unit with more than 2 people per room
- Exiting a publicly funded institution or system of care
- Exiting a publicly or privately funded inpatient substance abuse treatment program or transitional housing program
- Living in rental housing that is being condemned by a government agency and tenants are being forced to move out

ATTACHMENT C: OTHER DEFINITIONS OF HOMELESSNESS

Runaway and Homeless Youth Act (42 U.S.C 5701 et seq.)

Runaway and Homeless Youth funding is administered by the Family and Youth Services Bureau within the Administration for Children & Families (ACF) of the U.S. Department of Health and Human Services (HHS). Information about Runaway and Homeless Youth program grantees is available online at <http://www2.ncfy.com/locate/index.htm>.

Head Start Act (42 U.S.C. 9831 et seq.)

Head Start funding is administered by the Office of Head Start (OHS) within ACF/HHS. A listing of Head Start programs, centers, and grantees is available online at <http://eclkc.ohs.acf.hhs.gov/hslc/HeadStartOffices>

Violence Against Women Act of 1994; subtitle N (42 U.S.C. 14043e et seq.)

Violence Against Women Act established the Office on Violence Against Women (OVW) within the U.S. Department of Justice (DOJ). OVW administers financial and technical assistance to communities across the country that are developing programs, policies, and practices aimed at ending domestic violence, dating violence, sexual assault, and stalking. Currently, OVW administers one formula grant program and eleven discretionary grant programs, all of which were established under VAWA and subsequent legislation. More information about OVW is available online at <http://www.ovw.usdoj.gov/>.

Public Health Service Act; section 330 (42 U.S.C. 254b)

The Public Health Service Act authorized the Health Center Program, which is administered by the Bureau of Primary Health Care within the Health Resources and Services Administration (HRSA) of HHS. Information about local Health Centers can be found online at <http://bphc.hrsa.gov/index.html>

Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.)

Food and Nutrition Act of 2008 relates to the Supplemental Nutrition Assistance Program (SNAP), formerly known as Food Stamps. SNAP is administered by the U.S. Department of Agriculture (USDA). More information about SNAP can be found online at <http://www.fns.usda.gov/snap/>

Child Nutrition Act of 1966; section 17 (42 U.S.C. 1786)

Child Nutrition Act of 1966 authorized numerous programs related to school lunches and breakfasts and funds for meals for needy students. For more information about these programs, contact the local School Department.

McKinney-Vento Act; subtitle B of title VII (42 U.S.C. 11431 et seq.)

McKinney-Vento Act authorized the McKinney-Vento Education for Homeless Children and Youths Program, which is administered via the Office of Elementary and Secondary Education within the U.S. Department of Education. More information about this program is available online at <http://www2.ed.gov/programs/homeless/index.html>. Also, contact the local School Department.

ATTACHMENT D: HOMELESS PREVENTION PRIORITIZATION SCORING

Income Scoring:

- ___ Rent burden at 66-80% of income... **5 points**
- ___ Income at or below 15% AMI... **20 points OR**
- ___ Income 16-29% AMI... **10 points**

15% Area Median Income (2019)

1 Person Household	\$8,025	(\$669/month)
2 Person Household	\$9,175	(\$765/month)
3 Person Household	\$10,325	(\$860/month)
4 Person Household	\$11,450	(\$954/month)
5 Person Household	\$12,375	(\$1,031/month)
6 Person Household	\$13,300	(\$1,108/month)
7 Person Household	\$14,200	(\$1,183/month)
8 Person Household	\$15,125	(\$1,260//month)

Tenant Barriers/Risk Factors

Tenant Screening Barriers **1 point per barrier**

- ___ Eviction history
- ___ No credit references: has no credit history
- ___ Lack of rental history: has not rented in the past
- ___ Unpaid rent or broken lease in the past (separate from current unpaid rent)
- ___ Poor credit history: late or unpaid bills, excessive debt, etc.
- ___ Past Misdemeanors
- ___ Past Felony other than critical Felonies listed below
- ___ Exiting criminal justice system where incarcerated for less than 90 days

- ___ Critical Felony **5 points**
(drugs, sex crime, arson, crimes against other people)
- ___ Pregnant or has at least one child 0-6 **5 points**
- ___ Head of household under 30 years old **5 points**
- ___ Family experienced literal homelessness **5 points**
in the past 3 years
- ___ Only 1 adult in household **5 points**

___ **TOTAL**