CITY OF BERKELEY

ANNUAL ACTION PLAN

FOR HOUSING AND COMMUNITY DEVELOPMENT

JULY 1, 2024 – JUNE 30, 2025 (PY 2024)

For the U.S. Department of Housing and Urban Development

San Francisco Field Office of Community Planning and Development

August 2024

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Attachment 1: Allocations City of Berkeley CDBG, ESG, and HOME Projects

Attachment 2: Public Notice and Community Participation Summary

Attachment 3: City of Berkeley, Emergency Solutions Grant Policies and Procedures Manual , City of Berkeley Emergency Solutions Grant Rapid Rehousing and Prevention Assistance Policies and Procedures Manual; Systemwide Performance Targets for Rapid Re-Housing Services, Emergency Shelters and Outreach Services; and Homeless Solutions in Alameda County, ESG-CV standards and expectations

Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

This Annual Action Plan is the 5th Annual Action Plan for the current Consolidated Planning period.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

The City of Berkeley (COB) has ambitious objectives for spending its federal entitlement grant funding. Berkeley allocates these and other state and local funds to maximize assistance for its low and moderate-income households through:

- Housing acquisition, rehabilitation, repair, and accessibility improvements,
- Assisting homeless adults and families including those with disabilities and other special needs, through emergency shelter, transitional housing, and service-enriched affordable, supportive housing; and
- Funding public facilities improvements to protect and sustain the infrastructure critical to community services and economic vitality in Berkeley.

The COB has long placed a high priority on affordable housing and community services because they reflect important community values. The City now invests more General Fund dollars into related programs than it receives in federal funding for these activities. The City is committed to maintaining high-quality programs for those in need but faces challenges due to uncertainty in future federal funds available. At the same time, American Recovery Program, ESG, HOME, Consolidated Plan, and Annual Action Plan funding and/or requirements have substantially increased. Changing funding and increased administrative burdens impact the City's ability to address all of the many needs identified.

Approved Allocations. As summarized in **AP-38** and detailed in **Attachment 1**, the COB plans to allocate $2,837,989 in Community Development Block Grant (CDBG) funds together with $250,000 (estimated) in CDBG program income and no prior year carryover to fund:

- $1,473,917 in housing projects and programs;

- $453,921 in public services;
- $342,553 for community and public facilities activities; and
- $567,598to administer all facets of the City's CDBG program.

The COB will utilize its PY24 ESG allocation of $237,965 to serve literally homeless people through the City's Pathways STAIR Program ($213,442), support the County-wide Homeless Management Information System, ($6,676) and support its program planning and administration activities at 7.5% ($17,847). The City takes care in calculating the shelter and outreach do not exceed 60% of our annual ESG grant. For PY24, the City's ESG program allocation has been split with $70,663 allocated to Rapid Re-Housing and $142,779 allocated to Shelter and Outreach. This is evidenced in Attachment 1.

The COB will utilize its PY24 HOME allocation of $570,245 and $20,000 (projected) in program income for program administration at 10% ($57,025 estimate) including projected program income), Community Housing Development Organization (CHDO) operations ($30,000) and will allocate the remaining balance to its Housing Trust Fund ($483,221 estimate).

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The City reviews and evaluates its performance through its annual submission of the Consolidated Annual Performance and Evaluation Report. The City tracks single family and multi-family housing rehabilitation efforts and housing development efforts.

The City's Single-Family Rehabilitation (SFR) program comprised of 1) the City's Senior and/or Disabled Rehab Home Loan Program (SDRLP), 2) the Center for Independent Living, and 3) Habitat for Humanity East Bay/Silicon Valley is evaluated on an ongoing basis to ensure that the most significant health and safety improvements are prioritized and that sufficient outreach is occurring to increase the number of unduplicated households served overtime.

The City currently operates the public facility improvement program as a rolling RFP/NOFA as funds become available. Unused PY20 and available PY21 funds were applied for and awarded for the West Berkeley Service Center. The project is underway and expected to be completed by the end of PY24. PY22 facility funds were awarded to the Larkin Street Turning Point facility rehabilitation. The City awarded the remaining PY22 public facility funds for a rehabilitation project at Insight Housing's (formerly Berkeley Food and Housing Project) Dwight Way Center, Ala Costa Centers, and BOSS's Ursula Sherman Village.

Outcomes for all public services community agency programs funded with federal funds are tracked, and prior outcomes are used to inform funding decisions. The City also uses countywide Homeless Count and program outcome data to inform its goals on homelessness.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

The City typically completes a fall public hearing with one or more commissions to obtain input on community needs. In preparation for the PY24 Annual Action Plan, the City satisfied the Citizen Participation Plan public hearing requirement by conducting two public hearings (January 2024 and May 2024) one in response to the Community Agency Request for Proposal (RFP) that includes CDBG, ESG and HOME-ARP funding and the other in response to AAP planning.

The draft Annual Action was posted on the City's website, and shared with the Housing Advisory Commission (HAC) March 13, 2024 meeting. At its March meeting, the HAC approved the PY24 Draft Annual Action Plan. A Public Hearing on the PY24 Draft Annual Action Plan was held on May 7, 2024 before the Berkeley City Council. Outreach was accomplished via electronic flyer mailings to interested parties, including Alameda County-wide Homeless Continuum of Care, community agencies serving low-income people, and public buildings such as recreation centers, senior centers, libraries and other government buildings.

5. Summary of public comments

The January 25, 2024 Public Hearing on Community Needs had over 13 community members in attendance and heard comment and testimony from 13 individuals. Community members expressed requests for increased promotion of public hearings and the need for more direct outreach. They advocated for increased homeless services and emphasized the importance of accountability and transparency regarding funding and services. Additionally, there was support for programs integrating workforce development with homeless services and a focus on fair housing enforcement. Concerns about ADA facilities, particularly at homeless-serving organizations, were raised, along with a general call for transparency and accountability in community funding allocation by the City to ensure the needs of the people are met.

There were eleven public comments a discussion among commissioners at the Housing Advisory Commission (HAC) meeting on March 13, 2024. Comments included support for support for single family rehabilitation programs to the community as well as job training programs. Following the public comment, a discussion by members of the HAC ensued to finalize the recommendations on FY25-28 funding to Berkeley City Council, including the PY24 (FY25) Annual Action Plan. The HAC requested that staff come back with an analysis of the Single Family Rehab programs to ensure that the multi-pronged design is meeting the needs of the community and is not duplicative, or lacking.

Public comment at the May 7, 2024 City Council Public Hearing included testimony from 24individual(s). The public and Council discussion included:

- Community agencies expressed their support and/or request for additional funding as recommended in the Request for Proposal draft allocations related to local and general fund. Expressed need to support community agencies' operations in order to provide key services in Berkeley, such as housing support, food access, youth programming, employment/job training, and healthcare.
- Members of the City Council discussed the need to continue to support community agencies and ensure agency staff are paid a living wage. Community agencies provide a critical service to Berkeley residents that should continue to be supported by the City.

6. Summary of comments or views not accepted and the reasons for not accepting them

All comments were accepted and/or addressed and will remain recorded in this report should additional HUD funds become available for public services and housing. None of the comments received resulted in changes to the Plan.

7. Summary

None.

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	BERKELEY	Health, Housing & Community Services Department
HOME Administrator	BERKELEY	Health, Housing & Community Services Department
ESG Administrator	BERKELEY	Health, Housing & Community Services Department

Table 1 – Responsible Agencies

Narrative (optional)

The City of Berkeley's Health, Housing & Community Services Department (HHCS) is the lead agency for overseeing the development of the plan. The Department coordinates the City's funding allocation and monitoring for community-based organizations, administration of the Housing Trust Fund, and operation of other housing and community services programs such as the Shelter Plus Care program, Senior and Disabled Home Rehabilitation Loan Program, Community Facilities Rehabilitation, and the Homeless Services and the new construction and rehabilitation of Affordable Housing units. The Department also includes the Mental Health, Public Health, and Aging Services, Environmental Health divisions, all of which provide direct services to the community.

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AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

1. Introduction

During the next year, the City of Berkeley will continue to coordinate the housing and community services activities within the department through regular senior staff meetings, such as regular Housing and Homeless Services Team meetings, emergency services for vulnerable and low-income populations meetings, and will continue to coordinate with other City Departments on specific topics such as, but not limited to, affordable housing and homelessness. It will also consult with EveryOne Home, the countywide coordinating body and plan to end homelessness, and its partners at Alameda County Behavioral Health Care Services and Social Services Agency as well as community stakeholders in Berkeley.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))

In PY22, Alameda County's Homeless Continuum of Care selected a new agency, Homebase - a Bay Area non-profit organization, to staff and support COC boards, committees and projects. City staff will continue to participate in the initiative's various committees and/or Leadership Board, which includes most public funders of housing and homeless services in the county, as well as leadership from key community-based organizations, including those which develop affordable housing. Leadership Board membership helps coordinate efforts across the county. In PY24, City will continue to work with Homebase, Alameda County Behavioral Health Care Services, Social Service Agency and Office of Homeless Care and Coordination (OHCC) to continue to implement the Countywide Coordinated Entry System (CES) for homeless services and will participate in OHCC's ongoing implementation of multiple CES sites (Housing Resource Centers/Access Points (HRC), throughout the county, particularly the North County HRC, which includes Berkeley.

City homeless services team has restarted its monthly meetings with the Berkeley Housing Authority (BHA) and homeless service partners to coordinate mainstream housing voucher opportunities for the 90 Mainstream vouchers issued in 2020 and the additional 30 issued in 2023. In 2021 BHA received 51 Emergency Housing vouchers (EHV). As of December 2023, BHA leased up 49 of the 51 vouchers that were allocated.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness

In PY24, the City will work with Alameda County Behavioral Health Care Services, Social Service Agency, Office of Homeless Care and Coordination (OHCC) and Homebase, which coordinates and oversees COC activities. In PY21, the City endorsed the Alameda County Home Together 2026 Community Plan, a five-year strategic initiative. The City continues to work closely with OHCC to implement the North County Coordinated Entry System (CES), which includes Berkeley, Emeryville and Albany. The redesigned screening process: housing problem-solving, and crisis and housing assessments are now utilized across the County, including at the new transition age youth (TAY) HRC. The addition of the crisis queue which asks if someone is interested in shelter has increased the number of successful matches to shelter resources in Berkeley. Additionally, the City will attend and participate in the COC's Housing Stability and Homelessness Prevention and System Impact Committee meetings. The City funds Eviction Defense Center to provide housing retention grants to households that are at imminent risk of homelessness. The City will work with EDC to identify ways to target funding to reduce the number of households entering the homeless services system.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

Consultation with EveryOne Home, the Alameda-Countywide Continuum of Care, City of Berkeley, the City of Oakland, and the Alameda County Housing and Community Services Department was initiated in 2012. The discussion focused on how to implement the new ESG requirements in a way that would be consistent countywide and would continue the collaboration launched in 2009 with American Recovery and Reinvestment Act (ARRA) Homelessness Prevention and Rapid Re-housing (HPRP) funds. The group held several meetings in PY12, resulting in the development of a policies and procedures manual that was used to implement the Priority Home Partnership Program. In PY 22, the City updated its ESG Policies and Procedures Manual and provided training to Bay Area Community Services, the community agency that administers ESG Rapid Rehousing assistance. The City continues to use the COC's RBA system performance measures and targets to evaluate emergency shelter, outreach and rental assistance programs funded by ESG.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

1	**Agency/Group/Organization**	EveryOne Home
	Agency/Group/Organization Type	Services - Housing Services - Children Services - Persons with Disabilities Services - Homeless Services - Employment
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The City of Berkeley adopted Alameda County Home Together 2026 – 5 year strategic initiative. The City participates in COC committees. See above coordination with EveryOne Home/Homebase, Alameda County OHCC, Behavioral Health Care Services and SSA.
2	**Agency/Group/Organization**	ALAMEDA COUNTY HOUSING & COMMUNITY DEVELOPMENT and ALAMEDA COUNTY OFFICE OF HOMELESS CARE AND COORDINATION
	Agency/Group/Organization Type	Services - Homeless Services - Persons with Disabilities Services - Employment
		Services - Services - Children
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	See above coordination with Alameda County.
3	**Agency/Group/Organization**	Various community agencies located in Berkeley, CA serving low-income residents

	Agency/Group/Organization Type	Services - Housing Services – Children & Youth Services – Elderly Persons Services - Persons with Disabilities Services – Homeless Services - Health Services – Employment Services – Fair Housing Services - Legal
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homeless Needs – Veterans Homeless Strategy Other – Housing stability
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The City of Berkeley funds over 50 community agencies to provide services to low-income residents. Consultations with our community agencies and their partners through public hearings and community meetings aids us in setting City-wide priorities and community funding for the upcoming years.
4.	**Agency/Group/Organization**	Local Government
	Agency/Group/Organization Type	Agency – Managing Flood Prone Areas Agency – Management of Public Land or Water Resources Agency – Emergency Management
	What section of the Plan was addressed by Consultation?	Other – Emergency Preparedness and Hazard
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation and research was done during the Consolidated Plan and language responding to this is reflected in section MA 65 of the Consolidated Plan.
5.	**Agency/Group/Organization**	Local Government
	Agency/Group/Organization Type	Services - Broadband Internet Service Providers Services – Narrowing the Digital Divide

	What section of the Plan was addressed by Consultation?	Other - Broadband
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation and research was done during the Consolidated Plan and language responding to this is reflected in section MA 60 of the Consolidated Plan.

Table 2 – Agencies, groups, organizations who participated

Identify any Agency Types not consulted and provide rationale for not consulting

Not applicable.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	EveryOne Home	In 2022, the City of Berkeley endorsed Alameda County's Home Together 2026 Strategic Plan. The City continues to aligns it goals and strategies with a focus on increased access to shelter and other resources, new permanent housing solutions, resources to decrease the number of households entering the homeless system and increased collaboration and coordination.
City of Berkeley Housing Element	City of Berkeley	The City of Berkeley created a plan to meet the housing needs of its community over the next eight years, from 2023 to 2031. This state-mandated plan, known as a Housing Element, is developed with extensive input from the public, the State, and City stakeholders. On February 28, 2023, the California Department of Housing and Community Development (HCD) found the City of Berkeley's revised Adopted 2023-2031 Housing Element (version 7) to be in substantial compliance with State Housing Element Law (Article 10.6 of the Gov. Code). This effort aligns with the Strategic Plan's goal to assist in the creation and preservation of affordable housing opportunities.

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

Consultation and research regarding Broadband Internet service providers and Management of Flood Prone Areas/Public Land or Water Resources/Emergency Management was done during the Consolidated Plan and language responding to this is reflected in sections MA 60 & MA 65 of the Consolidated Plan. Additional updates will occur in future Annual Action Plans as applicable.

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

The City's Housing Advisory Commission (HAC) reviewed the draft plan during a public meeting on March 13, 2024, that was advertised on the City's website and calendar.

The City published a public hearing notice on April 5, 2024 in the Berkeley Voice in accordance with its citizen participation plan for a May 7, 2024 Public Hearing at the Berkeley City Council meeting. It also sent the notification to public and assisted housing, users of community and senior centers, libraries, and residents being served by over 50 community-based agencies funded by the City of Berkeley.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Hearing	Community Members	January 25, 2024 Over 13 members of the public attended the public hearing at the, and 13 of them spoke on a variety of topic areas.	Community members expressed requests for increased promotion of public hearings and the need for more direct outreach. They advocated for increased homeless services and emphasized the importance of accountability and transparency regarding funding and services. Additionally, there was support for programs integrating workforce development with homeless services and a focus on fair housing enforcement. Concerns about ADA facilities, particularly at homeless-serving organizations, were raised, along with a general call for transparency and accountability in community funding allocation by the City to ensure the needs of the people are met.	All comments were accepted and/or addressed and will remain recorded in this report should additional HUD funds become available for public services and housing. Many of the comments aligned with existing and planned programming. None of the comments received resulted in major changes to the Plan.	https://berkeleyca.gov/community-recreation/events

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
2	Public Meeting	Housing Advisory Commission (HAC) representatives	March 13, 2024 members of the HAC discussed the Draft Annual Action Plan, and 11 members of the public made public comment. Over 20 persons, including commissioners, were present. The members of HAC voted to approve the Draft AAP for Council consideration.	HAC members reviewed and discussed the Draft of the AAP at its March 13, 2024 meeting. Comments and questions pertaining to the AAP focused on supporting job training programs and continued support for/right sizing the Single-Family Rehab programs.		https://berkeleyca.gov/your-government/boards-commissions/housing-advisory-commission

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
3	Public Hearing	Minorities Non-English Speaking - Specify other language: Spanish and Mandarin Persons with disabilities Residents of Public and Assisted Housing Low income Berkeley Residents	This hybrid Public Hearing was held on May 7 2024, at a City of Berkeley Council Meeting.	Two comments received via email. More than 24 persons in attendance at the May 7, 2024 meeting. 24 member(s) of the public spoke at the May 7, 2024 public hearing on the PY24 Annual Action Plan in front of the City Council. Comments from the public and Council discussion included: Community agencies expressed their support and/or request for additional funding as recommended in the Request for Proposal draft allocations related to local and general fund. Expressed need to support community agencies' operations in order to provide key services in Berkeley, such as housing support, food access, youth programming, employment/job training, and healthcare.	All comments were accepted and/or addressed and will remain recorded in this report should additional HUD funds become available for public services and housing. None of the comments received resulted in changes to the Plan.	https://berkeleyca.gov/sites/default/files/city-council-meetings/2024-05-07%20Special%20Agenda%20Packet%20-Council.pdf

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

Berkeley is an entitlement jurisdiction. The City will receive $3,646,199 in federal Housing and Urban Development Department (HUD) funds comprised of $2,587,989 in CDBG, $550,245.01 in HOME and $237,965 (estimated) in ESG funds. Additionally, the City will add at least, $250,000 (estimated) in CDBG and $20,000 (anticipated) in HOME Program Income to these amounts. There are no anticipated CDBG carryover funds for PY24 at the time of writing this report.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available: Year 5				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	$ 2,646,199	$250,000 (estimated)	$0	$2,837,989	$0	CDBG funds are allocated to public services, housing services and rehabilitation, and public facility improvements. The City of Berkeley does not currently use CDBG funds for economic development.

Program	Source of Funds	Uses of Funds	Expected Amount Available: Year 5				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	$550,245.01	$20,000 (anticipated)	$0	$570,245.01	$0	The City allocates 10% of the HOME allocation to administration, up to 5% for CHDO operating costs, and the remaining (or approximately 85%) to the City Housing Trust Fund.

Program	Source of Funds	Uses of Funds	Expected Amount Available: Year 5				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
ESG	public - federal	Conversion and rehab for transitional housing Financial Assistance Overnight shelter Rapid re-housing (rental assistance) Rental Assistance Services Transitional housing	$237,965	$0	$0	$237,965	$0	The City of Berkeley uses ESG funds for Rapid Rehousing, Shelter and Outreach for literally homeless households. A small portion of the ESG funds are used to support the County-wide HMIS system. The City allocates 7.5% of the allocation to Planning and Admin.

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Many of the housing and community services programs described in the Consolidated Plan will continue to be delivered by nonprofit community-based organizations. The City contracts with a wide range of housing and service providers using CDBG, HOME, ESG, Community Services Block Grant (CSBG), General Fund, and other sources of funding. These organizations leverage significant financial and in-kind support from individual community members, foundations, and private organizations that help meet the needs identified in this plan.

In addition to leveraging at the individual agency level, the City has historically matched the investment of CDBG, HOME, and ESG dollars with the investment of General Fund. In PY23 over three quarters of the funding for community agency programs came from local and General Fund dollars. The City meets the HOME 25 percent match requirement. The City meets the dollar for dollar match requirements for the ESG program by allocating General Funds to various homeless services providers. In PY23, shelter programs alone receive nearly $5.5 million in City General Funds.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City has long-term leases of City-owned property with non-profit organizations that address the needs identified. Programs operating in leased City-owned properties include:

- Dorothy Day House Emergency Storm Shelter;
- Dorothy Day House Veteran's Building Shelter;
- Dorothy Day House Berkeley Community Resource Center;
- BOSS' Harrison House Shelter for Homeless men, women and families;
- BOSS' Sankofa House – emergency shelter for homeless families;
- Women's Daytime Drop-In Center's Bridget House – transitional housing for homeless families;
- Women's Daytime Drop-In Center – a homeless daytime center for women and children;
- Bay Area Community Services (BACS) Pathways STAIR Center; and
- Options Recovery Services – substance use treatment services.
- Insight Housing – Interim Shelter
- Lifelong Medical Care – healthcare services for people who are homeless

The City also has long-term ground leases for affordable permanent housing at:

- Berkeley Way;
- Ocean View Gardens;
- UA Cooperative Housing; and
- William Byron Rumford Senior Plaza

The City is currently exploring the possible use of the City-owned Ashby BART station area air rights as well as the West Berkeley Services Center as possible future housing sites. Since Fall 2020, the City has been engaging in discussions with BART to plan for future development of affordable housing on two BART sites in Berkeley: the Ashby BART station and North Berkeley BART station. In April 2021, the City reserved $53 million in local funds for future housing developments with a goal of achieving a minimum of 35% affordable housing at both BART sites. The City and BART released an RFQ and selected a development team for North Berkeley BART in 2022, and expects to release an RFQ and select a

development team for Ashby BART in 2024.

Discussion

Not applicable.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Increase affordable Housing Supply and Quality	2020	2025	Affordable Housing	BERKELEY	Affordable Housing	CDBG: $1,473,917 HOME: $550,245.01	Rental units constructed: 7 Household Housing Unit Homeowner Housing Rehabilitated: 25 Household Housing Unit

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
2	Improve Public Facilities and Public Services	2020	2025	Non-Housing Community Development	BERKELEY	Non-Housing Community Development	CDBG: $796,474	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 750 Persons Assisted Public service activities other than Low/Moderate Income Housing Benefit: 1,060 Persons Assisted.

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
3	Provide Homeless Prevention, Emergency Shelter, Outreach and Rapid Re-Housing	2020	2025	Homeless	BERKELEY	Homelessness	ESG: $237,995	Tenant-based rental assistance / Rapid Rehousing: 7 (estimated) Households Assisted Emergency Shelter: 100 (estimated) Households Assisted Outreach: 0 Households Assisted Prevention: 0 Households Assisted
4	Prevent, prepare for and respond to COVID-19	2020	2024	Affordable Housing Homeless Non-Housing Community Development	BERKELEY	Affordable Housing, Homelessness, Community Development, Non-Housing Community Development, and responding to needs of COVID-19	$0	N/A

Table 6 – Goals Summary

Goal Descriptions

1	**Goal Name**	Increase Affordable Housing Supply and Quality
	Goal Description	CDBG and HOME funds will be used for affordable housing construction, acquisition and rehabilitation, and single family rehabilitation programs.
2	**Goal Name**	Improve Public Facilities and Public Services
	Goal Description	CDBG funds will be used to rehabilitate public facilities and homeless and fair housing public services.
3	**Goal Name**	Provide Homeless Prevention, Emergency Shelter, Outreach and Rapid Re-Housing
	Goal Description	ESG funds will be used to provide outreach, services emergency shelter and/or rapid re-housing to literally homeless households.
4	**Goal Name**	Prevent, prepare for and respond to COVID-19
	Goal Description	CDBG (PY20), CDBG-CV and ESG-CV (CARES Act) funds will be used to prevent, prepare for and respond to COVID-19

Table 7 – Goal Descriptions

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b):

In PY23, the following project advances were made:

- In PY22, Bay Area Community Land Trust (BACLT) acquired Solano Avenue Apartments, a partially occupied, 13-unit property. BACLT completed the renovation in late 2023, and full occupancy is expected within PY23.

In PY24, the following projects are anticipating project completion:

- The Grinnell is anticipated to be completed in either late PY23 or early PY24. The project began construction in July 2022 and will include a total of 63 units with 19 extremely low-income units and 43 low income units. The Grinnell will include 7 units supported by HOME funds.
- Maudelle Miller Shirek Community anticipates project completion in PY24. The project began construction in PY22 and will include 87 units with 25 extremely low-income units and 61 low income units.
- 2313-2323 10th Street is an 8-unit occupied project. Renovations will address health and safety issues, and are anticipated to take place within PY24.

- In partnership with Housing Consortium of the East Bay and MPI Homes, the City was awarded additional Homekey funds for a new project. University Homes will be a 43-unit permanent supportive housing project serving formerly homeless individuals. Acquisition is anticipated in PY23, with project completion expected in PY24.
- The City funded the acquisition of three buildings, collectively known as Russell Street Residences. The project includes Board and Care beds, as well as rooms for Shelter + Care clients. A limited scope renovation addressing health and safety issues is expected to be complete in PY24, though a more comprehensive rehab is contingent on the owner securing additional financing.
- MLK House is a 12-room Single Room Occupancy project that will be transferred to a new owner/operator in late PY23. In PY24, the new owner will undertake a moderate rehab and operate the property as affordable housing for veterans.
- Ashby Lofts is an occupied, City-funded project that has significant capital needs. The City provided funds for renovations, which are expected to happen in PY24 (subject to the owner securing additional funding from the state).
- Rosewood Manor was acquired and renovated, reaching project completion in PY24 with 35 lower income units renovated for seniors.
- Lorin Station is undergoing renovation, reaching project completion in PY24 with 10 low-income units renovated for individuals and families.

In PY24 the following projects will continue in predevelopment stages:

- St. Paul Terrace (2024 Ashby Avenue) is in predevelopment stage with Community Housing Development Corporation (CHDC) and will include 50 extremely low to low-income affordable units.
- Ephesian Legacy Court (1708 Harmon Street) is in predevelopment stage with Community Housing Development Corporation (CHDC) and will include 80 extremely low to low-income affordable units for seniors.
- 1740 San Pablo Avenue is in the predevelopment stage with BRIDGE Housing and will include 54 very-low and lower income affordable units.
- The City has a funding reservation for Supportive Housing at People's Park (2556 Haste Street), which is in early predevelopment stage and will include 119 extremely low-income permanent supportive housing units for chronically homeless individuals.
- The City has a funding reservation for the Berkeley Unified School District Workforce Housing project, which is expected to include 110 units of both affordable and moderate-income housing.
- The City provided predevelopment funding for four affordable housing developments at the North Berkeley BART site. These projects are in the very early stages, but are anticipated to include three family projects and one permanent supportive housing project, for a total of 381 new affordable units.

Projects

AP-35 Projects – 91.220(d)

Introduction

With its CDBG, HOME, and ESG funds, the City of Berkeley will fund eligible projects in the following categories: housing development, rehabilitation and services projects, public services, public/community facility improvement projects, emergency shelter grant programs, program planning and administration, and the Housing Trust Fund.

Projects

#	Project Name
1	City of Berkeley Planning and Administration
2	Housing Services
3	Single Family Rehabilitation Programs
4	Housing Trust Fund
5	Public Services
6	Public Facility Rehabilitation
7	ESG24 - Berkeley- Emergency Shelter, Outreach, Rapid Rehousing and HMIS Activities

Table 8 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The City continues to funds activities that have been identified as a need in the Consolidated Plan.

AP-38 Project Summary

Project Summary Information

1	**Project Name**	City of Berkeley Planning and Administration
	Target Area	BERKELEY
	Goals Supported	Increase Affordable Housing Supply and Quality, Improve Public Facilities and Public Services, & Provide Homeless Prevention, Emergency Shelter, Outreach and Rapid Re-Housing services
	Needs Addressed	Affordable Housing, Homeless, & Non-Housing Community Development
	Funding	CDBG: $567,598 HOME: $57,025 includes the anticipated $20,000 in program income)
	Description	The project will fund City staff to plan and administer CDBG and HOME projects. HOME Admin based on projected entitlement with an estimated $20,000 in anticipated program income.
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	N/A
	Location Description	Citywide.
	Planned Activities	Information about the planned activities is included in Section AP-38 Project Summaries.
2	**Project Name**	Housing Loan Services
	Target Area	BERKELEY
	Goals Supported	Increase Affordable Housing Supply and Quality
	Needs Addressed	Affordable Housing
	Funding	CDBG: $77,009

	Description	City staff provide loan services to support single family rehabilitation, housing trust fund projects, and other federally funded housing related activities.
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	The project will serve approximately 48 active home rehabilitation loans from the Senior and Disabled Rehabilitation Loan Program, and 112 loans from housing trust fund projects and other federally funded housing related activities, for a total of 160 loans.
	Location Description	Various locations within the City of Berkeley.
	Planned Activities	Services provided under this project will include accounting, processing loan payments and loan payoff demands, deeds of reconveyance, lien releases and loan subordination requests, collections, personal financial analysis, and structuring of temporary repayment agreements.
3	**Project Name**	Single Family Rehabilitation Programs
	Target Area	BERKELEY
	Goals Supported	Increase Affordable Housing Supply and Quality
	Needs Addressed	Affordable Housing
	Funding	CDBG: $859,733
	Description	Activities related to single family rehabilitation efforts will be funded under this project. These completed projects will include health and safety housing rehabilitation and ADA accessibility improvements such as the installation of ramps/lifts for low-to-moderate income households.
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	The project will benefit an estimated 25 low-income households annually.
	Location Description	Various locations within the City of Berkeley.

	Planned Activities	Activities encompass completed health and safety housing rehabilitation repairs, and ADA accessibility improvements. The Center of Independent Living eliminates housing barriers for approximately 13 low-income, residents living with a disability by installing ramps, lifts and other interior and exterior modifications to ensure accessibility of their homes. Habitat for Humanity East Bay/Silicon Valley provides health and safety housing rehabilitation repairs and ADA accessibility modifications to approximately 7 low-income households. City staff collaborate with senior and/or disabled homeowners, providing an estimated 5 housing rehabilitation loans through the City's Senior & Disabled (Home) Rehabilitation Loan Program.
4	**Project Name**	Housing Trust Fund
	Target Area	BERKELEY
	Goals Supported	Increase Affordable Housing Supply and Quality
	Needs Addressed	Affordable Housing
	Funding	CDBG: $537,175 HOME: $513,220.51
	Description	Activities that provide funding for City staff in support of projects funded with City of Berkeley Housing Trust Fund dollars, includes funding for projects and CHDO operating funds.
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	24 units (households) will be directly supported with federal funding during the five-year Consolidated Plan period for an average of 4-5 per year. During the same time period staff will also support projects in various phases of development for an additional 623 affordable units with local funds, plus 44 shelter beds. These totals will include 113 senior units and 194 special needs (homeless and/or disabled units).
	Location Description	Citywide

	Planned Activities	City staff actively facilitate development, rehabilitation and/or preservation of affordable housing through working with developers, other city staff, lenders and other public agencies for the acquisition and rehabilitation of multi-family housing. Specific activities include working with project sponsors throughout predevelopment, supporting public participation in project selection and development, preparing and executing loan agreements, and conducting federally required environmental review. $30,000 will be dedicated to CHDO operating. The aforementioned actitivities are funded by the City of Berkeley's Housing Trust Fund, which includes HOME funds. Together with the HTF and Admin funds allowed under the CDBG and HOME program, the funds also support Housing Development staff. 570.201 (k) "provides that CDBG funds may be used to pay costs in support of activities eligible for funding under the HOME program. This includes services such as housing counseling in connection with tenant-based rental assistance and affordable housing projects, energy auditing, preparation of work specifications, loan processing, inspections, tenant selection, management of tenant-based rental assistance, and other services related to assisting owners, tenants, contractors, and other entities participating or seeking to participate in the HOME program." Staff are currently working on a total of 17 affordable housing developments in varying stages of predevelopment and development with reservations and commitments totaling over $150M in City funds, including HOME funds. Staff are currently focusing on The Grinnell, and Maudelle Miller Shirek Community which are under construction. Fifteen predevelopment projects with reservations in City funding are also occupying staff time. In addition, this funding supports the City's implementation of CHDO operating funding.
5	**Project Name**	Public Services
	Target Area	BERKELEY
	Goals Supported	Improve Public Facilities and Public Services
	Needs Addressed	Homelessness Non-Housing Community Development

	Funding	CDBG: $453,921
	Description	Services including homeless programs (Coordinated Entry System - Housing Resource Center to provide housing problem solving, crisis and housing assessments and matching to resources), and fair housing services are funded under this.
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	615 low-income and 375 (estimated) homeless households are expected to be served through these activities. 70 (estimated) people are expected to be served under Fair Housing.
	Location Description	Citywide
	Planned Activities	Bay Area Community Services (BACS) operates Berkeley's Coordinated Entry System which will screen, conduct intakes, and provide housing navigation services to approximately 500 people. The Fair Housing services provider will provide outreach, training, fair housing counseling services to up to 70 households, investigation of an estimated 25 fair housing complaints, 10 tenant/landlord mediations, and 10 fair housing testing/audits with follow-up training for non-compliant property owners.
6	**Project Name**	Public Facility Rehabilitation
	Target Area	BERKELEY
	Goals Supported	Improve Public Facilities and Public Services
	Needs Addressed	Non-Housing Community Development
	Funding	$342,553 (plus additional unused funds and/or program income)
	Description	Activities that fund the rehabilitation of public facilities are funded under this project.
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	It is projected that public facility improvements provided by the City of Berkeley's administered program and Rebuilding Together East Bay North will benefit nearly 750 people. The number of beneficiaries may increase as new public facility projects are identified through the acceptance of new applications.
	Location Description	Various locations within the City of Berkeley.

	Planned Activities	Activities include improving public facilities by funding substantial rehabilitation to applicants of the City administered Public Facility Improvement Program and the Rebuilding Together East Bay North program. In PY24 the City is anticipating having a minimum of $80,574 in available funds for the public facility notice of funding availability (NOFA) resulting in one project serving an average of 100 persons. A current project Ala Costa Centers is anticipated to serve 33 persons, and another, BOSS's Ursula Sherman Village, anticipates serving 266. Additional projects throughout the year may increase the numbers served. The Rebuilding Together East Bay North program will use $93,780 to support four projects throughout the community serving a total of 650 persons.
7	**Project Name**	ESG24-Berkeley - Emergency Shelter, Outreach, and Rapid Rehousing and HMIS Activities
	Target Area	BERKELEY
	Goals Supported	Provide Emergency Shelter, Outreach and Rapid Re-Housing services
	Needs Addressed	Homelessness
	Funding	ESG: $237,695
	Description	ESG funds will be used for Emergency Shelter, Outreach, Rapid Re-Housing and HMIS costs.
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	Up to 7 (estimated) households will be served with Rapid Rehousing financial assistance. 100 (estimated) persons will be assisted with Emergency Shelter
	Location Description	BACS Stair Navigation Center and various outreach and permanent housing locations.
	Planned Activities	ESG funds will be used to provide financial assistance and housing relocation and stabilization services to rapidly re-house 7 (estimated) households and 100 (estimated) persons will be temporarily sheltered.

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

As discussed in MA-50 of the Consolidated Plan, the City does not have areas of low income or minority concentration and therefore does not allocate federal funds geographically.

Geographic Distribution

Target Area	Percentage of Funds
BERKELEY	100

Table 9 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Not applicable.

Discussion

Not applicable.

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

This section includes HOME-funded units only. The City has one HOME-assisted project under construction with project completion in PY24. The Grinnell adds 63 affordable units to the City's portfolio, including 7 HOME units. The City supported the project with $12 million in funding, including $1.8 million in HOME funds.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	7
Special-Needs	0
Total	7

Table 10 - One Year Goals for Affordable Housing by Support Type

One Year Goals for the Number of Households Supported Through the Production of New Units	
Total	7

Table 11 - One Year Goals for Affordable Housing by Support Requirement

Discussion

Not applicable.

AP-60 Public Housing – 91.220(h)

Introduction

The Berkeley Housing Authority (BHA) is not a department of the City of Berkeley. BHA Board members are appointed by the Mayor and confirmed by the City Council. BHA is a Section 8 Housing Choice Voucher-only agency; BHA does not own any public housing units. Responses below pertain to BHA's voucher programs.

Actions planned during the next year to address the needs of public housing

As a Section 8-only agency, BHA is making special effort to increase the number of landlords participating with us to house voucher holders. It has received a grant from the City of Berkeley ($150,000 in total) and is actively issuing reimbursement checks to landlords who provide receipts to offset costs to prepare the unit for a new Section 8 participant as part of the to implement a unit turnover program to incentivize landlords to participate with BHA to house voucher holders.

BHA was also recently selected as a participating Move To Work (MTW) agency in the landlord incentive cohort. After the final stage of approval from HUD, staff will be able to utilize the programmatic flexibilities to further incentivize landlords into our programs so that more voucher holders may be housed in Berkeley.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

Not applicable. Unfortunately, the cost of housing in Berkeley prohibits BHA's ability to operate a homeownership program. Regarding involvement of our program participants, as a Section 8-only agency, BHA adheres to all of the required public processes including convening a Resident Advisory Board (RAB) to review and comment on proposed Admin. Plan changes. Additionally, the RAB provided input on the MTW application, and will provide input on the public process that will entail finalizing the MTW plans prior to implementation.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

Not applicable. BHA has been a high performing agency since 2010.

Discussion

Not applicable.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The City uses a variety of approaches to support homeless and other vulnerable populations.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Goals for PY24 include 1) If awarded new State of California Encampment Resolution Funds (Round 3), support a new non-congregate shelter program to move unhoused people indoors and connect them to the North County Housing Resource Center (Coordinated Entry System) and other eligible and available resources; 2) Conversion of an existing non-congregate interim shelter to a permanent supportive housing project using State of California Project HomeKey funding, 3) entering into a contract and lease to support the development of 39 units of modular housing for unhoused residents of Berkeley, 4) continue to fund and otherwise support the North County Berkeley/Albany/Emeryville Housing Resource Center – the front door to the homeless Coordinated Entry System which provides outreach, assessments, housing problem-solving, housing navigation and tenancy sustaining services to unhoused residents, 5) continue to fund congregate and non-congregate shelter and interim housing programs to move unhoused residents into permanent housing, 6) continue to fund housing retention grants to reduce the number of households becoming homeless in Berkeley, 7) convert a congregate shelter to a non-congregate pallet shelter, 8) support the newly created Berkeley Trust Clinic, a clinic that provides both primary and behavioral health services to people who are unhoused or previously unhoused in Berkeley, and 9) incorporate 2024 Berkeley Point In Time Count data into program planning and implementation strategies. HRC staff will continue to implement the updated assessment process.

The CES continues to include three phases: housing program solving (HPS), crisis assessment and housing assessment. The former will be focused on households that can be rapidly rehoused with limited support while the latter will be focused on households needing permanent supportive housing. This phased approach coupled with HPS flex funds will result in more varied households having access to needed supports. Staff will provide these assessments through 211 referrals, during HRC drop-in and by phone, and at street-based locations throughout Berkeley. Street based outreach staff will continue to engage people and provide basic necessities, such as water and hygiene kits.

Eligible people will be matched to appropriate and available resources including housing problem-solving resources, housing navigation services, shelter, transitional and permanent housing programs, physical, mental health and addiction services and SSI advocacy.

The HRC will provide housing navigation services tied to rapid-rehousing and flexible financial assistance to support additional people in moving to permanent housing. Housing navigators support participants in a variety of ways from housing problem solving to assisting with identification documents and housing search activities. Once permanently housed, HRC staff will work with participants to maintain housing.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City will continue to provide funding for shelter and transitional housing as described in section MA-30 of the Consolidated Plan. Berkeley's shelter system has returned to pre-pandemic census levels. The City funds multiple agencies to provide 306 year-round shelter beds for singles and families (216 congregate including 19 family units and 90 non-congregate), 65 seasonal shelter beds (nightly and inclement weather shelter) and 12 transitional housing beds (TAY beds).

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) 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

The North County HRC, operated by Bay Area Community Services (BACS), conducts Coordinated Entry System (CES) intakes and assessments, which prioritize people who are homeless for resources that best meet their needs, including rapid re-housing placements and placement on the County's Permanent Supportive Housing (PSH)Housing Queue. In both cases, the goal is to rapidly re-house households and support them for as long as retention services are needed and allowed.

The HRC's Housing Navigation resources will be allocated to people across the new CES housing queue, with focus on households that can be rapidly rehoused with little to no services support. Housing Navigators will help collect documents needed to apply for housing opportunities, housing searches and linking participants to services that will help to retain housing.

The North County HRC and the BACS Stair Program have flexible and rapid rehousing funds, which assist in reducing people's length of homelessness. The City will allocate ESG and local funds to support these efforts. While funding is available, there continues to be a lack of available units, within HUD's Fair Market Rent (FMR) to support households with extremely low incomes making it difficult to rapidly re-house households in the County. Often, households are being housed in neighboring cities and counties making it challenging to provide ongoing housing retention services. This has resulted in some delays in spending City of Berkeley ESG funds for rapid re-housing. The HRC has incorporated more shared housing opportunities through the use of larger units. This has provided people with limited income and a willingness to share housing more opportunities to be permanently housed.

The City's Shelter Plus Care (S+C) program is funded through two Continuum of Care grants and a contract with Alameda County. The S+C Program serves approximately 280 households. The program combines federal housing subsidies with services provided by Berkeley Mental Health, Berkeley Aging

Services and Adult Case Management. The City also funds community agencies to provide tenancy sustaining services (TSS).

The Shelter Plus Care portfolio includes:

- 206 certificates that prioritized people who qualified for the program under the definition of chronic homelessness as outlined by HUD guidelines, although it is not limited to serving only the chronically homeless.
- 86 Shelter Plus Care certificates that primarily serve older adults who are living on the streets and disabled due to a serious mental illness and /or history of drug and alcohol dependence. The HHCS Department's Aging Services Division provides outreach, housing search assistance, and intensive case management for the participants enrolled in the project.
- 12 site-based units in partnership with Resources for Community (RCD) as the project sponsor. The contract serves 12 households. Participants are housed at one of 2 sites owned by RCD: MLK House and Erna P. Harris Court (EPHC).
- 11 site-based units in a collaboration between the City of Berkeley Health Housing and Community Services Department (HHCSD) and Bonita House. The program targets adults who are dually diagnosed with a serious mental illness and history of alcohol and/or drug dependency.

The Shelter Plus Care portfolio also includes, Square One, a locally funded permanent housing subsidy that serves vulnerable households that are literally homeless that could benefit from housing support but don't meet HUD regulation criteria. Potential participants to this program would still demonstrate their need by establishing eligibility to the program with tracking of lengths of homelessness history and demonstrated needs. Once qualifications are established, then the Square One program connects these participants to housing navigators, to help support their application to housing placement, as units become available.

Other than the Square One Program, the S+C Program fills all of its openings through HomeStretch and the "Housing First" approach in housing the target population. When an opening occurs, Home Stretch prioritizes unhoused people based on chronicity, need and date of referral, and provides participant information to the City of Berkeley, to be matched with a partner service agency that will provide case management and housing stabilization support. The case manager will support the participant to obtain and retain their housing, although services are not required in order to qualify for the rental assistance. Along the way, case managers work with participants to address issues that may have contributed to their housing instability or present obstacles to obtaining rental housing (such as poor credit, a lack of income, missing documents like a picture ID, outstanding legal issues, etc.).

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

The City will participate in countywide and regional efforts to reduce discharges into homelessness.

Discussion

The City of Berkeley supports a wide range of homeless programs, including emergency/crisis drop-in centers and shelters, transitional housing, permanent supportive housing, prevention and rapid rehousing services. All contracted service providers report outcomes based on the countywide outcome standards developed by EveryOne Home, in order to inform future adjustments to the service system.

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

None.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

As stated in section MA-40 of the Consolidated Plan, the following are considered potential constraints in Berkeley: accessory dwelling unit (ADU) requirements and permit review process. On February 8, 2022, the City adopted a local ADU Ordinance that is both consistent with and more lenient than State law. Any residential parcel with an existing or proposed housing unit may establish an ADU with the approval of a building permit. ADUs are reviewed for compliance with the object standards in the local zoning ordinance (modified by State, if applicable) as part of the building permit review. Previously, the City's process required that an applicant apply for and obtain a zoning certificate prior to submitting for a building permit. With the amendments to the zoning ordinance, the City has consolidated the permit process so that the zoning review and building permit review occur concurrently (removing the additional step and time). By not requiring a separate zoning clearance or zoning certificate in advance of the building permit, the application and review process is streamlined and consolidated. Staff reviews the applications within the designated timelines for the building permit. The building permit review times are based on the complexity and scope of the project and can typically range between one to six weeks, which is less than the 60-days required by State law.

The permit process in Berkeley may be considered a constraint to housing production. Currently, the majority of new residential development in the City requires discretionary review through the use permit process. Due to the greater level of complexity, multifamily projects usually require a lengthier processing time (9 to 24 months) when compared to a single-family residence (6 to 12 months). The City is in the process of creating objective development standards for multifamily developments.

The City is working towards new permitting software and recently completed mapping of existing processes with the intent of streamlining review. Additionally, the City has implemented a CEQA Application Completeness Template to assist with determinations of Categorical Exemption, saving time and cost on project review.

In 2023, the City adopted the Housing Element (2023-2031). The Housing Element serves as a comprehensive document for everyone in the Berkeley community. Racial and social equity, and protections for vulnerable and historically impacted communities, are key factors in this update to the City's housing plan. An essential component of the Housing Element is to identify sufficient sites that can accommodate future housing needs across income levels. The Housing Element must also develop

various approaches in order to meet those needs, such as zoning updates or new affordable housing requirements and programs.

The City of Berkeley is developing objective standards for “missing middle” housing in the lower density residential zones. The City of Berkeley's 2023-2031 Housing Element outlines the consideration of a by-right approval process for smaller “middle housing” residential projects in single- and lower-density residential districts, which would further shorten permit processing times. To facilitate the by-right development of middle housing, the City will consider eliminating the requirement of a use permit to demolish single-family homes for applications that 1) add net density and 2) have not been occupied by tenants within the past five years and in which Ellis Act eviction did not occur within the preceding five years. The intent of the proposed middle housing policies is to implement the City Council’s direction to eliminate exclusionary zoning and encourage duplexes, triplexes/fourplexes, courtyard apartments and other small-scale multi -family housing types that have historically appeared in Berkeley neighborhoods primarily comprised of single -family homes. With the passage of California Senate Bill (SB) 35 Berkeley, like all California cities, has an expedited path to planning and environmental approvals for affordable housing developments meeting certain State-established criteria. Since 2021, the City has approved eight land use entitlements for City-funded projects under SB35: Berkeley Way, Jordan Court, The Grinnell, Maudelle Miller Shirek Community, 1740 San Pablo, St. Paul Terrace, Ephesian Legacy Court, BUSD Workforce Housing, and Woolsey Gardens.

In 2023, the received a total of thirty-five (35) SB 330 applications with 4,254 units proposed. The City of Berkeley will pursue zoning map and development standard amendments in the Southside Plan Area. These proposed zoning modifications are intended to increase housing capacity and production in the Southside through changes in a targeted number of zoning parameters: building heights, building footprints (including setbacks and lot coverage), parking, ground -floor residential use, and adjustments to the existing zoning district boundaries. This Southside zoning modification program proposes amendments that could facilitate an additional 2,600 units compared to existing zoning and sites inventory capacity. The City has released a Request for Proposals to initiate upzoning on College Avenue, North Shattuck, and Solano Avenue corridors. The intent of this effort to create higher density residential zoning in high resource areas and establish objective development standards.

Discussion

Not applicable.

AP-85 Other Actions – 91.220(k)

Introduction:

The City of Berkeley uses a range of strategies to address the housing, homeless, and community development goals identified in the Consolidated Plan. This section discusses actions planned to foster and maintain affordable housing, to reduce lead-based paint hazards, to reduce the number of poverty-level families in Berkeley, and to coordinate activities in these areas with other entities.

Actions planned to address obstacles to meeting underserved needs

One of Berkeley's major obstacles to meeting underserved needs is the limited amount of federal, state, and local resources available given the diversity of needs in the community and high cost of housing in the Bay Area. The City of Berkeley will continue to pursue new State and Federal resources as available to meet underserved needs.

Actions planned to foster and maintain affordable housing

The City has several on-going programs which foster and maintain affordable housing in Berkeley:

- Rent Stabilization Program. In 1980, Berkeley residents passed the Rent Stabilization and Eviction for Good Cause Ordinance. The Ordinance regulates most residential rents in Berkeley, provides tenants with increased protection against unwarranted evictions and is intended to maintain affordable housing and preserve community diversity. In 2017 Council adopted the Tennant Protection Ordinance, to prohibit illegal evictions through the use of fraudulent and/or misleading representations, intimidating conduct, and coercive conduct.
- Inclusionary Housing Ordinance (IHO). The City replaced its Affordable Housing Mitigation Fee with the IHO. This ordinance requires developers of new market rate rental and ownership housing to provide affordable apartments integrated into their development or pay an in-lieu fee into the City's Housing Trust Fund. Resulting units are affordable to people with incomes less than 50 percent and less than 80 percent of Area Median Income (AMI). A portion of all 50% AMI units are set aside for Shelter+Care and Section 8 voucher holders. The Council adopted a formula for increasing the in-lieu fee over time consistent with the Construction Costs Index (CCI).
- Condominium Conversion Ordinance (CCO). The CCO governs the conversion of rental apartments and tenancy-in-common buildings to condominiums, and other types of mutual or cooperative housing. A mitigation fee for production of permanently affordable housing is collected for each unit converted into a condominium and allocated to the Housing Trust Fund.
- Commercial Linkage Fee. The Affordable Housing Mitigation Program for commercial construction was approved on April 20, 1993. It imposes a fee on commercial new construction in which the newly constructed gross floor area is over 7,500 square feet that is allocated to the Housing Trust

Fund.

- Housing Trust Fund (HTF). The City of Berkeley created its HTF in 1990 to help develop and preserve below-market-rate housing. The HTF program pools funds for affordable housing construction from a variety of sources with different requirements, makes them available through one single application process to local developers, then monitors development and operation of the funded housing.
- Relocation Ordinance. This ordinance prevents tenants from being permanently displaced if they must vacate their unit temporarily while repairs are completed to bring the unit into code compliance. The ordinance requires the Owner to allow the tenants to move back into the unit once repairs are completed, and to provide financial compensation to tenants to mitigate the costs associated with being temporarily displaced.
- Mortgage Credit Certificate. MCC is a federal income tax credit that provides qualified low-income homebuyers a tax credit worth up to 15 percent of their annual mortgage interest paid on their home loan. MCC recipients adjust their federal income tax withholding, which increases their take-home pay, making monthly mortgage payments more affordable. The City participates in the Alameda County MCC program.
- Senior and Disabled (Home) Loan Rehabilitation Program managed by HHCS is designed to preserve the City's housing stock and to assist low- and moderate-income seniors and homeowners with disabilities in aging safely in place while safeguarding their family assets. Supported by CDBG and CalHome funding, applicants are offered a zero-interest loan secured by a deed of trust on their home. The loan is repayable upon sale or transfer of the property; when the Borrower(s) ceases to occupy the property or upon loan maturity (30 years), whichever occurs first.
- Fair Chance to Housing. In March of 2020, Berkeley City Council passed the Fair Chance Access to Housing Ordinance, prohibiting the use of criminal history and/or criminal background checks in the tenant selection process for rental housing.

Actions planned to reduce lead-based paint hazards

The City will continue to comply with the Environmental Protection Agency's Renovation, Repair, and Painting Program in its Senior and Disabled Rehabilitation Loan Program. Similarly, organizations working with the City of Berkeley on single family rehabilitation will work with the City and Alameda County Lead Poisoning Prevention Programs to increase awareness of lead issues among their clients and incorporate lead safe work practices into their activities.

The City of Berkeley Childhood Lead Poisoning Prevention Program collaborates with the Berkeley Health, Housing & Community Services Department's State lead-certified Risk Assessor/Inspector, Project Designer, and Project Monitor. Berkeley's program also provides case management services to families with children who have elevated blood lead levels. Public Health Nursing services include outreach, health education, and follow-up with providers and families for initial blood lead levels (BLLs) of > 4.5 and < 9.5 µg/dL; follow-up/lead poisoning consultation for initial BLLS > 9.5 and < 14.5

(potential cases) and case management for children with blood lead levels > 14.5 µg/dL. The City is not currently active in the Childhood Lead Poisoning Prevention Program due to Public Health Nurse vacancies. However, the Public Health Division still provides childhood lead poisoning prevention outreach at local health fairs and community presentations.

The Alameda County Healthy Homes Department (ACHHD) also provides HUD-funded lead hazard control grants for addressing lead hazards in qualifying Berkeley pre-1978 housing units that are occupied by a low-income household with a priority for units with a child under 6 living in the unit, a pregnant occupant, or a child under 6 years who visits twice a week for at least three hours each time. Since July 1, 2020, ACHHD has completed lead evaluation at one unit in Berkeley which is under contract for lead hazard repair, has approved another unit for service and has seven units in the application process. The goal of the program is to make 144 housing units lead-safe county-wide over the 42-month grant period.

ACHHD also provides lead safety and healthy housing training. For coronavirus safety, in person trainings have been suspended under the County's Shelter-In-Place orders. The ACHHD has increased traditional media, social media, and web content to continue outreach and education.

The ACHHD's outreach and education activities promote lead safety, regulatory compliance, and participation in ACHHD lead hazard control grant programs to property owners, property managers. The ACHHD coordinates lead poisoning prevention outreach activities with the City of Berkeley Public Health. ACHHD also currently provides lead-safe painting supplies kit to eligible property owners.

Outreach partners and locations for property owner presentations, staff trainings, and literature distribution have included the Berkeley Rent Stabilization Board and Permit Office, the Berkeley Housing Authority, Tool Lending Library, North Berkeley Senior Center, YMCA, Berkeley Property Owners Association, the East Bay Rental Housing Association which is in Oakland but serves Berkeley property owners, the Ecology Center, and local paint and hardware stores. The ACHHD participates in local collaborations and with partners including the Berkeley Tobacco Prevention Coalition, Bay Area Lead Programs, Berkeley Black Infant Health, Kerry's Kids, Rebuilding Together East Bay North, Habitat, and the Safe Kids Coalition.

Actions planned to reduce the number of poverty-level families

The City funds several programs to assist poverty-level households:

- Funding and refinement of anti-poverty programs provided by CBOs and by the City. Federally funded community agency contracts are outlined in the Annual Action Plan.
- Implementation of the City's Living Wage Ordinance.
- Regional coordination on economic development to benefit low-income residents.
- The City's Family Friendly and Environment Friendly Ordinance (BFFEFWO) allows workers to seek a flexible or alternative work schedule with their employer to accommodate needs such as

child or elder care and considers modified schedules to reduce environmental impacts associated with commuting.
- The Fair Workweek Employment Standards Ordinance enforces fair and equitable scheduling practices for workers within the City so that they are able to attend to their health, families, and education, and to give part-time workers an opportunity to move into full-time employment.
- Helping Achieve Responsible Development with Healthcare and Apprenticeship Training Standards ("HARD HATS") Ordinance is designed to promote the retention and growth of a skilled labor pool in the construction industry and enhance the health of construction workers by ensuring that contractors on large projects within the city offer quality health care to workers and participate in industry-proven apprenticeship programs.
- The Youth Equity Partnership (YEP) initiative for African American/Black and Latinx young people who live and/or go to school in Berkeley to thrive academically, physically, and emotionally.
- Linking homelessness and homelessness prevention programs, such as the coordinated entry system, to employment training and placement opportunities. The HRC has an employment position that supports people who are literally homeless and people who were previously homeless but still receiving housing retention services.

The City has contracted with workforce development programs to provide training, education and job placement for low income, under-employed, and unemployed residents:

- Inter-City Services provides employment, training, and education focusing on IT and clerical office skills. They focus their services on Berkeley's unhoused, transitional, and other low-income communities.
- The Bread Project provides training in culinary arts and bakery production, and includes the formerly incarcerated as their target population. They operate a social enterprise that creates opportunities for trainees to obtain crucial experience
- Rising Sun Center for Opportunity Green Energy Training Services provides pre-apprenticeship classroom and hands-on training in the Building and Construction trades creating a pathway for careers in green and clean construction technologies.

- Local Hire policies include the Community Workforce Agreement.
- The YouthWorks (YW) employment program continued its partnerships with City and nonprofit agencies. YW targets low income, at-risk youth and provides all youth (14-25 years old) with workplace skills training.
- The City's Recreation Division partners with the Berkeley School District and YW on the Achievers Program, providing leadership development, career exploration and peer-led tutoring.
- The Downtown Streets Team, homeless and low-income persons volunteer to beautify commercial districts while engaging in case management and employment services.

The City's anti-poverty strategy are closely tied to the funding of approx. 50 COBs to provide services to enable people in poverty to attain self-sufficiency, support at-risk youth to succeed in school and

graduate, and protect the health and safety.

Actions planned to develop institutional structure

During the next year, the City of Berkeley will continue to coordinate the housing and community services activities within the department through regular senior staff meetings and coordination on specific topics. The City's Health & Human Services and its Housing Departments merged in PY12. Since that time, senior leadership of all Divisions meets weekly to share information on Division activities which promotes closer coordination. For example, in PY20, the senior leadership of each Division, facilitated by the City's Homeless Services Coordinator, explored mechanisms to better coordinate housing, services, and public and mental health services. In PY21 and PY22, Housing Community Services (HCS) increased its coordination with Berkeley Mental Health (BMH) and Aging Services (AS) to support people who were literally homeless and at risk if infected with COVID-19. This occurred through regular case conference meetings. The City's Homeless Services Coordinator moved to the City Manager's Office, resulting in increased outreach and service coordination between the HCS and the City Manager's Neighborhood Services (NS) Division. This coordination among HCS, BMH, AS and NS Divisions will continue to support existing and new projects in PY24. The Division leadership will continue to seek opportunities to increase coordination during PY24. Two additional HHCS institutional structure priorities for PY24 are one to create and implement an equity framework for the Department, and two, create and implement a communications framework for the Department. These frameworks will establish ongoing uniform institutional structures for each Division within the HHCS.

Actions planned to enhance coordination between public and private housing and social service agencies

City staff will also continue to participate in the implementation of Alameda County's Home Together 2026 – 5-year strategic plan. Staff will continue to participate in the initiative's Leadership Board, which includes most public funders of housing and homeless services in the county, as well as leadership from key community-based organizations. Leadership Board membership helps coordination efforts across the county. Staff also participates in other committees composed of other funders (such as Alameda County Behavioral Health Care Services, Social Services Agency, and the Office of Homeless Care and Coordination) as well as many community-based organizations.

Recent countywide collaboration efforts include the ongoing refinement of the Coordinated Entry System and participation in the Alameda County Health Care Services Agency (HCSA) Homelessness Prevention Strategy Team (HPST) cross-county strategic advisory body. The City will continue to work with County partners on CES efforts and homeless prevention efforts, Lastly, the City will continue to coordinate with the County, BHA and other partners to market landlord incentive programs to increase

the portfolio of available private market units.

City staff continue to collaborate with service agencies, from legal advocacy assistance, to disability rights organizations for unit modifications, the VA for VASH vouchers, and the Berkeley Housing Authority (BHA) for Mainstream and Emergency Housing vouchers. Additionally, with Project-based voucher allocations and through work with owners of Below Market Rate units, BHA has partnered with both non-profit and for-profit developers of housing in Berkeley, to house those participating in our programs. In 2021 BHA received an allocation of 51 Emergency Housing Vouchers from HUD; City staff, and community/social services partners meet twice monthly to collaborate on the lease up of these vouchers for the formerly homeless, in Berkeley. In January 2023, BHA received 30 new mainstream vouchers. City staff will partner with BHA and homeless services partners to collaborate on referrals and lease up of these vouchers.

Discussion:

The majority of Berkeley's activities furthering the goals of the Consolidated Plan are provided by community agency partners. This will continue to be the case in PY24.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction:

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	$ 250,000
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	**$ 250,000 (anticipated)**

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	80.00%

HOME Investment Partnership Program (HOME)
Reference 24 CFR 91.220(l)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

   The City of Berkeley uses no forms of investment other than ones described in §92.205(b).

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

   No homeownership or tenant-based rental assistance activities are anticipated for PY24.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

   No homeownership activities are anticipated for PY24.

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

   The City of Berkeley's HTF Guidelines apply to any project using HOME funds to refinance existing debt. Per the Guidelines, Project owners submit funding requests to the City, or reply to the City's Requests for Proposals for funding, with the following information, among other things:

   a) As a condition precedent to funding, Owners must demonstrate an extension of affordability term. For new HOME funds invested in the Project, the minimum affordability term is the term required by 24 CFR 92 et seq., but, typically, the required extension of affordability is 55 years.

   b) As a condition precedent to funding, Owners must demonstrate that the refinancing preserves the affordable Project through rehabilitation.

   1. Minimum rehab costs/unit must correspond to at least the value identified in a current physical needs assessment to ensure that the long-term needs of the Project can be met.
   2. Typical rehab/unit costs are no less than $10,000/unit, the minimum rehab value required by the California Debt Limit Allocation Committee Regulations.

   c) Owners indicate if their refinancing request includes new construction that adds net new units to the Project

   d) Owners provide extensive Project data, including audited financial statements, cash flows, rent

rolls, services plans, PNAs, and rehabilitation proformas to demonstrate that:

1. The project is sound financially and disinvestment has not occurred
2. The long-term needs of the Project and residents will be met by the rehab
3. The proposed rehab is financially feasible, includes no barriers to refinancing existing mortgage loans, does not include the refinancing of any existing federal or federally-insured loans, and leverages other non-federal funds to the greatest extent possible

5. If applicable to a planned HOME TBRA activity, a description of the preference for persons with special needs or disabilities. (See 24 CFR 92.209(c)(2)(i) and CFR 91.220(l)(2)(vii)).

   N/A

6. If applicable to a planned HOME TBRA activity, a description of how the preference for a specific category of individuals with disabilities (e.g. persons with HIV/AIDS or chronic mental illness) will narrow the gap in benefits and the preference is needed to narrow the gap in benefits and services received by such persons. (See 24 CFR 92.209(c)(2)(ii) and 91.220(l)(2)(vii)).

   N/A

7. If applicable, a description of any preference or limitation for rental housing projects. (See 24 CFR 92.253(d)(3) and CFR 91.220(l)(2)(vii)). Note: Preferences cannot be administered in a manner that limits the opportunities of persons on any basis prohibited by the laws listed under 24 CFR 5.105(a).

   N/A

Emergency Solutions Grant (ESG)
Reference 91.220(l)(4)

1. Include written standards for providing ESG assistance (Attachment 3)

   The City's standards for providing ESG assistance were updated in 2022. The most recent version is attached. Each Annual Action Plan and any subsequent amendment notification and request for public comment is sent to the Homeless Services Panel of Experts and Housing Advisory Commission. Both are comprised of nine Council appointed community members. The Housing Advisory Commission advises Council on housing matters in Berkeley including the Commission overseeing and advising Council on both CDBG and ESG programs and funding allocations. Berkeley's Homeless Services Panel of Experts advises City Council on homeless policy, program and funding recommendations and includes participation by people with lived expertise.

2. If the Continuum of Care has established centralized or coordinated assessment system that meets HUD requirements, describe that centralized or coordinated assessment system.

   The performance standards to be applied to ESG activities is attached as an image labeled Outcome Measures. These standards were developed in 2018 by EveryOne Home's Results Based Accountability Committee, which includes City of Berkeley staff. his matrix presents outcome standards for each type of program in the Continuum of Care. Most were established as a percentage of the average outcomes achieved by all County programs (for example, the average permanent housing placement rate of all emergency shelters) and will be adjusted over time to ensure continued improvement.

   Together Priority Home Partnership and the Housing Retention program make up the housing retention and rapid rehousing segment of the City's continuum of services. The City will continue to work with community agencies to ensure that prevention and rapid rehousing funds are fully utilized and play an important role in ending homelessness in Berkeley.

3. Identify the process for making sub-awards and describe how the ESG allocation available to private nonprofit organizations (including community and faith-based organizations) will be allocated.

   The City of Berkeley will receive $237,965 in ESG funding for PY 2024. Funds will be used primarily for shelter and Rapid Rehousing. Funds are awarded to subrecipients based on a competitive Request for Proposal Process that covers a four-year period from PY 2024-PY 2028. The City of Berkeley will utilize the maximum amount possible for administration (Seven and a half percent of the grant) and allocate funds to support the County-wide Homeless Management Information System, known as InHouse.

4. If the jurisdiction is unable to meet the homeless participation requirement in 24 CFR 576.405(a), the jurisdiction must specify its plan for reaching out to and consulting with homeless or formerly

homeless individuals in considering policies and funding decisions regarding facilities and services funded under ESG.

The policy-making entity for the City of Berkeley which makes decisions regarding the facilities, services, and other programs to receive funding under the Emergency Solutions Grant (ESG) is the Berkeley City Council. The Berkeley City Council is elected by the citizens of Berkeley. The City cannot mandate that a homeless or formerly homeless individual be on the City Council. Therefore, the City must develop and implement a plan to consult with homeless or formerly homeless individuals in making policies and decisions regarding programs that receiving funding under ESG. Each Annual Action Plan and any subsequent amendment notification and request for public comment is sent to the Homeless and Housing Advisory Commissions for comment and dissemination. Both the Homeless and Housing Advisory Commissions are comprised of nine Council appointed community members. The Homeless Commissions functions are to monitor and assist in the City's progress in implement needed homeless services and facilities. Appointments to the Homeless Commission are given consideration to be representatives of the homeless. The Housing Advisory Commission advises Council on housing matters in Berkeley including is the Commission overseeing and advising Council on both CDBG and ESG programs and funding allocations.

5. Describe performance standards for evaluating ESG.

The performance standards to be applied to ESG activities is attached as an image labeled Outcome Measures. These standards were developed in 2018 by EveryOne Home's Results Based Accountability Committee, which includes City of Berkeley staff. This matrix presents outcome standards for each type of program in the Continuum of Care. Most were established as a percentage of the average outcomes achieved by all County programs (for example, the average permanent housing placement rate of all emergency shelters) and will be adjusted over time to ensure continued improvement.

Together Priority Home Partnership and the Housing Retention program make up the housing retention and rapid rehousing segment of the City's continuum of services. The City will continue to work with community agencies to ensure that prevention and rapid rehousing funds are fully utilized and play an important role in ending homelessness in Berkeley.

Note: See Attachment 3 for Systemwide Performance Targets for Rapid Re-Housing Services

Attachments

Attachment 1:

Attachment 1			
Annual Action Plan for PY24 (FY25)			
City of Berkeley CDBG, ESG and HOME Projects for 7/1/2024 - 6/30/2025			
Proj. #	**Agency**	**Project Name**	**PY24 Allocations**
CDBG			
1	Center for Independent Living	Residential Access	$211,600
2	Habitat for Humanity	Housing Rehabilitation Grant Program	$154,280
3	HHCSD*	Loan Services	$77,009
4	HHCSD	Senior and Disabled Rehab Program	$393,853
5	HHCSD	Rehab Loans	$100,000
6	HHCSD	Housing Development: M/F Rehab	$537,175
		Subtotal Housing Projects	**$1,473,917**
7	Bay Area Community Services	Coordinated Entry System	$418,921
8	Eden Housing for Hope and Opportuni	Fair Housing	$35,000
		Subtotal Public Services Projects	**$453,921**
9	Rebuilding Together East Bay North	Community Facility Program	$93,780
10	HHCSD	Public Facility Improvements	$168,199
10.a	HHCSD**	PY24 Public Facility Improvement Program - Funds available for NOFA	$80,574
		Subtotal Public Facilities Projects	**$342,553**
11	HHCSD	CDBG Planning and Administration	$567,598
		Subtotal Planning & Admin Projects	**$567,598**
		****GRAND TOTAL ALL CDBG PROJECTS**	**$2,837,989**
ESG			
12	BACS	Rapid Re-Housing Project	$70,663
13	BACS	Emergency Shelter and Street Outreach	$142,779
14	HHCSD	Homeless Management Information System	$6,676
15	HHCSD	Program Planning and Administration	$17,847
		GRAND TOTAL ALL ESG PROJECTS	**$237,965**
HOME			
16	HHCSD	HOME Administration	$57,025
17	CHDO Operating Funds	CHDO Operating Funds	$30,000
18	HHCSD	Housing Trust Fund	$483,221
		*****GRAND TOTAL ALL HOME PROJECTS**	**$570,245**
Notes:	* HHCSD = City of Berkeley Health, Housing & Community Services Department		
	**Includes estimated Program Income, in the amount of $250,000 and an estimated amount of $0 in unused carry forward funds. If additional funds become available they will be added to line 10.a, Community Facility Improvement Program NOFA.		
	***Assumes $20,000 in Program Income		

Attachment 2 Public Notice and Community Participation Summary

Berkeley Voice
510-723-2850

Legal No. 0006803349

3235930

BERKELEY, CITY OF
HEALTH, HOUSING & COMMUNITY SVS
2180 MILVIA ST, 2ND FLOOR
BERKELEY, CA 94704

PROOF OF PUBLICATION

FILE NO. Jan. 25 Hearing

Berkeley Voice

I am a citizen of the United States. I am over the age of eighteen years and I am not a party to or interested in the above entitled matter. I am the Legal Advertising Clerk of the printer and publisher of the Berkeley Voice, a newspaper published in the English language in the City of Berkeley, County of Alameda, State of California.

I declare that the Berkeley Voice is a newspaper of general circulation as defined by the laws of the State of California, as determined by the order of the Superior Court of the County of Alameda, dated September 3, 1991, in the action entitled "In the Matter of the Petition of the Berkeley Voice to Have the Standing of the Berkeley Voice as a Newspaper of General Circulation Ascertained and Established," Case Number 588221-2. Said order provides that: "Petitioner's prayer for an order ascertaining and establishing The Berkeley Voice as a newspaper of general circulation...within the City of Berkeley, County of Alameda, State of California, is granted." Said order has not been revoked.

I declare that the notice, a printed copy of which is annexed hereto, has been published in each regular and entire issue of the Berkeley Voice and not in any supplement thereof on the following dates, to-wit:

01/19/2024

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.
On this 19th day of January, 2024.

Signature

r.BP316-07/17/17

1

PUBLIC HEARING ON COMMUNITY NEEDS

Thursday, January 25, 2024, 6:00 p.m.
South Berkeley Senior Center
2939 Ellis Street (at Ashby), Berkeley Ca 94703

Come Share Your Ideas on Needed Services and Housing

The Health, Housing, and Community Services Department (HHCS) will conduct a joint public hearing addressing the **Fiscal Year 2025 – 2028 Community Agency Request for Proposal** which includes recommended allocations of General Fund, Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and HOME Investment Partnership Program (HOME) funds.

The hearing will be held on **Thursday, January 25 at 6:00 P.M**. The meeting will be held at the **South Berkeley Senior Center, 2939 Ellis Street, Berkeley, CA 94703.**

The purpose of this public hearing is to gather information from Berkeley residents on what community and youth services and housing are needed for low-income residents in their community. The information gathered during this hearing will inform the community agency funding recommendations and be integrated in the Community Action Plan for the City of Berkeley Community Action Agency and the Annual Action Plan for funding from the federal department of Housing and Urban Development. Written comments should be mailed or delivered directly to Rhianna Babka, Health, Housing & Community Services Department, 2180 Milvia Street, Berkeley, CA 94704, or emailed to rbabka@berkeleyca.gov. For more information call the City of Berkeley Health, Housing & Community Services Department at (510) 981-5400. FAX: (510) 981-5450. TDD: (510) 981-6903.

Accommodations Provided Upon Request. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at (510) 981-6342 (V) or (510) 981-6345 (TDD) at least three business days before the meeting date. Providing at least three working days' notice will help to ensure availability at the meeting.

Una audiencia pública para tratar las Necesidades de la Comunidad se llevará a cabo el **jueves 25 de enero de 2024 a las 6:00 p.m.,** en el centro comunitario para adultos mayores (South Berkeley Senior Center), que está ubicado en la Calle Ellis 2939. El propósito de esta audiencia es escuchar directamente de los habitantes de Berkeley cuales son los servicios comunitarios, para jóvenes y programas de vivienda que necesita la comunidad de bajos recursos económicos. La información adquirida en esta audiencia ayudarán en las recomendaciones de financiación y serán incluidas en el en el plan de acción de la Agencia de Acción Comunitaria de la Ciudad de Berkeley y en el Plan de Acción Anual presentado por la ciudad al Departamento Federal de Vivienda y Desarrollo Urbano para recibir fondos. Sus comentarios escritos pueden ser mandados por correo o entregados personalmente a Rhianna Babka, en el Departamento de Salud, Vivienda & Servicios Comunitarios ubicado en 2180 Milvia Street, Berkeley, CA 94704. También pueden ser enviados electrónicamente a rbabka@berkeleyca.gov. Para más información puede llamar al Departamento de Salud, Vivienda & Servicios Comunitarios al (510) 981-5400. FAX: (510) 981-5450. TDD: (510) 981-6903.

社區需求的公開聽證會通知
舉行時間：2024年1月25日星期四下午6：00
地點：南伯克利市老年中心
2939 Ellis Street, Berkeley, CA 94703 (該地址靠近 Ashby Ave)

請來分享您對住房和其他社區所需服務的想法

衛生,住房和社區服務部 (HHCS) 將舉行聯合公開聽證會,討論 2025 年至 2028 財年社區機構徵求建議書,其中包括普通基金,社區發展整筆撥款 (CDBG),緊急解決方案撥款 (ESG) 和 住家投資合作計劃 (HOME) 資金的建議分配。

本次聽證會將於 **1** 月 **25** 日,星期四,下午 **6**：**00** 舉行。會議將在南伯克利市老年中心舉行，中心地址為 **2939 Ellis Street**，**Berkeley**，**CA 94703**。

這次公開聽證會的目的是經過聽取伯克利市居民的資訊,以達成進一步的了解社區中低收入居民需要哪些有關於社區,青少年,和住房的服務項目。在本次聽證會上收集的資訊將為社區機構的資助建議提供資訊，並被整合到在伯克利市社區行動計劃和聯邦住房和城市發展部 (HUD) 資助的年度行動計劃中。如有書面意見應郵寄或直接遞送至：

Ms. Rhianna Babka,
Health, Housing & Community Services Department
2180 Milvia Street,
Berkeley, CA 94704

或通過電子郵件發送給 rbabka@berkeleyca.gov。
欲瞭解更多資訊,請致電伯克利市住房部,電話: (510) 981-5400。傳真：(510) 981-5450。TDD：(510) 981-6903。殘障人士可應要求提供殘疾服務。如要申請與殘疾相關的服務以參加會議，包括輔助工具或類似服務，請至少在會議日期前三個工作日致電 （**510**） **981-6342** （**V**） 或 （**510**） **981-6345** （**TDD**） 如按照以上說明操作來聯繫殘疾服務專家,將有助於確保參加會議的可能性。

BV 6803349 January 19, 2024

Berkeley Voice
510-723-2850

Legal No. **0006817893**

3235930

BERKELEY, CITY OF
HEALTH, HOUSING & COMMUNITY SVS
2180 MILVIA ST, 2ND FLOOR
BERKELEY, CA 94704

PROOF OF PUBLICATION

FILE NO. Annual Action Plan PY 2024

Berkeley Voice

I am a citizen of the United States. I am over the age of eighteen years and I am not a party to or interested in the above entitled matter. I am the Legal Advertising Clerk of the printer and publisher of the Berkeley Voice, a newspaper published in the English language in the City of Berkeley, County of Alameda, State of California.

I declare that the Berkeley Voice is a newspaper of general circulation as defined by the laws of the State of California, as determined by the order of the Superior Court of the County of Alameda, dated September 3, 1991, in the action entitled "In the Matter of the Petition of the Berkeley Voice to Have the Standing of the Berkeley Voice as a Newspaper of General Circulation Ascertained and Established," Case Number 588221-2. Said order provides that: "Petitioner's prayer for an order ascertaining and establishing The Berkeley Voice as a newspaper of general circulation...within the City of Berkeley, County of Alameda, State of California, is granted." Said order has not been revoked.

I declare that the notice, a printed copy of which is annexed hereto, has been published in each regular and entire issue of the Berkeley Voice and not in any supplement thereof on the following dates, to-wit:

04/05/2024

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.
On this 5th day of April, 2024.

Signature

1

NOTICE OF PUBLIC HEARING
BERKELEY CITY COUNCIL
&
REQUEST FOR COMMENTS ON THE CITY'S ANNUAL ACTION PLAN

The Health, Housing, and Community Services Department (HHCS) will conduct a Public Hearing addressing the proposed **Annual Action Plan for Program Year (PY) 2024** (July 1, 2024 – June 30, 2025) which includes recommended allocations of Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and HOME Investment Partnership Program (HOME) funds.

The hearing will be held on **Tuesday, May 7, 2024, at 4:00 P.M.** in the **Berkeley Unified School District Board Room - 1231 Addison Street, Berkeley, CA 94702.**

A copy of the agenda material for this hearing will be available on the City Council agenda webpage at https://berkeleyca.gov/your-government/city-council/city-council-agendas in advance of the meeting. **Once posted, the agenda for this meeting will include a link for public participation using Zoom video technology, as well as any health and safety requirements for in-person attendance.**

Accommodations Provided Upon Request. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6342 (V) or 981-6345 (TDD) at least three business days before the meeting date. Providing at least three working days' notice will help to ensure availability at the meeting.

The proposed **PY 2024 Annual Action Plan** required by the U.S. Department of Housing and Urban Development (HUD), outlines the City's housing and community development program for the period July 1, 2024 through June 30, 2025. The plan also outlines the proposed use of the estimated $2,903,402 in **Community Development Block Grant (CDBG)** funds available for housing related activities, improvement of public facilities, public services, and planning and administration. In addition, the plan outlines the proposed use of $232,452, the majority of which is used for rapid re-housing financial assistance, outreach and/or shelter for people who are homeless in Berkeley under the **Emergency Solutions Grant (ESG),** and the use of an estimated $749,633 in **HOME Investment Partnerships Program (HOME)** funds for affordable housing development and rehabilitation.

PUBLIC COMMENT PERIOD: The public also from April 5, 2024 through May 7, 2024 to submit written comments on the PY2024 Annual Action Plan. **A draft of the Plan will be available for public review** on the web at https://berkeleyca.gov/community-recreation/community-services/hud-planning-performance-reports.

Physical copies of the public comment draft will be made available at the following locations:

- Berkeley Main Library: Reference Desk, on the 2nd Floor, 2090 Kittredge Street, Berkeley; and
- Health, Housing, and Community Services Department, 2180 Milvia Street, 2nd Floor, Berkeley.

All written comments must be either sent by email to both RBabka@berkeleyca.gov AND SFCPDMail@hud.gov, or by letter, or other legible written form, to Health, Housing, and Community Services Department, 2180 Milvia Street, 2nd Floor, Berkeley, and received no later than May 7, 2024, at 5:00 p.m.

For residents and groups that would like assistance in translating this report into another language, please contact HHCS at (510) 981-5400 or HHCS@berkeleyca.gov.

For general information, please contact Rhianna Babka (phone: (510) 981-5410 or email: RBabka@berkeleyca.gov) at HHCS 2180 Milvia Street, 2nd Floor, Berkeley, 94704.

El Departamento de Servicios de Salud, Vivienda y Servicios Comunitarios llevará a cabo una audiencia pública para tratar el **Plan de Acción Anual para el Año (PY) 2024** (1 de julio de 2024 a 30 de junio de 2025), el cual incluye las asignaciones recomendadas de fondos de la Beca de Desarrollo del Bloque Comunitario (Community Development Block Grant- CDBG), Beca de Soluciones de Emergencia (Emergency Solutions Grant - ESG) y la beca HOME.

La audiencia se llevará a cabo el **martes, 7 de mayo de 2024 a las 6:00 P.M.** en el **Berkeley Unified School District Board Room** localizado en **1231 Calle Addison, Berkeley, CA 94702.**

Una copia de la agenda para esta audiencia estará disponible en la página electrónica https://berkeleyca.gov/your-government/city-council/city-council-agendas antes de la audiencia. **Una vez que la agenda sea publicada, esta incluirá un enlace (link) para la participación pública usando la tecnología de Zoom, y los requisitos de salud y seguridad si desea participar de la audiencia en persona.**

Para solicitar adaptación especial debido a una discapacidad por favor contactarse con el Especialista de Servicios para Discapacitados al 510.981.6342 o al (TDD) 510.981.6345. Por favor contactarse con el especialista por lo menos 3 días antes de la junta para asegurar que su pedido sea atendido.

El **Plan de Acción Anual PY 2024** que cubre el período a partir del 1ro de julio de 2024 hasta el 30 de junio de 2025 es un requisito del Departamento de Vivienda y Desarrollo Urbano de los E.E. U.U. (HUD por sus siglas en inglés) y resume los programas de vivienda y desarrollo comunitario. El plan también enumera la distribución de aproximadamente $2,903,402 que la Ciudad recibirá por medio de la de la Beca de Desarrollo del Bloque Comunitario (Community Development Block Grant - CDBG) para financiar programas de vivienda, mejoras de infraestructura de edificios públicos, servicios públicos y la administración y planificación de los mismos. Además, el plan también explica el uso propuesto de aproximadamente $232,452 que en su gran mayoría será usado para la relocalización rápida de vivienda dando ayuda financiera, información y/o refugio a las personas desamparadas de Berkeley, estos fondos son parte de la Beca de Soluciones de Emergencia (Emergency Solutions Grant - ESG). También explica cómo se usarán los fondos de la Beca HOME, aproximadamente $749,633 que se usarán para el desarrollo y rehabilitación de viviendas.

PERIODO DE COMENTARIO PÚBLICO: A partir del 5 de abril de 2024 hasta el 7 de mayo de 2024, el público podrá presentar comentarios por escrito sobre el Plan de Acción Anual PY 2024. Un borrador del **Plan está disponible al público** en el Internet en la página electrónica https://berkeleyca.gov/community-recreation/community-services/hud-planning-performance-reports.

Copias impresas del borrador estarán disponibles en los siguientes lugares:

- En el escritorio de referencia de la Biblioteca Pública de Berkeley localizada en Calle Kittredge 2090, y
- En el escritorio de recepción del Departamento de Salud, Vivienda y Servicios Comunitarios de la ciudad de Berkeley localizado en la Calle Milvia 2180, 2do Piso,

Cualquier comentario escrito tiene que ser enviado a RBabka@berkeleyca.gov Y SFCPDMail@hud.gov o enviarlos por correo regular al Health, Housing & Community Services Department, 2180 Milvia Street, 2nd Floor, Berkeley, CA 94704. Todos los comentarios deben ser recibidos antes o a más tardar el 7 de mayo de 2024 hasta las 5:00 p.m.

Residentes y grupos que necesiten servicios de interpretación o traducción en otro idioma por favor contactarse con el Departamento de Salud, Vivienda y Servicios Comunitarios al 510.981.5400 o por correo electrónico a HHCS@berkeleyca.gov.

Para información general, por favor contactarse con Rhianna Babka al 510.981.5410, por correo electrónico a RBabka@berkeleyca.gov o por correo regular enviando sus comentarios a HHCS 2180 Milvia Street, 2nd Floor, Berkeley, CA 94704.

伯克萊市
公眾觀訊聽證會通知
及
計劃評論徵求
關於市政府的年度行動之綜合計劃書

伯克萊市房屋及社區服務部門(HHCS)將提出公開聽證會針對市政府的2024服務行動計劃年度 (PY2024) (07/01/2024-06/30/2025)行動之綜合計劃書.

伯克萊市政府將邀請公衆人仕對伯克萊市政府的年度行動之綜合計劃書加以檢討及評論。該計劃書將提出對於社區發展經費（CDBG），緊急解決方案撥款（ESG）和房屋投資合作計劃（HOME）的資金分配建議。

此次聽證會將在2024年5月7日，星期二，下午6:00舉行，此次聽證會將以現場出席的模式進行。對於現場與會者，此次聽證會將在伯克利聯合學區董事會會議室舉行。會議室地址在 - 1231 Addison Street, Berkeley, CA 94702.

本次聽證會的議程材料副本將在會議召開前在市議會議程網頁 https://berkeleyca.gov/your-government/city-council/city-council-agendas上提供。一旦發布，本次會議的議程將包括一個使用 Zoom 視頻技術的公眾參與鏈接。對於現場與會者本部門也會提供享有出席的任何健康和安全要求。

市政府將根據要求提供視聽支持。如果您需要行動受障人士的技術協助，包括輔助工具或服務，請至少在會議開始前三個工作日致電(510) 981-6342（V）或 (510) 981-6345（TDD）與殘疾服務專員聯繫。如能在會議日期前三個工作日發出技術協助通知，我們將盡力確保您毫無困難地參加會議。

此PY 2024服務行動計劃年度之綜合計劃書該計劃是根據住房和城市發展部門 (HUD) 財務資助接受者所提出的流程。此計劃書概述了伯克萊市政府的城市住房和社區發展計劃。該計劃書有效運轉期為2024年7月1日至2025年6月30日。該計劃還概述了在**社區發展經費**（CDBG）中分配的$903,402美元（估計），用於與住房有關的活動，公共設施的改善，公共服務以及規劃和管理。此外，該計劃還概述了大約$232,452美元（估計）的擬議用途，其中大部分用於根據**緊急解決方案撥款**（ESG）爲伯克利無家可歸者提供快速重新安置的財政援助，外展和/或庇護，以及動用約$749,633美元（估計）的HOME資金用於經濟適用房的開發和修復。

公共評論期：公衆可以在2024年4月5日至2024年5月7日之間提交書面評論。該計劃的草案可在以下網站上進行公開審查：

https://berkeleyca.gov/community-recreation/community-services/hud-planning-performance-reports

公眾意見草案的紙質副本將在以下地址提供：

- 伯克利主圖書館：2090 Kittredge Street, Berkeley路得台，二樓
- 伯克萊市房屋及社區服務部門(HHCS)：2180 Milvia Street, Berkeley，二樓

所有書面評論必須通過電子郵件同時發送至 RBabka@berkeleyca.gov和 SFCPDMail@hud.gov，或通過信件或其他清晰的書面形式發送至伯克萊市房屋及社區服務部門 (HHCS)，2180 Milvia Street, 2nd Floor, Berkeley，並於 2024 年 5 月 7 日下午 5:00 之前收到這種類型的書面交流。

對於需要其他將本報告翻譯成另一種語言的居民和團體，請致電 (510) 981-5400 或發送電子郵件至 HHCS@berkeleyca.gov 聯繫 HHCS 以獲得技術支持。

請仅在需要更多有关此主题信息时，联系伯克莱市房屋及社區服務部门的Rhianna Babka女士(电邮：RBabka@berkeleyca.gov)，地址: 2180 Milvia St., 2nd Floor, Berkeley, CA 94704。

BV 6817893 April 5, 2024

PY24 City of Berkeley Annual Action Plan
Summary of Citizen Participation Outreach & Comments
Including the May 7, 2024 Hybrid Public Hearing

Meeting Type	Mode of Outreach	Target of Outreach	Summary of Response/ Attendance	Summary of Comments Received	Summary of Comments Not Accepted and Reasons
January 25, 2024 **Public Hearing**	Email outreach to Berkeley libraries, community agencies, senior centers City of Berkeley Community Calendar Newspaper posting in Berkeley Voice on January 19, 2024	Community Members	Over 13 members of the public attended the public hearing, and 13 of them spoke on a variety of topic areas.	Community members expressed requests for increased promotion of public hearings and the need for more direct outreach. They advocated for increased homeless services and emphasized the importance of accountability and transparency regarding funding and services. Additionally, there was support for programs integrating workforce development with homeless services and a focus on fair housing enforcement. Concerns about ADA facilities, particularly at homeless-serving organizations, were raised, along with a general call for transparency and accountability in community funding allocation by the City to ensure the needs of the people are met.	All comments were accepted and/or addressed and will remain recorded in this report should additional HUD funds become available for public services and housing. Many of the comments aligned with existing and planned programming. None of the comments received resulted in major changes to the Plan.

Meeting Type	Mode of Outreach	Target of Outreach	Summary of Response/ Attendance	Summary of Comments Received	Summary of Comments Not Accepted and Reasons
March 13, 2024 Public Meeting **Housing Advisory Commission**	Commission Members City of Berkeley Community Calendar Housing Advisory Commission webpage	Housing Advisory Commission (HAC) representatives	Members of the HAC discussed the Draft Annual Action Plan, and 11 members of the public made public comment. Over 20 persons, including commissioners, were present. The members of HAC voted to approve the Draft AAP for Council consideration.	HAC members reviewed and discussed the Draft of the AAP at its March 13, 2024 meeting. Comments and questions pertaining to the AAP focused on supporting job training programs and continued support for/right sizing the Single Family Rehab programs.	Same as above
May 7, 2024 **Hybrid Public Hearing & Public Noticing**	Newspaper posting in Berkeley Voice on April 5, 2024 City of Berkeley Community Calendar Electronic flyer email distribution on April 29, 2024 Electronic flyer email distribution on April 29, 2024	General Public General Public City of Berkeley Libraries City of Berkeley Commissions	Two comments received via email. Over 24 members of the public attended the public hearing, and 24 of them spoke on a variety of topic areas related to the Request for Funding allocations.	**Emailed comments included**: Community agencies expressed requests for funding of their programs to serve community members in Berkeley. 24 members of the public spoke at the May 7, 2024 public hearing on the **PY24 Annual Action Plan and Community Agency RFP Recommendations** in front of the City Council. Comments	All comments accepted (same as above)

Meeting Type	Mode of Outreach	Target of Outreach	Summary of Response/ Attendance	Summary of Comments Received	Summary of Comments Not Accepted and Reasons
	Electronic flyer email distribution on April 29, 2024	EveryOne Home – Alameda County Homeless Continuum of Care		from the public and Council discussion included: Community agencies expressed their support and/or request for additional funding as recommended in the Request for Proposal draft allocations related to local and general fund. Expressed need to support community agencies' operations in order to provide key services in Berkeley, such as housing support, food access, youth programming, employment/job training, and healthcare.	
	Electronic flyer email distribution on April 29, 2024	Local Businesses			
	Electronic flyer email distribution on April 29, 2024	Local Affordable Housing Developers			
	Electronic flyer email distribution on April 29, 2024	Faith-based Organizations			
	Electronic flyers distributed to Recreation Centers on April 29, 2024	South & West Berkeley			

Meeting Type	Mode of Outreach	Target of Outreach	Summary of Response/ Attendance	Summary of Comments Received	Summary of Comments Not Accepted and Reasons
	Electronic flyers distributed to Affordable Housing Development on April 29, 2024	Residents of Affordable Housing			
	Electronic flyers distributed to over 50 non-profit agencies serving low-income people on April 29, 2024	Low-income Population, including seniors and persons with disabilities			
	Electronic flyers distributed to two Berkeley Senior Centers on April 29, 2024	Seniors			

City of Berkeley

Emergency Solutions Grant
Policies and Procedures Manual
with ESG-CV Addendum

ESG Policies and Procedure Manual

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Introduction

The Emergency Solutions Grant (ESG) is a federal program administered by the US Department of Housing and Urban Development (HUD) and provides funding to eligible entities to address homelessness. The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act) significantly amended the legislation which authorizes the ESG program, updating and adding new requirements for compliance.

The ESG funds are distributed nationally to entitlement jurisdictions based on an approved HUD formula. The City of Berkeley (COB), an entitlement jurisdiction, receives the funding directly from HUD. The COB uses a competitive community agency request for proposal (RFP) process to select local organizations to carry out eligible programs and activities with the ESG funds.

Berkeley's ESG Policies and Procedures Manual is used to administer and implement eligible programs and activities including: Street Outreach, Emergency Shelter, Rapid Rehousing and Prevention Services. This manual includes the Priority Home Partnership Manual adopted by the County in 2014.

The City of Berkeley allocates the majority of its ESG funds to nonprofit agencies, known as "subrecipients", to carry out eligible activities.

This manual provides the policies and procedures to comply with federal requirements and locally established implementation policies which the COB has adopted to meet its responsibilities as a recipient of funding. Questions regarding any content of this manual should be directed to Kristen Lee in the Housing and Community Services Division of the City of Berkeley's Health, Housing and Community Services Department.

Interim Guidelines

The ESG Program requires that the Continuum of Care (CoC) develop and implement a centralized or coordinated assessment system, and a set of written standards for CoC and ESG funded activities. Once coordinated assessment is established, each ESG-funded program or project must use the assessment system, and recipients and subrecipients must work with the CoC to ensure that screening, assessment and referral of program participants are consistent with the written standards required for the ESG programs. Recipients should have prioritization policies in place that outline the process by which the agency will prioritize the most in need of services through its Coordinated Entry System (CES) process

A complete version of the ESG Interim Regulations can be found here:
https://files.hudexchange.info/resources/documents/24CFRPart91_11.21.11.pdf

Structure of the Manual

This manual is for ESG recipients, subrecipients, and interested parties. It provides detailed descriptions of eligible activities and costs, reporting requirements and steps that will be taken to determine eligibility, calculate financial assistance, recertify for eligibility, provide support and terminate ESG assistance for homeless prevention, street outreach, emergency shelter, rapid rehousing and prevention. Required and/or recommended forms and documents are provided in an Appendix of Forms and Documents at the end of the manual.

A document icon appears by every form that is referred to and clicking on the highlighted hyperlinks on the names of the form will take the reader directly to the referenced documents in the Appendix.

Some key forms and information are entered into the county-wide Homeless Management Information System (HMIS). Forms that are provided by HMIS are not included in this manual.

HUD Homelessness Definition

While HUD outlines four categories of eligible beneficiaries, the City of Berkeley targets its ESG funds to support households in Category 1 and 4 below.

Category 1 – Literally Homeless

An individual or family who lacks a fixed, regular, and adequate nighttime residence. This includes
households with a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation (such as a car, park, abandoned building, bus or train station) or who are living in a supervised, publicly or privately operated shelter designed 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). An individual who is exiting an institution where s/he 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 also qualifies.

Category 4 – Fleeing/attempting to flee domestic violence

Defined as fleeing, or 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 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; has no other residence; and lacks the resources or support networks (e.g. family, friends, faith-based or other social networks) to obtain other permanent housing.

Program Manual

The City of Berkeley funds programs that meet the following objectives: (1) engage homeless individuals and families living on the street; (2) provide emergency shelters for homeless individuals; (3) provide essential services to shelter residents, (4) rapidly rehouse homeless households. Subrecipient contracts include detailed scope of services, which may include the eligible program components, summarized below. For a more detailed description of eligible categories see Section I.

1. **Street Outreach**
   Essential Services necessary to reach out to unsheltered homeless individuals and families, connect them with emergency shelter, housing or critical services, and provide them with urgent, non-facility-based care.
   Component services generally consist of engagement, case management, emergency health and mental health services, and transportation. For specific requirements and eligible costs, see 24 CFR 576.101.

2. **Emergency Shelter**
   Essential Services for individuals in emergency shelter. Component services generally consist of case management, and linkages to employment assistance and job training, outpatient health services, legal services, life skills training, mental health services, substance abuse treatment services, and transportation.
   Shelter Operations include maintenance, rent, security, fuel, equipment, insurance, utilities, and furnishings. For specific requirements and eligible costs, see 24 CFR 576.102

3. **Rapid Re-Housing**
   Housing relocation and stabilization services and short-term and/or medium-term rental assistance as necessary to help individuals or families living in an emergency shelter or other place described in HUD's homeless definition found in the appendix of this document, move as quickly as possible into permanent housing and achieve stability in that housing. Component services and assistance generally consist of short-term and medium-term rental assistance, rental arrears, rental application fees, security deposits, advance payment of last month's rent, utility deposits and payments, moving costs, housing search and placement, housing stability case management, mediation, legal services, and credit repair. For specific requirement and eligible costs, see 24 CFR 576.104, 576.105, and 576.106.

   The City of Berkeley also uses ESG to fund the two eligible activities below:

4. **Homeless Management Information System (HMIS)**
   Grant funds may be used for certain Homeless Management Information System (HMIS) and comparable database costs, as specified at 24 CFR 576.107. More fully discussed on Page 25.

5. **Administration**
   Up to 7.5% of recipient's fiscal year grant can be used for administrative activities, such as general management, oversight, coordination, and reporting on the program. For specific

requirements and eligible costs, see 24 CFR576.108. More fully discussed on Page 25-26.

Section I. Eligible Activities

Street Outreach ***CFR576.101***

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.

1. **Eligible Uses and Costs:** As evidenced and tracked by agency quarterly program reports, statements of expense, and general ledgers.

A. Engagement

Activities to locate, identify, and build relationships with unsheltered homeless people and engage them for the purpose of providing immediate support, intervention, and connects with homeless assistance programs and/or mainstream social services and housing programs

- Initial assessment of needs and eligibility
- Providing crisis counseling
- Addressing urgent physical needs
- Meals, blankets, clothes, toiletries
- Actively connecting and providing information and referrals to programs targeted to homeless people and mainstream social services and housing programs.
- Emergency shelter, transitional housing community-based services, permanent supportive housing, and rapid re-housing programs.

B. Case Management

Assessing housing and service needs, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant.

- Using the centralized or coordinated assessment system
- Conducting initial evaluation
- Verifying and documenting eligibility, counseling, developing, securing and coordinating services, obtaining Federal, State, and local benefits, monitoring and evaluating program participants progress, providing information and referrals to other providers, and developing an individualized housing and service plan, including planning a path to permanent housing ability

C. Emergency Health Services

- Direct outpatient treatment of medical conditions that are provided by licensed medical professionals operating in community-based settings, including streets, parks and other places where unsheltered homeless people are living.
- Assessing a program participant's health problems and developing a treatment plan
- Assisting program participants to understand their health needs

- Providing medication and follow-up services
- Funds may be used only for these services to the extent that other appropriate health services are inaccessible or unavailable within the area
- Must be of an emergency nature

D. Emergency Mental Health Services

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.

- 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
- Crisis interventions
- Prescription of psychotropic medications
- Explanation about the use and management of medications
- Combinations of therapeutic approaches to address multiple problems
- Funds may be used only for these services to the extent that other appropriate mental health services are inaccessible or unavailable within the community
- Must be of an emergency nature

E. 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 service eligible under Street Outreach

- Costs of transporting unsheltered people to emergency shelters or other service facilities
- Cost of program participant's travel on public transportation
- Mileage allowance for service workers to visit program participants, using their own vehicle
- Travel costs of staff to accompany or assist program participants to use public transportation
- May only be provided to and from another eligible service

F. Services for Special Populations

- 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 Street Outreach as per paragraphs (a)1) through (a)(5) of 24CFR76.101.

2. Eligible Beneficiaries for Street Outreach

Provided to individuals or families defined as Homeless under the following categories:

- Category 1 – Literally Homeless is defined as an individual or family who lacks a fixed, regular, and adequate nighttime residence. This includes households with a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation (such as a car, park, abandoned building, bus or train

station) or who are living in a supervised, publicly or privately operated shelter designed to provide temporary living arrangements (including congregate shelters, transitional housing, hotels and motels paid for by charitable organizations or by federal, state, or local government programs). An individual who is exiting an institution where s/he 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 also qualifies.

- Category 4 – Fleeing/Attempting to Flee DV is defined as fleeing, or 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 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; has no other residence; and lacks the resources or support networks (e.g. family, friends, faith-based or other social networks) to obtain other permanent housing.
- 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.

Section II. Emergency Shelter *CFR576.102*
Providing essential services to homeless families and individuals in emergency shelters and operating emergency shelters, While HUD authorizes additional essential services, the City of Berkeley primarily funds the below activities:

1. **Eligible Beneficiaries:** ***Emergency Shelter*** can be provided to individuals or families defined as Homeless under the following categories:

   Category 1 - Literally Homeless
   Category 4 - Fleeing/Attempting to Flee DV

Referral System: The North County Coordinate Entry System Housing Resource Center (HRC) operator will refer households who meet the above criteria to available shelter beds. The HRC will ask the household a series of questions that will: 1) confirm housing status falls within Category 1 or 4; 2) determine need for follow-up assessment and linkage to other available resources, i.e. Rapid Rehousing, Permanent Supportive Housing, etc. and 3) interest in a shelter referral. These referrals will be made primarily through street outreach teams but may also be made through the North County HRC. All shelters in Berkeley adhere to the Alameda County Shelter Standards, which outline policies and procedures for admission and discharge. As of 2017, emergency shelters in Berkeley have removed length of stay requirements.

Care Coordination: Shelter operators will attend two North County CES case conferences a month to discuss needs and coordinate services for participants staying in the shelter. Eligible participants will have access to rapid rehousing funds and services to assist them in existing to permanent housing as quickly as possible.

HMIS Documentation: All Emergency Shelter projects shall record, within three days of the event:

- HMIS project enrollments for each client entering the program
- HMIS project exit with exit destination for each client exiting the program.
- HMIS annual assessments as necessary for clients enrolled one year or longer.
- No later than 30 days after the end of each fiscal quarter, the agency shall upload a HUD APR report to City Data Services.
- No later than 30 days after the end of each fiscal quarter, the agency shall upload a Housing Census (Program Based) report to City Data Services, covering each day of the reporting period.
- By January 31st, the agency shall complete the Client Summary in City Data Services for period July 1 - December 31.
- By July 31st, the agency shall complete the Client Summary in City Data Services for period January 1 - June 30

2. **Eligible Uses and Costs:** As evidenced and tracked by agency quarterly program reports, statements of expense, and general ledgers.

a. Case Management

- The cost of assessing, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant
- Using the centralized or coordinated assessment system
- Conducting the initial evaluation, including verifying and documenting eligibility
- Counseling
- Developing, securing, and coordinating services and obtaining federal, state and local benefits
- Monitoring and evaluating program participant progress
- Providing information and referrals to other providers
- Providing ongoing risk assessment and safety planning with victims of domestic violence, dating violence, sexual assault, and stalking
- Developing an individualized housing and service plan, including planning a path to permanent housing stability
- Referrals and linkages to child care, education services, substance use and legal services

b. Employment Assistance and Job Training

- Classroom, online, and/or computer instruction
- On-the-job instruction
- Services that assist individuals in securing employment, acquiring learning skills, and/or increasing earning potential
- Learning skills that can be used to secure and retain a job, including the acquisition of vocational licenses and/or certificates
- Employment screening, assessment, or testing
- Structured job skills and job-seeking skills
- Special training and tutoring, including literacy training and prevocational trainings
- Books and instructional material
- Counseling or job coaching
- Referral to community resources

c. Outpatient Health Services

- Direct outpatient treatment of medical conditions and are provided by licensed medical professionals
- 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, preventive medical care, and health maintenance services, including emergency medical services
- Providing medication and follow-up services
- Preventive and non-cosmetic dental care

- Funds may be used only for these services to the extent that other appropriate health services are unavailable within the area

d. Life Skills Training

- 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
- Must be necessary to assist the program participant to function independently in the community
    - Budget resources, management money, managing a household, resolving conflict, shopping for food and needed items, improving nutrition, using public transportation, and parenting

e. Mental Health Services

- Outpatient treatment by licensed professionals of mental health conditions
- 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
- Family and marital relationships, parent-child problems, or symptom management
- Crisis interventions, individual, family, or group therapy sessions
- Prescription of psychotropic medications
- Explanation about the use and management of medications
- Combinations of therapeutic approaches to address multiple problems
- Funds may be used only for these services to the extent that other appropriate mental health services are inaccessible or unavailable within the community

3. Eligible Costs

a. Transportation

- Costs of a program participant's travel to and from· medical care, employment, child care, medical care, employment, child care, or other eligible essential services facilities
- Cost of a program participant's travel on public transportation
- Mileage allowance for services workers to visit program participants, while utilizing their own vehicles
- Travel costs of staff to accompany or assist program participants to use public transportation

b. Operations

- Maintenance
- Rent
- Security

- Fuel
- Equipment
- Insurance
- Utilities
- Food
- Furnishings
- Supplies necessary for shelter operation
- Hotel/Motel vouchers

c. Maintenance

- Cost of minor or routine repairs to shelter building
- Cleaning
- Minor or routine repairs of furnishings, equipment, and fixtures
- Protective or preventative measure to keep a building, its systems, and its grounds in working order
- Professional services for:
- Heating/cooling system
- Plumbing
- Electrical
- Pest Control
- Lawn Care
- Snow Removal

d. Rent

- Cost of rent payment for the use of building to provide emergency shelter

e. Security

- Cost of equipment in order to secure shelter building
- Security System
- Locks
- Safety equipment

f. Fuel

- Cost of fuel for use of shelter vehicle to transfer shelter residents in order to provide services and connect with community resources

g. Insurance

- Cost of property insurance for shelter building

h. Utilities

- Cost of providing utilities for shelter building
- Electricity
- Gas
- Water
- Landline telephone service

i. Food

- Cost of providing food to shelter residents

j. Furnishings

- Cost of furnishings for shelter building
- Beds
- Tables
- Chairs
- Other reasonable furniture to provide comfortable accommodations to shelter residents

k. Equipment

- Cost of reasonable equipment to allow for activities of shelter to continue functioning
- Equipment to allow for the following activities to function:
- Food preparation/distribution
- Cleaning/Sanitation
- Laundry

l. Supplies

- Cost of supplies necessary for the operation of the emergency shelter
- Paper products
- Kitchen supplies
- Bathroom supplies

4. Client Documentation (Emergency Shelter)

A. Forms

- Agency is able to create own forms as long as the documentation requirement is met

B. Client Documentation: Intake/Eligibility Documentation

- Documentation of initial evaluation to determine the eligibility of each individual or family's eligibility for ESG program
- Documentation of homeless status
- ESG-213, 214, 215 forms
- Required form

- HMIS Consent Form
- Required form

c. Case Management Documentation

- Documentation of case management services
- Documentation of housing plan for stability in permanent housing
- Documentation of connecting participants to mainstream and other resources for supportive services

Section III. Homeless Prevention and Rapid Rehousing

A. Participant Eligibility

To be eligible to receive ESG prevention or rapid rehousing assistance, participant households in Alameda County must meet both national and local requirements, and this eligibility must be documented with an application and supporting documentation kept in a client file. These requirements include:

- Participants must be homeless or at imminent risk of homelessness, per the applicable HUD definitions in the ESG regulation (§576.2) supported by documentation;
- Participants must be one of the locally targeted populations for the program, as specified on the application and eligibility determination form;
- Participants must be willing to participate in the program and to meet the terms of a self-developed Housing Stability Plan;
- Participants may not have already received 24 months of ESG assistance during the past 36 months (§576.105(c));
- Participants must meet the local asset policy, including having cash or equivalent assets of less than $2,000 per single individual and $3,000 per couple;
- Participants receiving prevention assistance must have incomes at or below 30% of the Area Median Income (§576.103).

B. Eligibility for Rapid Rehousing

Rapid rehousing provides financial assistance and supportive services to individuals or families that are literally homeless, staying in shelter or transitional housing or on the streets or other places not suitable for human habitation, or exiting institutions and having entered from one of these locations. Eligibility for rapid rehousing includes those fleeing domestic violence who are living in one of the places named above.

In keeping with the intentions of the program, rapid rehousing assistance will be used primarily to serve households that are:

1. Adults or family households able to be rehoused rapidly without anticipation of an ongoing subsidy, with ESG financial assistance anticipated to be of six months or less duration;
2. Adults or family households able to be rehoused rapidly with an ongoing subsidy from another source anticipated within six months of ESG program participation
3. Transition-age youth, especially those recently discharged from foster care, who are able to be rehoused rapidly without anticipation of an ongoing subsidy, with ESG assistance of eighteen months or less duration.

C. Eligibility for Prevention Assistance

Prevention assistance will be directed to persons who are not literally homeless but are at imminent risk of homelessness per the HUD Homeless definition (Category 2). Prevention assistance may include support to a household to retain its current housing or to move to other housing without having to become literally homeless. While the ESG regulations allow for ESG prevention to be provided to those categorized as "at-risk" but not necessarily at "imminent risk", Alameda County ESG programs will target prevention services specifically to those that are at "immediate risk" defined as:

- An individual or family who will imminently lose their primary nighttime residence, provided that:
- the primary nighttime residences will be lost within 14 days of the day of application for homeless assistance;
- no subsequent residence has been identified; and,
- the individual or family lacks the resources of support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing.

Within the category of "imminent risk" special attention and outreach will be done to target those households that are:

- doubled up with family and friends, must move within 14 days and are seeking to enter shelter;
- living in a hotel or motel using their own resources, must leave within 14 days, and are seeking to enter shelter;
- living in their own housing, are being evicted for non-payment of rent, must leave within 14 days, and are seeking shelter;
- fleeing domestic violence;
- imminently leaving foster care, or have recently left foster care and are at imminent risk of losing their current housing.

D. Eligibility Determination

Program operators must determine that potential participants are eligible for assistance, and document this eligibility, including verifying income and housing status. The Program Application and Eligibility Determination Form contains key questions and documentation requirements.

A copy of the ESG Program Application and Eligibility Determination Form can be found in the Appendix. This document and all supporting documentation should be placed in the Participant's File. A cover sheet for participant files with a list of program documents can be found here.

Ineligible applicants: If a household is assessed and determined to be ineligible, the program operator must notify the household that they have been determined to be ineligible, provide them with appropriate referrals which should be noted on the application form, and create a client file documenting the assessment process and determination.

E. Enrollment

Once found eligible, to enroll the head of household must sign the ESG Participation Agreement complete the HMIS ROI and staff must complete an HMIS Standard Intake Form (SIF) for all household members.

A copy of the ESG Program Participation Agreement can be found in the appendix, immediately following the Application form.

The HMIS Release of Information (ROI), and the Standardized Intake Form (SIF) are developed and updated by the staff at Alameda County Housing and Community Development Department, in accordance with HUD regulations. Housing Agency staff must ensure that the forms in use are the most recent ones, as HUD and local requirements change periodically. If you are unsure that the forms are the most recent, email HMIS@acgov.org.

F. Budget and Housing Stability Plan

The purpose of ESG Prevention and/or Rapid Rehousing assistance is to provide the support necessary to help the household retain or gain housing in the shortest period of time possible. Critical to being able to retain the housing is a budget and a housing plan. The budget is also needed to determine the amount of financial assistance to be provided.

The Housing Stability Plan should be updated as frequently as necessary to reflect changing situations. Once a participant has moved into housing, the housing specialist and participant should prepare a new Housing Stability Plan that emphasizes those steps or actions needed to retain housing.

A Sample Budgeting Worksheet and a sample Housing Stability Plan format can be found in the Appendix of Forms. ***ESG-funded programs may use another version of these forms if approved by the recipient.*** Be sure to make a copy of the Budget and Housing Plan for the participant and insert a signed copy in the participant's file.

G. Financial Assistance for Housing

- ***Eligible Financial Assistance Expenses***

The ESG program has the ability to provide temporary financial assistance to participants on a short or medium-term basis. This assistance may include:

- **Security Deposits**: The housing agency may provide a maximum of two times the monthly rent for a unit as a security deposit to assist a participant to secure housing. At such time as the participant may leave the unit and the landlord return all or part of the deposit to the participant, the participant may retain any balance to use toward a new housing situation.
- **Utility Deposits:** If, in order to begin utility service, the household must provide a deposit to a utility company, the program may assist with this deposit.

H. Rental Assistance payments: If the participant cannot currently afford to rent a unit in the community but is reasonably anticipated to have sufficient income, either through employment or benefits, within approximately six months the program may provide a rental subsidy for the participant. Such subsidies will be as low as possible:

- If the participant has an income he/she is expected to contribute at least 50% of his/her

income toward the rent, unless the participant is expected to receive a permanent housing subsidy within approximately six months, in which case the participant may pay only 30% of their income. Documentation of the expectation of a permanent subsidy should be included in the file.

- If the participant has no income, the program may subsidize the entire rent for the first three months.
- Rental assistance may be conditioned on the participant fulfilling his or her agreements as part of the Housing Stability Plan and is never offered for more than three months at a time. To continue rental assistance after three months, the program must recertify the participant.

See Section 6: Three Month Reassessment of Eligibility

- **Past due rent arrears**: If in order for a household to retain their housing they must pay past due rent the program will cover up to three months of rent arrears not to exceed $3,000
- **Past due utility arrears:** In rare cases, the ESG program will provide funding for past due utilities. The program will only provide such funding for prevention clients if failure to do so will result in the loss of utilities and under the terms of the participants lease this would be grounds for eviction. The program will only provide utility arrears assistance to rapid rehousing clients if utility arrears mean that then household will be unable to establish utility service in their new housing.
- In addition, ESG funds may be used to cover the costs of rental applications provided this is a fee that is charged by the owner to all applicants.

I. Determining the Amount of Financial Assistance

- The amount of financial assistance is determined by the amount needed to secure the housing and by the amount of contribution the household is able to make toward the housing costs.
- For one-time costs, such as security deposits, and rent and utility arrears, the program will pay the entire amount if the household will have less than 50% of income available after paying rent, the household's budget does not contain any disposable income, and the household assets are less than
- $500.00. If the household has assets greater than $500, and/or the household budget indicates income is available to make a portion of the payment, the household should be required to provide a portion of the deposit and/or arrears. The household's payment may be made through a payment plan with the landlord or utility company if that is possible.
- With supervisor approval, households may be permitted to contribute less toward the rent for a brief period to cover other extraordinary costs. The program may pay the entire rent on behalf of households that have no income.

The ESG Financial Assistance Calculation Form can be found in the appendix. The program should complete the form with the participant and the participant should sign it. This calculation needs to be prepared every three months for households receiving medium-term rental assistance.

All financial assistance provided must be recorded in HMIS.

J. Supportive Services and Connection to Mainstream Resources

- Whether covered by ESG funds or other sources, ESG programs are expected to assist clients with housing stability case management and with housing search and placement services as needed.
- Housing stability case management includes:
- Conducting the official evaluation of eligibility and need, including verifying and documenting eligibility
- counseling
- developing, securing, and coordinating services and assistance in obtaining Federal, state and local benefits
- monitoring and evaluating participant progress;
- providing information and referral to other providers;
- developing an individualized housing plan to permanent housing stability; and
- conducting reevaluations.

These services may not exceed 30 days during the period the program participant is seeking permanent housing, and may be provided for up to a total of 24 month within a 36-month period.

- While providing prevention or rapid rehousing financial assistance, the program must ensure that the participant meets with a case manager not less than once per month to assist the participant in ensuring long- term housing stability. Case management should be provided more frequently if needed.
- Housing search assistance are those services intended to assist program participants in locating, obtaining, and retaining suitable permanent housing, and are expected to be offered to all participants receiving rapid rehousing assistance or prevention assistance that includes moving to another unit. These include:
    - assessment of housing barriers, needs, and preferences;
    - development of a plan for locating housing;
    - housing search;
    - outreach and negotiations with landlords; and
    - assistance with submitting rental applications and understanding leases.

K. *Links to Mainstream Services*

As part of the stability case management, each participant is expected to be assisted, as needed to obtain other services and mainstream benefits including:

- 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
- other federal, state, local, and private assistance available to assist the program participant in obtaining housing stability, including
- Medi-Cal or other medical insurance
- TANF
- Food Stamps/Supplemental nutrition assistance (SNAPS)
- WIC
- Unemployment insurance
- SSI/SDI
- Child and adult care food program
- Other mainstream programs from which the household could benefit

While no specific form is provided for this documentation, all case management meetings must be documented in the participant file, and/or in the HMIS case management module. Documentation should include evidence of assistance provided to obtain mainstream resources and the results of that assistance. Subrecipients are encouraged to check with the recipient for approval of documentation.

L. *Legal Services*

- ESG funds may be used for legal services that are 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. More detail on eligible legal services activities can be found at (§576.102 (a)(1)(vi) and (§576.105(b)(4).

- While legal services providers that do not provide financial assistance are not required to complete the financial assistance calculation form, they must ensure that all households assisted meet program eligibility (Section 1 above) including completing the application for assistance to document participant eligibility, and must ensure that the units assisted meet the habitability standards in Section 5 below.

M. Housing Unit Requirements

In addition to the household being eligible, the unit to be assisted must also meet eligibility requirements. These include that the rent is both reasonable and at or below the Fair Market Rent market rent, and that the unit meets habitability standards.

Rent Reasonableness and Compliance with Fair Market Rent

- ESG programs must perform both a rent reasonableness determination and document that the rent falls at or below the Fair Market Rent on every unit assisted, whether for prevention or rehousing.
- "Rent reasonableness" means that the total rent charged for a unit must be reasonable in relation to the rents being charged during the same time period for comparable units in the private unassisted market and must not be in excess of rents being charged by the owner during the same time period for comparable non-luxury unassisted units.
- To make this determination, the recipient or subrecipients should consider:
  - the location, quality, size, type, and age of the unit; and
  - any amenities, housing services, maintenance and utilities to be provided by the owner.
  - Comparable rents can be checked by using a market study, by reviewing comparable units advertised for rent, or with a note from the property owner verifying the comparability of charged rents to other units owned (for example, the landlord would document the rents paid in other units). NOTE that not every element in the suggested list of nine things to check for must be known to establish a comparable unit. See more guidance at http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_11753.pdf
- The Fair Market Rent (FMR) is a benchmark established by HUD for regions. For ESG, the FMR is the maximum rent permitted even if other similar units rent for more.

Final FY 2020 FMRs By Unit Bedrooms				
Efficiency	One-Bedroom	Two-Bedroom	Three-Bedroom	Four-Bedroom
$1,545	$1,875	$2,335	$3,215	$3,945

Source: http://www.huduser.org/portal/datasets/fmr.html

The above chart displays the Fair Market Rents applicable during FY2020. Fair Market Rents are updated and published by HUD every year. Programs must ensure that they are using the FMR's in effect at the time of their determination.

A copy of a Rent Reasonableness and FMR Certification form can be found in the forms appendix. Subrecipients may use an alternative rent reasonableness determination form meets the requirements of the ESG regulations §576.106 and has been approved by the ESG recipient.

N. *Housing Inspection*

In order to ensure that ESG funds are used in housing that meets minimum habitability standards, an inspection must be performed on every unit assisted, whether for prevention or rehousing. This inspection includes compliance with the Lead Paint Poisoning Prevention Act.

A copy of a suggested Habitability Standards Inspection Form can be found in the forms appendix. Subrecipients may use an alternative inspection form as long as it covers all of topic areas required under ESG regulations §576.403 and has been approved by the ESG recipient.

O. *Rental Assistance Agreement*

- Relationships with landlords are a central component of the program. The housing specialist assists both the participant and the landlord to make the housing successful.
- Once a unit has been identified and inspected, the housing agency must ensure that:
- The tenant receives a written lease or rental agreement from the landlord which clearly outlines the terms of tenancy and conforms with applicable California and local law; and

  a) The landlord is apprised of the nature of the program, the anticipated support to the participant, the obligations of the landlord, and the manner in which the landlord may contact the program if there are concerns.

- At a minimum, the housing agency will provide the landlord with a copy of the Rental Assistance Agreement Letter describing the program and outlining the basic support the participant is anticipated to receive. The landlord must sign the letter and return it to the agency. Some agencies may prefer to use a contract or housing assistance payments (HAP) agreement that outlines in greater detail the rights and obligations of the parties. Use of such an agreement is fine if it covers all requirements in the ESG regulations §576.106 and has been approved in advance by the ESG recipient.

In order to determine that the landlord named on the lease is the legitimate owner of the property, the housing agency will use a database service, such as Realquest, or another manner to verify and document the ownership. In addition, the housing agency shall collect a W-9 from the landlord or property management agency and follow all IRS reporting requirements.

A copy of the Rental Assistance Agreement Letter is included in the appendix. A copy of this letter or an acceptable substitute agreement should be kept in the participant's file, along with a copy of the tenant's lease and printout from the database used to verify the ownership of the unit and a copy of the W-9. The original W-9 must be given to the housing agency's finance division.

P. Three Month Reassessment of Eligibility

Any participant who receives more than three months of assistance from the program needs to be formally reassessed. This is distinguished from the more frequent check-ins and meetings with the

client, which should occur frequently and as needed, and are recorded in case notes.

During the reassessment process, the program is, at a minimum, confirming:

- The participant has not received more than 24 months of assistance, including any arrears coverage.
- The participant's income level is such that there is still a need to provide financial assistance in order to maintain housing stability, and income is not greater than 30%of the Area Median Income (AMI)
- The participant is making documented progress on their housing plan and taking the steps needed towards housing stability without program financial assistance.
- The participant lacks the financial resources or support networks to secure their housing without continued assistance.

The three-month reassessment is also used to update the participant's HMIS record with current information about housing and income.

Once the three-month reassessment of eligibility is completed, the household should be notified whether they will continue to receive assistance or not, including signing the reassessment form. If continuing to receive assistance, new documents, including an updated housing stability plan, budget and financial assistance calculation should be prepared and discussed with the client.

A copy of the Three Month Reassessment of Eligibility is included in the appendix. The Reassessment requires updated documentation of income, which should be attached to the form and included in the file.

Key pieces of information from the Three-Month Reassessment Form, including any change in income or address is to be entered into HMIS. (In the future, the Three-Month Reassessment may be an HMIS provided form.)

Q. Termination of Housing Assistance or Program Participation

- Housing assistance under this program is intended to be temporary and to help participants secure housing that they can remain in without long-term financial support. Any housing assistance is contingent on the participant's active participation in carrying out the terms of his/her Housing Stability Plan. Failure to take steps agreed to in the plan, such as seeking work, applying for benefits, looking for housing or accepting housing that meets the participant's criteria are a reasonable basis for recommending termination of financial assistance.

R. Termination of Housing Assistance or Program Participation

- Housing assistance under this program is intended to be temporary and to help participants secure housing that they can remain in without long-term financial support. Any housing assistance is contingent on the participant's active participation in carrying out the terms of

his/her Housing Stability Plan. Failure to take steps agreed to in the plan, such as seeking work, applying for benefits, looking for housing or accepting housing that meets the participant's criteria are a reasonable basis for recommending termination of financial assistance.

- If a program participant is found to be violating the participation agreement, reasonable efforts will be made and documented by staff to assist the participant to address the issue or correct the violation prior to terminating services. Violations that endanger staff, any other participant, any other person, or the viability of the program as a whole will be acted upon immediately.

- If a participant is determined to be in continued or grave violation of the program rules, a written Notice of Termination of Assistance will be provided to the program participant containing a clear statement of the reasons for termination, the date on which the termination will become effective, and the process for appealing the decision.

- Participants receiving a Notice may request that the decision to terminate participation be reviewed by making a request to the designated supervisor within the agency. This request must be made in writing and must be reviewed the request within 14 calendar days. A written notice of the final decision will be issued to the participant.

- The program may also resume assistance to a program participant whose assistance was previously terminated with the approval of the Program Manager.

A sample Notification of Termination of ESG Assistance is provided in the Appendix of Forms. Subrecipients may use an alternative Termination form as long as it covers all of topic areas required under ESG regulations §576.402 and has been approved by the ESG recipient.

S. Grievances and Appeals

ESG subrecipients must notify participants of the agency's grievance policy at the time of program enrollment, including providing them with a written copy of the policy and keeping a copy of a signed version of the policy or other notification in the participant file. Housing agencies will follow their agency grievance and appeals process, through to the level of the highest ranking staff member of the agency or as may be otherwise specified in the agency's approved policy and procedures.

If there is a grievance specific to the ESG that has not been resolved through the agency grievance process, ESG program participants may appeal to the local recipient. Recipients will follow their appeal process.

T. Program Exit

Upon completion or termination of the program, all members of the household should be exited in HMIS. Information including household income, final address and housing status should be recorded and updated.

The Exit Form is an HMIS-provided form. A printed copy of the form(s) should be kept in the participants file and all data entered into HMIS.

Section IV. Housing Management Information System (HMIS)

CFR 576.107 ESG-Program-HMIS-Manual.pdf
ESG funds may be used to pay for the costs of participating in and contributing to the Homeless Management Information Systems (HMIS) designated by the Continuum of Care for the area.

1. **Eligible Costs**
    a. The recipient or 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:
        - Purchasing or leasing computer hardware, purchasing software or software licenses, purchasing or leasing equipment, including telephones, fax machines, and furniture
        - Obtaining technical support
        - Leasing office space, charges for electricity, gas, water, phone service, and high speed data transmission necessary to operate or contribute data to HMIS
        - Paying salaries for operating HMIS that can include data entry, monitoring and reviewing data quality, data analysis, training staff on using HMIS or comparable data base, implementing and complying with HMIS requirements, paying for staff to attend HUD-sponsored and HUD- approved training on HMIS and programs authorized by Title IV of the McKinney-Vento Homeless Assistance Act; paying staff travel costs to conduct intake, paying participation fees charged by the HMIS Lead, if the recipient or subrecipient is not the HMIS Lead. (The HMIS Lead
        - is the entity designated by the Continuum of Care to operate the area HMIS
        - 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 and generates unduplicated aggregate reports based on the data. Note: information entered into a comparable database must not be entered directly into or provided to an HMIS.
        - Activities funded under this section must comply with HUD's standards on participation, data collection, and reporting under a local HMIS

Section V. Administration

CFR 576.108

a. Eligible Costs

- The recipient may use up to 7.5 percent of its ESG grant for the payment of administrative costs related to the planning and execution of ESG activities. This does not include staff and overhead costs directly related to carrying out activities eligible under 576.101 through 576.107, because those costs are eligible as part of those activities. Eligible administrative costs include:
    - General Management, oversight and coordination and can include salaries, wages, and related costs of the recipient's staff, the staff of subrecipients, or other staff engaged in program administration. In charging these costs to this category, the recipient may either include the entire salary, wages, and related costs allocable to the program of each person whose primary responsibilities with regard to the program involve program administration assignments, or the pro rata share of the salary, wages, and related costs of each person whose job includes any program administration assignments. The recipient may use only one of these methods for each fiscal year grant. Program administration assignments include the following: program budgets, schedules and amendments; developing systems for assuring compliance, developing interagency agreements and agreements with subrecipients; monitoring; reporting and preparing other documentation directly related to the ESG program for submission to HUD; coordinating resolution of audit and monitoring findings; evaluating program results; managing and supervising persons whose primary responsibilities with regard to the program as those described in (a)(1)(i)(A) through (G) of this section; travel costs incurred for monitoring; administrative services performed under third-party contracts or agreements, including general legal services, accounting services, and audit services; other costs for goods and services required for administration of the program, including rental or purchase of equipment, insurance, utilities, office supplies, and rental and maintenance (but not purchase) of office space.
    - Training on ESG requirements. Costs of providing training on ESG requirements and attending HUD-sponsored ESG training.
    - Consolidated plan. Costs of preparing and amending the ESG and homelessness-related sections of the consolidated plan in accordance with ESG requirements and 24 CFR part 91.
    - Environmental Review. Costs of carrying out the environmental review responsibilities under 576.407

b. Sharing Requirements

If recipient is a State, the recipient must share its funds for administrative costs with its subrecipients that are units of general purpose local government. The amount shared must be reasonable under the circumstances. The recipient may share its funds for administrative costs with its subrecipients that are private nonprofit organizations. If the recipient is a territory, metropolitan city, or urban county, the recipient **may share** its funds for administrative costs with its subrecipients.

Section VI. City of Berkeley Monitoring of Subrecipients

The City of Berkeley require Sub-recipients to submit the below program and fiscal reports on a quarterly basis in the City of Berkeley's online contracting system:

- Program Report with client demographics
- Homeless Management Information Systems Program Report with outcomes
- Annual Status Report for CDBG/ESG/HOME funded projects only
- Advance Payment Request Form
- Statement of Expense

At the end of the fiscal year subrecipients must submit a year-end general ledger and profit and loss statement that supports the year-end statement of expense report. On a biennial basis, the City conducts a full monitoring of the program that includes a review of the agency's administrative, program, and financial practices and records. The monitoring is performed using the below City of Berkeley and HUD monitoring tools.

See Part III in Appendix for program monitoring forms:

1. City of Berkeley Administrative Review
2. City of Berkeley Program Review
3. City of Berkeley Financial Review
4. HUD Chapter 28-3 Guide for Review of ESG Sub recipient Grant Management
5. HUD Chapter 28-6 Guide for Review of ESG Rapid Rehousing and Homeless Prevention
6. HUD Chapter 28-8 Guide for Review of ESG Financial Management and Cost Allowability

Below is the City's monitoring protocol and timeline:

1. Identify time period to monitor. Recommend 4th quarter. Ensure you have the Program Report, Statement of Expense and GL before the planned monitoring visit. Monitors will email the Community Agency to schedule the monitoring visit and entrance conference and prepare Monitoring Guides in CDS and provide to Agency in preparation of the monitoring visit. CDS will send the Agency a standardized message about the upcoming monitoring visit as well.
2. In addition to City developed monitoring guides, the monitor will include Federal monitoring guides when reviewing federally funded agencies. For Emergency Solutions Grant (ESG) and Community Development Block Grant (CDBG) funded agencies, the monitor will provide appropriate CDBG and ESG monitoring guides found in Chapters 3 and 28 in the Community Planning Monitoring Handbook 6509.2 located here: https://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/handbooks/cpd/6509.2
3. Monitors should give at least several weeks' notice and negotiate a time that is mutually convenient, describe the information to be reviewed, provide Community Agency staff with a copy of the Monitoring Guides, indicate expected duration of the monitoring, agency staff needed for interviewing, and space required.

4. The entrance conference will provide an overview of the purpose, scope and schedule of document review to the Community Agency Contract Representative and staff that will be involved. This may be three separate meetings to cover the three areas: Administration, Financial and Program.
5. Attend monitoring visits and complete the monitoring guides.
   a. Collect required documents
   b. Review three budget line items from each program's Statement of Expense: salaries and two other expense line items that are material or appear to need verification.

   1. Salaries: Review Timesheets, Contract Exhibit B salaries, against payroll register - which would have the name/s and salaries, paid to the staff identified as working in the program. Timesheets should:
      ii. Show # of hours worked on COB contract activities.
      iii. Support number of hours worked and agree with the payroll register.
      iv. Verify Agency is paying COB minimum wage and/or living wage if applicable.
      v. Verify if Agency is paying fringe benefit expenses charged to the program are supported by invoices paid to health insurance and worker's compensation insurance companies.

   2. Line Items 2 & 3:
      vi. Verify the expenses chosen in No. 2 above against the agency's ledger of detailed expenses. The ledger format would vary depending on the accounting software the agency is using (most agencies use Quick Books). The agency's account name, number, and balance can be found in the general ledger. Expense transaction details of how, when, and to whom payments were paid would show in a separate report. Generally, accounting software can generate a report showing these details sorted by funding source. The monitor must check that the expenses were:

         a) Properly authorized and calculated, and
         b) Expenses were charged to the proper funding sources. The monitor should note any deviation from these procedures as a concern (when immaterial or not quantifiable) or a finding (when it has material impact in the operations), and
         c) Invoices were marked/stamped paid to avoid duplication of payments. Ideally, the account number used for the charge should be written on the face of the invoice. The monitor should note any deviation from these procedures as a concern (when immaterial or not quantifiable) or a finding (when it has material impact in the operations).

6. Exit Conference: At the Exit Conference, the monitor should:
   i. Present tentative conclusions of monitoring;
   ii. Provide an opportunity for the agency to correct any misconceptions or misunderstandings on your part Secure additional information from agency staff to clarify or support their position; and
   iii. Provide an opportunity for subrecipient staff to report on any steps they are already taking to correct the matter.

7. Follow-Up Monitoring Report
    1. The monitoring report, which is completed in CDS, provides a permanent, written record of the monitoring visit that is kept on file and provides an opportunity for the Community Agency to respond to recommendations, concerns and findings. The Report should recognize work performed well and point out corrections or improvements needed. It should identify all “findings” and “concerns,” and include specific recommendations for improvements. Findings must be supported by facts inthe report. The letter should include deadlines for providing a written response and for correcting each deficiency identified. The letter is prepared by the Contract Monitor and reviewed and approved by the Contract Supervisor prior to sending to Agency. Monitoring Letter should be sent within 30 days of the visit.

8. Upon receipt of Agency response to monitoring report, the Contract Monitor will reviewagency answers to determine if the response and additional documentation, if neededand provided, is sufficient to regard the finding and/or concern resolved. The ContractMonitor will prepare a final response to either complete the monitoring or ask for additional information and submit to supervisor for review. The communication will continue until the finding and/or concerns are resolved.

ESG-CV Addendum

The purpose of ESG-CV funds is to prevent, prepare for, and respond to COVID-19 in order to prevent and mitigate the spread of COVID-19 among people experiencing homelessness and the staff that provide services to these individuals. Existing shelters will implement public health protocols identified below, establish a temporary isolation space where participants can stay while waiting to be transported to a County isolation hotel, and distribute personal protective equipment (PPE).

Each ESG-CV funded project will comply with ESG-CV regulations including:

- An established line of communication and a process for preventing duplication of benefits.
- Paying for furniture and/or households items and cell phones.
- Coordination of housing and services with the COC
- Not requiring participants to receive treatment or perform any other prerequisite activities as a condition for receiving shelter, rental assistance, or other services
- Each participant will be assessed through the Coordinated Entry System to determine service needs and will be offered available services
- Following the Lead Safe Housing Rule
- Ensuring participants are eligible for rapid rehousing financial assistance including six month reassessments
- Ensuring units covered by rental assistance are eligible

Shelters Operations:

Shelters receiving ESG-CV will provide expanded 24/7 hours of operation, provide three meals per day and will comply with the City's Public Health Officer's directive to:

1) Reduce the shelter census to maintain 6' social distance between beds;
2) Follow the City's COVID Shelter Response Plan;
3) Follow the approved Shelter Residential Snapshot;
4) Maintain staff and participant vaccination rates and tracking weekly test results for unvaccinated staff; and
5) Follow the below requirements for staff and guests:

1. Maintain 6' physical distancing, including when sleeping by maintaining bed assignments that alternate between lower and top beds and by having participants sleep head to toe to further distance between each other;
2. Mandatory mask wearing;
3. Enhanced and increased frequency of cleaning and disinfection of facility;
4. Minimum daily symptom checks and recording including every time someone enters the building.

Temporary Shelters

Temporary non-congregate and smaller shelter sites will be designated for people who meet the CDC criteria for being at risk if infected with COVID-19. In an effort to decompress shelters to comply with the 6' social distancing requirement, first priority will be given to existing shelter participants who meet the CDC criteria, including 65+, specific underlying health conditions and/or medical frailty. Future referrals will also require participants to meet CDC criteria and be closely coordinated with the North County Coordinated Entry System, the City of Berkeley, and street health and outreach teams in Berkeley.

All Shelters:

Shelters funded by ESG-CV may not turn away eligible program participants. Shelters must follow City of Berkeley and Alameda County COVID Response Plans including referrals to Alameda County isolation and quarantine hotels, if a client needs such services. Someone who presents at an ESG-funded shelter with respiratory symptoms (e.g., cough) should be referred to the County's isolation and quarantine hotels. Shelters will continue to not have

a maximum length of stay. Any ESG-funded shelter that is considering closing or not accepting new residents must immediately notify the City of Berkeley.

PPE, Testing and Vaccines

City of Berkeley will provide PPE and supplies for distribution at shelters and in encampments. Additionally, the City's Public Health Division will provide access to self-administered rapid and PCR tests and mobile on-site vaccine clinics at shelters and transitional housing sites. ESG-CV funded shelters and outreach programs should encourage (but may not require) people experiencing homelessness to get tested and vaccinated.

Appendix of Forms and Documents

ESG Client File Document Check List

(click here to return to relevant section of manual)

Last Name:_____First Name:_____ HMIS ID: _____

I. **Eligibility Documentation** (check or indicate date completed in blank to left)

_____ Application for Assistance and Eligibility Screening Form

_____ Homeless Status/At-Risk Housing Status and Back up Documentation

_____ Income Eligibility Determination and Back up Documentation

_____ Asset Verification Documentation

_____ Intake on Head of Household (HMIS SIF form)

_____ Intake(s) on other household members ***(if applicable)*** (HMIS SIF form)

Intake on other adult _____ Intake on other adult _____

Intake on child: _____ Intake on child:_____

_____ Other: _____

_____ Current ROI_____ Date:_____

II. **Documentation on the Housing Unit and/or Utilities** (check or indicate date completed in blank to left)

_____ Documentation of rent or utility arrears ***(if applicable)***

_____ Rent Reasonableness and Payment Standard determination for rental unit

_____ Habitability Inspection (includes Lead Assessment)

_____ Lease between Participant and Landlord

_____ Rental Assistance Agreement with Landlord

_____ W-9 Form

_____ Other: _____

_____ RealQuest or other owner verification documentation

III. **Documentation of Assistance/Ongoing Services** (check or indicate date completed in blank to left)

_____Household Budget

_____Housing Stability Plan

_____Financial Assistance Calculation Form

_____Links to Mainstream Resources

_____Case Management Notes

Three Month Reassessment(s) ***(if applicable, insert dates)***

1. _____ 2._____3._____4._____

_____ Exit Form (HMIS form)

_____ Termination of Housing Assistance Form ***(if applicable)***

_____ Other: _____

ESG Application for Assistance and Eligibility Determination Form

(click here to return to relevant section of the manual)

Complete this form and have the head of household sign it. This form will determine eligibility and act as an application by the household for assistance.

Assessment Date: / / _____

Staff: _____ Agency: _____

A. General Information

1. Head of Household:

First: _____ Middle: _____ Last: _____ Suffix: _____

Complete ROI for Head of Household or check here _____ if current ROI on file

2. Other Members of Household

First Name	Last Name	Age	Relationship to Head of Household

Total number of persons in household: _____

If applicant is determined to be eligible for assistance, you must complete an HMIS Standard Intake Form (SIF) for every household member.

3. Why are you seeking assistance? Please choose an option, then describe below.

☐ I am living on the streets, or a place not meant for human habitation

☐ I am in a shelter or TH housing program and have been referred for rapid re-housing

☐ I am applying for shelter because Must leave where I am currently staying

☐ I want to keep the housing I have and am at imminent risk of losing it

Explanation: _____

I understand that I am applying for assistance from the federally-funded Emergency Solutions Grant Program. I understand that I am required to certify that all information in this application is true and to provide all required documents to determine eligibility and to enter into a housing stability plan if I am eligible for assistance. I also understand that financial assistance is not guaranteed, is time-limited, and may be terminated or adjusted at any time. I declare that all information I have provided in this application is true to the best of my knowledge.

Head of Household Signature: _____ Date: _____

B. Rapid Rehousing Assessment (Cross through and skip this section if applicant household is applying for prevention assistance)

Homeless Status Documentation: To receive rapid rehousing assistance, clients must be homeless by the HUD Homeless Definition and eligible for assistance under certain categories. Use this portion of the form if the applicant client household is Literally Homeless (Category 1), or is fleeing/attempting to flee domestic violence *(Category 4)* ***and*** also meets the category of Literally Homeless. Otherwise, complete Section B. of this form for Homeless Prevention.

1. Is household among the eligible target population for this program?

☐ Living/staying in a shelter.

☐ Living on the streets, a car, an encampment or a place not meant for human habitation.

☐ Living/staying in transitional housing.

☐ Exiting an institution where s(he) resided for 90 days or less and previously resided in a shelter or the streets or place not mean for human habitation.

☐ Fleeing or attempting to flee domestic violence ***and also meets one of the above conditions*.**

Documentation	
Literally Homeless – on the streets or in a shelter	(in order of preference for documentation) ☐ Written observation by an outreach worker (attached), or ☐ Written referral by another housing or service provider (attached) HMIS intake for shelter/TH, or ☐ Self- certification that s(he) was living on the streets or in a shelter (attached)
Exiting an institution and entered from literal homelessness	One of the forms of evidence above and ☐ Discharge paperwork or written/ or documented oral referral (attached), or ☐ Written report of intake workers due diligence to obtain above evidence and certification by the individual that they exited institution (attached)

Be sure to attach the supporting documentation to the application in file.

2. This household is a candidate for ESG rapid rehousing because:

☐ They are homeless but have adequate income to afford a place if assisted to obtain one with short-term assistance (deposit and up to one to three month's rent subsidy).

☐ They are homeless and don't currently have adequate income for housing but have potential to increase income to be self-sustainable within approximately 6 months and are willing to commit to a housing stability plan.

☐ They are currently homeless but with assistance can move into a stable situation with friends or family or another situation that doesn't require an increase in income.

☐ They are currently homeless and are expected to receive a housing subsidy within six months from another source but need financial assistance to gain housing and/or support services

Subsidy anticipated:
☐ OPRI ☐ VASH ☐ Shelter Plus Care ☐ Other: _____

Note: ESG funds may not be used to cover any cost covered by another subsidy source. For rapid rehousing candidates with a subsidy, ESG may only be used to pay security deposit and utility deposits if needed to secure housing.

☐ Current Subsidy_____pays for: _____

☐ No other subsidy currently

Proceed to Part D: Income Verification Section

C. Homelessness Prevention (Cross through and skip this section if applicant household is applying for Rapid Rehousing)

To receive Prevention assistance, clients may either be homeless under certain categories of the HUD Homeless Definition or At Risk of Homelessness under any category of that definition. Use this portion of the form if the applicant client household is at Imminent Risk of Homelessness (Category 2), fleeing/attempting to flee domestic violence ***but*** does not meet the category of Literally Homeless (Category 4) or is At Risk of Homelessness. Households who do not qualify for rapid rehousing or prevention assistance under these definitions are not eligible for ESG assistance under this program.

1. This household is a candidate for prevention assistance because:

☐ They are currently seeking shelter, and have been staying with family or friends who will no longer let them remain there. (Must be required to leave within 14 days.)

☐ They are staying in a hotel or motel using their own resources, have no other residence and lack the resource and support networks to obtain other permanent housing.

☐ They are fleeing or attempting to flee domestic violence, have no other residence and lack the resource and support networks to obtain other permanent housing.

☐ They have a place to live with their name on the lease from which they are being evicted (must be required to leave within 14 days.)

☐ They are about to be discharged from foster care, or have recently been discharged from foster care, and the residence where they are currently living will be lost within 14 days

Documentation	
Imminent Risk of Homelessness	☐ A court order resulting from an eviction action notifying the individual or family that they must leave (attached), or ☐ Leaving a hotel or motel – evidence that household has been staying in hotel/ motel (attached), and this application documents lack of resources ☐ A documented and verified oral statement that residence will be lost within 14 days of the date of this application (attached), and this application documents lack of resources.
Leaving an institution, including foster care	One of the forms of evidence above and ☐ Discharge paperwork or written/oral referral (attached), or ☐ Written report of intake workers' due diligence to obtain above evidence and certification by the individual that they exited an institution or foster care(attached)
Fleeing domestic violence	For victim services providers: ☐ An oral statement, by the individual or head of household self-certified or certified by the intake worker, which states they are fleeing and have no subsequent resident or resources. For non-victim services providers: ☐ An oral statement, by the individual or head of household self which states they are fleeing and have no subsequent resident or resources. Where the safety of the individual or family is not jeopardized, the oral statement must be verified.

2. Housing Assessment (Prevention Only)

If household intends to keep current housing, what is the monthly rent? _____

If the household intends to remain in their current unit, does the rent amount exceed the FMR payment standard (based on the chart below)?

☐No: Proceed to next page.

☐Yes: Client is not eligible to be subsidized in their current unit. Ask the client if they are interested in relocating to less expensive housing and if so, proceed with assessment. Otherwise, stop here; client is not eligible. Proceed to end of form

Final FY 2020 FMRs By Unit Bedrooms				
Studio/Efficiency	1-bedroom	2-bedroom	3-bedroom	4-bedroom
$1545	$1,875	$2,335	$3,215	$3.945

Source: http://www.huduser.org/portal/datasets/fmr.html

Is your name on a rental agreement?

❑Yes

❑No

If your name is not on a rental agreement, are you living with someone who has a rental agreement and who has notified you in writing that you must leave?

❑No ❑Yes

If you owe back rent, how much do you owe? _____

How many month's rent is that?

☐One ❑Two ❑Three ❑Four ❑Five ☐Six or more ☐Don't Know

Is your landlord willing to accept rent from you?

❑No ❑Yes ☐Don't Know ☐Does Not Apply

If you are at risk of eviction, where are you in the eviction process?

☐Have not been served formal notice ☐Served a 3 -day notice to pay rent or quit ☐Served an Unlawful Detainer summons ☐Eviction judgment has been issued

☐Does not apply

Do you currently receive any type of housing or utility subsidy or assistance from any other source?

❑No ❑Yes

Subsidy pays for: _____

Note: ESG funds cannot be used to cover any cost covered by another subsidy source. For prevention candidates with a housing subsidy, ESG may only be used to pay the tenant portion of overdue back rent.

Be sure to attach housing status verification form and supporting documentation in file. Proceed to Part D: Income Verification Section

D. Income Verification

What is the combined income of this applicant household? _____

Household size: _____

Alameda County, California FY2020 Income Limits						
Household Size	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person
Extremely Low Income (30% of AMI)	$26,050	$29,750	$33,450	$37,150	$40,150	$43,100

Source: HUD User FY 2019 Income Limits Documentation System: https://www.huduser.gov/portal/datasets/il.html.
& Department of Health & Human Services (HHS) 2019 Federal Poverty Level Chart. https://aspe.hhs.gov/poverty-guidelines.

☐ At or below 30% AMI for household size

☐ Above 30% AMI for household size and seeking rapid rehousing assistance. Authorization of recipient may be required to proceed.

Required Authorization:_____(if applicable)

☐ Above 30% AMI for household size and seeking prevention assistance– **INELIGIBLE:** Proceed to end of form.

You may use the ESG Income Eligibility Calculation Form or another similar form to determine income. Be sure to include income verification form and supporting documentation for determination in file.

E. Resources, Networks and Asset Determination

In addition to meeting the housing status and income requirements, applicants must demonstrate that they do not have sufficient support or resources to retain or gain housing on their own.

ii. Asset Assessment

To determine whether the applicant household has resources that could be used to prevent or end their homelessness, and to determine the amount of financial assistance to be provided, the program must review their assets. This portion of the form applies to all adults in the household listed on page 1.

☐ No Bank accounts

Bank Accounts (*attach appropriate third party documentation for all accounts listed below)*

1. Name of Financial Institution:_____Type of account:_____Name(s) on Account: _____

Acct #:_ Acct. Balance:_____as of_____/_____/_____

_____

2. Name of Financial Institution:_____Type of account:_____Name(s) on Account: _____

Acct #:_____Acct. Balance:_____as of_____/_____/_____

Investment Accounts *(obtain appropriate third party documentation for all accounts listed below)*

1. Name of Financial Institution:_____Type of account:_____Name(s) on Account: _____

Acct #:_____ Acct. Balance:_____as of_____/_____/_____

Other Assets

# of Vehicles:_____ ☐ No Vehicles

Make:_____Model:_____Year:_____

Make:_____Model:_____Year:_____

For cars that are 2007 or newer, note blue book value: _____

Property or other (describe and note value): _____

Be sure to attached copies of bank statements or other asset verification

If assets exceed $2,000 per individual or $3,000 per couple, if any vehicle is worth more than $10,000, or if household has more working cars than adult drivers, the household is ineligible.

☐ No ☐Yes: ineligible. Proceed to end of form

ii. Personal Resource and Networks

Other subsequent housing options

What steps have you taken to identify other appropriate housing options that you can afford *without any assistance from this program*?

Summary of assessment: _____

Does the household have any other appropriate housing options? ☐Yes ☐No

2) **Financial Resources**

Do you have any other resources that you could use to help your household gain housing or remain in your housing? (See asset assessment; discuss use of participants personal resources to resolve situation.)

Summary of assessment: _____

Does the household have other financial resources sufficient to obtain other appropriate subsequent housing or remain in their existing housing? Yes No

3) **Support Networks**

Do you have any other support networks that could help you gain housing or remain in your housing? (This would include family or friends who can lend or give money, a faith-based organization that can assist you, someone with whom you can live, etc.)?

Summary of assessment: _____

Does the household have support networks needed to obtain other appropriate subsequent housing or remain in their existing housing? Yes No

F. Approach to housing stability

How did your current situation of homelessness or housing instability come about?

Describe: _____

Are you currently doing anything to increase your household income or decrease your costs?

☐ No Does Not Apply

Yes

Describe: _____

If you are to be assisted, are you willing to participate in services to increase your income or decrease your costs?

☐ No Yes Does Not Apply

STOP **If household is not currently working toward increasing income or decreasing costs and is unwilling to do so, the household *may be* determined as ineligible. (**Note that households with a fixed income may not need to increase income to remain stable.)

Please add any other information pertinent to eligibility determination:

FOR STAFF USE ONLY:

Last Name:_____ First Name:_____ HMIS ID: _____

Eligibility Determination

A. Household is not eligible to receive ESG assistance due to:

☐ Not among target population for local program

☐ Ineligible Housing Status

☐ Over Income

☐ Households Assets exceed asset limit

☐ Household is already receiving a subsidy for the same cost for which the household is seeking assistance

☐ Adults in household unwilling to engage in activities or participate in services designed to support housing stability plan

☐ Household as already received 24 months of ESG assistance in last 36 months

If client is not eligible, inform client of determination and refer client to other programs that may be able to assist the household. Programs referred to:

1. Program:_____ How was referral made?:_____

2. Program:_____ How was referral made?:_____

3. Program:_____ How was referral made?:_____

4. Program:_____ How was referral made?:_____

B. Household is eligible to receive Assistance.

☐ **Eligibility for rapid rehousing verified**; household will be enrolled and housing search assistance will begin.

☐ **Eligibility for prevention assistance verified;** new housing has been identified or current housing is to be retained and program will proceed to check on unit eligibility and to offer financial assistance and housing stability support.

Staff signature:_____ **Date:** _____

Proceed to enroll the Household:

- Complete ROI and HMIS Intake,
- Sign the participation agreement,
- Complete the Household Budget and develop Housing Stability Plan.
- If housing unit is identified, complete unit documentation, Financial Assistance Calculation Form and other required documentation.

ESG Program Participation Agreement

(click here to return to relevant section of the manual)

The ESG Program provides support services and limited financial resources to help households gain housing or remain housed. I understand that this program may provide me with some or all of the following services:

- Assistance finding and obtaining housing
- Assistance developing a housing plan
- Assistance to stay in housing I currently occupy, including legal assistance and/or negotiations with family members, friends or landlords;
- One-time or short-term financial assistance to support gaining or retaining housing which may include rental deposits, rental or utility arrears, or short to medium term rental assistance payments designed to secure or retain housing;
- Referrals and support to apply for benefits for which I or a member of my household may be eligible.
- Other services related to securing housing, such as, but not limited to, assistance getting identification, preparing housing applications, searching for housing, negotiating with landlords and other services.

I agree to do the following:

- Provide accurate and honest information to my housing specialist and other program staff.
- Work with a housing specialist to develop a housing plan.
- Take all necessary steps to achieve the goals outlined in the plan.
- Meet with my housing specialist at intervals established in my housing plan, and not less than monthly during my participation in the program.
- Permit home visits and inspections of my housing during my participation in the program. (Advance notice will be provided.)
- Provide current proof of income when requested.
- Pay my portion of rent on time every month and *immediately* advise the housing specialist if I have any trouble in doing so.
- Provide any documentation required by the housing specialist as it pertains to progress on my housing plan, my rent status or income (i.e. attendance record for job training program, proof of application for benefits, etc.)
- Be contacted for follow-up phone calls about my participation in ESG for up to 24 months after I complete the program.

I understand that neither _____(agency name) nor any party to the ESG Program is responsible for my rent or lease. I understand that assistance will only be provided if I am in compliance with the program requirements including the terms of my Housing Stability Plan.

Client Name:_____ Client Signature:_____ Date: _____

Housing Navigator:_____ Agency Name:_____ Date: _____

Sample Budgeting Worksheet

(click here to return to relevant section of the manual)

Participant Name:		Date:
	Actual (with current income)	Proposed (with anticipated income and/or subsidy)
Housing Expenses		
Rent		
PG&E		
Water		
Other:		
Car Expenses		
Loan payment		
Insurance		
Gas		
Maintenance & repairs		
Debt		
Creditor 1		
Creditor 2		
Miscellaneous		
Groceries, Lunches, meals		
Childcare		
School supplies		
Prescriptions		
Cable TV		
Internet Connection		
Telephone		
Clothing		
Hair supplies/Toiletries		
Other:		
Other:		
Expense Total		
Income		
Earnings		
Social Security related $		
Unemployment		
Food Stamps		
Other:		
Other:		
Income Total		
Total Income Minus Expenses		

Participant Signature:_____ Date: _____

Case Manager/Housing Specialist Name_____Signature_____Date_____

ESG Housing Stability Plan

(click here to return to relevant section of the manual)

Initial Plan Date _____

Client/Head of Household Name: _____

My 30 day housing goal is: _____

If different, my 90 day goal is _____

If different, my permanent housing goal is _____

I have or will have the following resources to help me achieve my goals:

1.

2.

3.

In order to reach these goals, I commit to take the following steps:

Step	Actions	What I'll do	Help I'll Receive	Done by:	Notes at Follow Up
1					
2					
3					

Client Signature:_____ Date:_____Housing Navigator:_____Date: _____

ESG Financial Assistance Calculation Form

(click here to return to relevant section of the manual)

Before preparing this calculation, complete the budget form with the Head of Household. Use this form and information from the application, the budget and the lease and/or arrears documentation to determine the amount of financial assistance that the household will receive. **This form must be prepared every three months during the time in which the household receives financial assistance.**

Head of Household :_____ Service Point ID: _____

Assessment date:_____ Staff: _____

☐ First financial assistance calculation ☐ Reassessment of financial assistance

A. GENERAL

Enter the information below from the budget and assets form to determine the amount of financial assistance

Combined Household income:_____ (from application) Rent:_____(from lease)

Income minus Rent:_____ *** Percent of income for rent without subsidy**:_____

Total Expenses_____(from budget)

* **Difference between income and expenses**: _____

* **Current Assets:**_____(from application)

Use information indicated with * to determine financial assistance below

B. SECURITY DEPOSIT (skip if not applicable)

New residence requires a Security Deposit of:_____(This may include up to two months rent if required as deposit but should not include first month's rent in this calculation. Assistance with First month's rent should be part of the Rental Assistance in section C.below)

Based on income and assets, ***household will make:***

☐ No contribution to the deposit without jeopardizing housing stability (household has less than 50% of income left after paying rent and household budget has no disposable income; household has assets of less than $500.)

☐ A one-time payment toward the security deposit of:_____(household has assets of greater than $500 and/or budget indicates disposable income available for a payment.)

Program will make a payment on behalf o

B. PREVENTION ARREARS (skip if not applicable)
Household owes_____in rental arrears. (From documentation of rent arrears. The document must be dated within the same month that the application is being considered or proof of rent payment must be provided.)

Based on income and assets available, ***Household will make:***
☐ No payments without jeopardizing housing stability (household pays more than 50% of income for rent and/or household budget has no disposable income; household has assets of less than $500.)

☐ A one-time payment toward the arrears of:_____(household has assets of greater than $500 and/or budget indicates disposable income available for a payment.)

☐ A monthly payment toward the arrears of: _____

☐ Payment agreement negotiated with landlord.(budget indicates disposable income available for a payment or household has a housing subsidy.)

Program will make a payment on behalf of household of: _____
Note Program will not pay more than three months or $3,000 in rental arrears.

C. UTILITY ARREARS (skip if not applicable)

This type of support will only be provided if the household will be unable to have utilities in their housing if they do not pay past due arrears.

Household owes_____in past utility arrears (from documentation of utility arrears) Based on income and assets available, ***Household will make:***

☐ No payments without jeopardizing housing stability (household pays more than 50% of income for rent and/or household budget has no disposable income; household has assets of less than $500.)

☐ A one-time payment toward the arrears of:_____(household has assets of greater than $500 and/or budget

indicates disposable income available for a payment.)

☐ A monthly payment toward the arrears of:_____ Payment agreement negotiated with

landlord.(budget indicates disposable income available for a payment or household has a housing subsidy – attached copy of payment agreement.)

Program will make a payment on behalf of household of _____

D. FINANCIALASSISTANCEAGREEMENT

The participant and the program agree to the terms of payment designated above. The program will make payments on behalf of the participant as long as the participant is in good standing with their portion of the agreement and making progress on their Housing Stability Plan.

This agreement expires:_____ (not later than 3 months from first expected payment.)

Participant Signature:_____ Date: _____

Housing Specialist Signature:_____ Date: _____

(Attach this agreement to a copy of lease or occupancy agreement and, if past due rent or utilities, a copy of a record from the landlord/leaser or utility company indicating the amount of arrears.)

Rent Reasonableness and FMR Certification

(click here to return to relevant section of the manual)

	PROPOSED UNIT	COMPARISON UNIT #1	COMPARISON UNIT #2	COMPARISON UNIT #3
ADDRESS				
NUMBER OF BEDROOMS				
SQUARE FEET				
TYPE OF UNIT/CONSTRUCTION				
HOUSING CONDITION				
LOCATION/ACCESSIBILITY				
AMENITIES UNIT: SITE: NEIGHBORHOOD:				
AGE IN YEARS				
UTILITIES (TYPE)				
UNIT RENT UTILITY ALLOWANCE GROSS RENT				
HANDICAP ACCESSIBLE?				

CERTIFICATION:

A. Compliance with Payment Standard

_____ _____ _____

Proposed Contract Rent + Utility Allowance = Proposed Gross Rent

Approved rent does not exceed applicable Payment Standard of $_____.

B. Rent Reasonableness

Based upon a comparison with rents for comparable units, I have determined that the proposed rent for the unit [ ] is [ ] is not reasonable.

NAME:	SIGNATURE:	DATE:

Habitability Standards Inspection Form

(click here to return to relevant section of the manual)
(based on HUD's HQS and the HPRP Notice; Certified HQS Inspectors may use an HQS form instead)

Name of Participant	Participant Phone Number	Date of Request (mm/dd/yyyy)
Inspector		Date of Initial Inspection (mm/dd/yyyy)
Type of Inspection ☐ Initial ☐ Special ☐ Re-inspection	Date of Last Inspection (mm/dd/yyyy)	Agency

A. General Information

INSPECTED UNIT		**Year Constructed (yyyy):**
Full Address		Housing Type (check as appropriate) ☐ Single Family ☐ Detached Duplex ☐ or two family ☐ Row House or Town House ☐ Low Rise; 3,4 stories including ☐ garden apt. High Rise; 5 or ☐ more stories ☐ Manufactured ☐ Home ☐ Congregate
Number of Children in Family Under 6:		
OWNER NAME	OWNER PHONE	
ADDRESS OF OWNER/AGENT		

Is Lead Paint inspection required? (unit was constructed prior to 1978 and children under age 6 or a pregnant woman are in the household.) ☐ Yes ☐ No

B. Summary Decision on Unit (to be completed after form is filled out)

☐ Pass ☐ Fail ☐ Inconclusive	Number of bedrooms	Number of sleeping rooms	Signature of Inspector

How to use this form

1. Review each room in the house as listing in the form (1. Living Room; 2. Kitchen; 3. Bathroom; 4. Other Rooms Used for Living or Halls (use as many as needed); 5. All Secondary Rooms Not Used for Living; 6. Building Exterior; 7. Heating, Plumbing and Installation; 8. General Health and Safety.
   Important: For each item numbered on the checklist, check one box only (e.g., check one box only for item 1.4 "Security," in the Living Room).
2. In the space to the right of the item, if the decision is "Fail," write what repairs are necessary.
3. If the item passes inspection, check the "Pass" box.
4. A final summary page to note repairs needed is provided on the final page. If owner/manager is present at inspection, gather signature on final page.
5. For lead paint inspections, if not required, mark "not applicable." Otherwise, note if the unit is a "pass" or "fail."

INSPECTION CHECKLIST

Item #	1. LIVING ROOM Description	DECISION Yes, PASS	 No, FAIL	Repairs
1.1	**LIVING ROOM PRESENT**			
1.2	**ELECTRICITY** Are there at least two working outlets or one working outlet and one working			
1.3	**ELECTRICAL HAZARDS** Is the room free from electrical hazards?			
1.4	**SECURITY** Are all windows and doors that are accessible from the outside lockable?			
1.5	**WINDOW CONDITION** Is there at least one window, are all windows free of signs of severe deterioration or missing or broken			
1.6	**CEILING CONDITION** Is the ceiling sound and free from			
1.7	**WALL CONDITION** Are the walls sound and free from hazardous			
1.8	**FLOOR CONDITION** Is the floor sound and free from hazardous defects?			
1.9	**LEAD PAINT** Are all painted surfaces free of deteriorated paint? If not, do deteriorated surfaces exceed more than two square feet per from and/or is more than 10%			☐ Not Applicable
Item #	**2. KITCHEN** Description	DECISION Yes, PASS	 No, FAIL	Repairs Required
2.1	**KITCHEN AREA PRESENT**			
2.2	**ELECTRICITY** Is there at least *one* working electric outlet and *one* working, permanently installed light fixture?			
2.3	**ELECTRICAL HAZARDS** Is the kitchen free from electrical hazards?			
2.4	**SECURITY** Are *all* windows and doors that are accessible from the outside lockable?			
2.5	**WINDOW CONDITION** Are all windows free of signs of deterioration or missing or broken out panes?			
2.6	**CEILING CONDITION** Is the ceiling sound and free from hazardous			
2.7	**WALL CONDITION** Are the walls sound and free from hazardous			
2.8	**FLOOR CONDITION** Is the floor sound and free from hazardous			
2.9	**LEAD PAINT** Are all painted surfaces free of deteriorated paint? If not, do deteriorated surfaces exceed more than two square feet per from and/or is more than 10% of a component?			☐ Not Applicable
2.10	**STOVE OR RANGE WITH OVEN** Is there a working oven and a stove (or range) with top burners that work?			
2.11	**REFRIGERATOR** Is there a refrigerator that works and maintains a temperature low enough so that food does not spoil over a reasonable period of time?			

2.12	**SINK** Is there a kitchen sink that works with hot and cold running water?			
2.13	**SPACE FOR STORAGE AND PREPARATION OF FOOD** Is there space to store and prepare food?			
Item #	**3. BATHROOM** Description	DECISION Yes, PASS	No, FAIL	Repairs Required
3.1	**BATHROOM PRESENT**			
3.2	**ELECTRICITY** Is there at least *one* permanently installed			
3.3	**ELECTRICAL HAZARDS** Is the bathroom free from electrical hazards?			
3.4	**SECURITY** Are *all* windows and doors that are accessible from the outside lockable?			
3.5	**WINDOW CONDITION** Are all windows free of signs of deterioration or missing or broken out panes?			
3.6	**CEILING CONDITION** Is the ceiling sound and free from hazardous			
3.7	**WALL CONDITION** Are the walls sound and free from			
3.8	**FLOOR CONDITION** Is the floor sound and free from hazardous			
3.9	**LEAD PAINT** Are all painted surfaces free of deteriorated paint? If not, do deteriorated surfaces exceed more than two square feet per from and/or is more			Not Applicable ☐
3.10	**FLUSH TOILET IN ENCLOSED ROOM IN UNIT** Is there a working toilet in the unit for exclusive private use of the tenant?			
3.11	**FIXED WASH BASIN OR LAVATORY IN UNIT** Is there a working, permanently installed wash basin with hot and cold			
3.12	**TUB OR SHOWER IN UNIT** Is there a working tub or shower with hot and cold running water in the unit?			
3.13	**VENTILATION** Are there operable windows or a working			
Item #	**4. OTHER ROOMS USED FOR LIVING OR HALLS** Description	DECISION Yes, PASS	No, FAIL	Repairs Required
4.1	**ROOM CODE and ROOM LOCATION:** right/left _____ front/rear _____ floor level _____	ROOM CODES 1 = Bedroom or any other room used for sleeping (regardless of type of 2 = Dining Room, or Dining Area 3 = Second Living Room, Family Room, Den, Playroom, TV Room 4 = Entrance Halls, Corridors, Halls, Staircases 5 = Additional Bathroom 6 = Other		

4.2	**ELECTRICITY** If Room Code = 1, are there at least two working outlets or one working outlet and one working, permanently installed light fixture? If Room Code does not = 1, isthere a means of illumination?			

4.3	**ELECTRICAL HAZARDS** Is the room free from electrical hazards?			
4.4	**SECURITY** Are *all* windows and doors that are accessible from the outside lockable?			
4.5	**WINDOW CONDITION** If Room Code = 1, is there at least one window? And, regardless of Room Code, are all windows free of signs of severe deterioration or missing or broken			
4.6	**CEILING CONDITION** Is the ceiling sound and free from			
4.7	**WALL CONDITION** Are the walls sound and free from			
4.8	**FLOOR CONDITION** Is the floor sound and free from hazardous			
4.9	**LEAD PAINT** Are all painted surfaces free of deteriorated paint? If not, do			☐ Not Applicable
4.10	**SMOKE DETECTORS** Are smoke detectors in each room used for sleeping? Are they working?			
Item #	**4. OTHER ROOMS USED FOR LIVING OR HALLS** Description	DECISION Yes, PASS	No, FAIL	Repairs Required
4.1	**ROOM CODE and ROOM LOCATION:** right/left _____ front/rear _____ floor level	ROOM CODES 1 = Bedroom or any other room used for sleeping (regardless of type of room) 2 = Dining Room, or Dining Area 3 = Second Living Room, Family Room, Den, Playroom, TV Room 4 = Entrance Halls, Corridors, Halls, Staircases 5 = Additional Bathroom		
4.2	**ELECTRICITY**			
4.3	**ELECTRICAL HAZARDS**			
4.4	**SECURITY**			
4.5	**WINDOW CONDITION**			
4.6	**CEILING CONDITION**			
4.7	**WALL CONDITION**			
4.8	**FLOOR CONDITION**			
4.9	**LEAD PAINT**			☐ Not Applicable
4.10	**SMOKE DETECTORS**			
Item #	**4. OTHER ROOMS USED FOR LIVING OR HALLS** Description	DECISION Yes, PASS	No, FAIL	Repairs Required

4.1	**ROOM CODE and ROOM LOCATION:** right/left _____ front/rear _____ floor level	ROOM CODES 1 = Bedroom or any other room used for sleeping (regardless of type of room) 2 = Dining Room, or Dining Area 3 = Second Living Room, Family Room, Den, Playroom, TV Room 4 = Entrance Halls, Corridors, Halls, Staircases 5 = Additional Bathroom 6 = Other		
4.2	**ELECTRICITY**			
4.3	**ELECTRICAL HAZARDS**			
4.4	**SECURITY**			
4.5	**WINDOW CONDITION**			
4.6	**CEILING CONDITION**			
4.7	**WALL CONDITION**			
4.8	**FLOOR CONDITION**			
4.9	**LEAD PAINT**			☐ Not Applicable
4.10	**SMOKE DETECTORS**			
Item #	**5. ALL SECONDARY ROOMS NOT USED FOR LIVING** Description	DECISION Yes, PASS	No, FAIL	Repairs Required
5.1	**NONE. GO TO PART 6**			
5.2	**SECURITY** Are *all* windows and doors that are accessible from the outside lockable in			
5.3	**ELECTRICAL HAZARDS** Are all these rooms free from electrical			
5.4	**OTHER POTENTIALLY HAZARDOUS FEATURES IN ANY OF THESE ROOMS** Are all of these rooms free of any other potentially hazardous features? For each room with an "other potentially			
Item #	**6. BUILDING EXTERIOR** Description	DECISION Yes, PASS	No, FAIL	Repairs Required
6.1	**CONDITION OF FOUNDATION** Is the foundation sound and free from			
6.2	**CONDITION OF STAIRS, RAILS, AND PORCHES** Are all the exterior stairs, rails and porches sound and free from hazards?			
6.3	**CONDITION OF ROOF AND GUTTERS** Are the roof, gutters and downspouts sound and free from hazards?			
6.4	**CONDITION OF EXTERIOR SURFACES** Are exterior surfaces sound and free from			
6.5	**CONDITION OF CHIMNEY** Is the chimney sound and free from			
6.6	**LEAD PAINT: EXTERIOR SURFACES** Are all painted surfaces free of deteriorated paint? If not, do deteriorated surfaces exceed			☐ Not Applicable
6.7	**MANUFACTURED HOMES: TIE DOWNS** If the unit is a mobile home, it is properly placed a ot a mobile home, check			
	7. HEATING, PLUMBING AND	DECISION		

Item #	Description	Yes, PASS	No, FAIL	Repairs Required
7.1	**ADEQUACY OF HEATING EQUIPMENT** a. Is the heating equipment capable of providing adequate heat (either directly or indirectly) to all rooms b. Is the heating equipment oversized by more than 15%? c. Are pipes and ducts locatedin unconditioned space insulated?			
7.2	**SAFETY OF HEATING EQUIPMENT** Is the unit free from unvented fuel burning			
7.3	**VENTILATION AND ADEQUACY OF COOLING** Does this unit have adequate ventilation and cooling by means of operable windows or a			
7.4	**HOT WATER HEATER** Is hot water heater located, equipped, and installed in a safe manner?			
7.5	**WATER SUPPLY** Is the unit served by an approvable public or private sanitary water supply?			
7.6	**PLUMBING** Is plumbing free from major leaks or corrosion that causes serious and			
7.7	**SEWER CONNECTION** Is plumbing connected to an approvable			
	8. GENERAL HEALTH AND SAFETY	DECISION		
Item #	Description	Yes, PASS	No, FAIL	Repairs Required
8.1	**ACCESS TO UNIT** Can the unit be entered without having to go through			
8.2	**EXITS:** Is there an acceptable fire exit from this building that is not blocked?			
8.3	**EVIDENCE OF INFESTATION** Is the unit free from rats or severe infestation by mice or vermin?			
8.4	**GARBAGE AND DEBRIS** Is the unit free from heavy accumulation of garbage or debris inside and outside?			
8.5	**REFUSE DISPOSAL** Are there adequate covered facilities for temporary storage and disposal of food			
8.6	**INTERIOR STAIRS AND COMMON HALLS** Are interior stairs and common halls free from hazards to the occupant because of loose, broken or missing steps on			
8.7	**OTHER INTERIOR HAZARDS** Is the interior of the unit free from any other hazards not specifically identified			
8.8	**ELEVATORS** Are they working and safe?			

8.9	**INTERIOR AIR QUALITY** Is the unit free from abnormally high levels of air pollution from vehicular exhaust, sewer gas, fuel gas, dust, or other pollutants?			

8.10	**SITE AND NEIGHBORHOOD CONDITIONS** Are the site and immediate neighborhood free			
8.11	**LEAD PAINT: OWNER CERTIFICATION** If the owner of the unit is required to treat or cover any interior or exterior surfaces, has the certification of			☐ Not Applicable
	9. MISCELLANEOUS	DECISION		
Item #	Description	Yes, PASS	No, FAIL	Repairs Required
9.1	**Is there sufficient sleeping place for each individual?**			
9.2	**Is there adequate natural or artificial illumination to permit activities in the home?**			
9.3	**Is home and equipment maintained in a sanitary condition?**			

Summary of Repairs Needed:

Item Number:	Repair Needed:

Owner/Manager's Signature:

_____

Rental Assistance Agreement Letter

(click here to return to relevant section of the manual)

(date)

(landlord address)

_____(Head of Household) has been approved to receive temporary financial assistance through the Emergency Solutions Grant program. The program is designed to help the participant secure and/or retain housing and be a successful tenant. Our agency will maintain regular contact during his/her time in the program to assist him/her with any problems related to his/her housing or tenancy. The program does not, however, assume any responsibility for the tenant's rent or for compliance with the lease. The tenant is fully responsible for complying with the terms of the lease he/she has with you.

The person named above has been approved for assistance with (check all that apply):

☐ A rental deposit in the amount of $_____

☐ A short-term rent subsidy in the amount of $_____ (currently approved until _____

date. This subsidy may be extended at the program's discretion)

☐ Assistance with past due rent in the amount of $_____

All other payments under the terms of the lease are the responsibility of the tenant.

[Name of Housing Agency]_____, will provide the above housing assistance payments to you beginning [date]. By signing below, you agree to apply all payments you receive on the tenant's behalf toward the specified housing-related costs on the check. The termination of housing assistance payments shall not affect the household's other rights under the lease.

The tenant is required to notify us if he or she moves; however, if you ever receive a subsidy check for a tenant who has moved, it is your responsibility to return the check to us. Financial assistance from this program can only be used toward the housing-related costs of the tenant named above while he/she resides in your housing. You also must notify us if during the term of this agreement you notify the tenant to vacate or if you lodge any complaint under state or local law to commence an eviction.

You are welcome to contact me if you have any questions or concerns regarding the program or this tenant's housing. [*name, title at 510 XXX-XXXX or housing specialist @ agency.org*]. Thank you for working with us.

Sincerely,

I have read this agreement and I agree to accept payments on behalf of the tenant listed above as described in this letter. I have provided a W-9 form to the agency.

Property Owner/Property Manager Name:_____

Signature:_____ **Date:** _____

City of Berkeley ESG Policies and Procedures
May 12, 2020

Three Month Reassessment of Eligibility

(click here to return to relevant section of the manual)

Reassessment Date: ____/____/_____

Staff Name:_____ Agency: _____

Program: ☐ESG ☐FRHP ☐PRCS ☐Other: _____

Head of Household Name: _____ Service Point ID: _____

Before beginning this Reassessment form, collect copies of updated income documentation for the household.

Has there been a change in address or phone since the last assessment?

☐ No Change

☐ Address and/or phone has changed; new information below **(Enter into HMIS Housing Sub-assessment)**

Current STREET Address:_____Apartment or Unit Number: ____

City: _____ State:_____ Zip: _____

Phone Number: _____ Alternate Phone: _____

Start Date (Date moved into Permanent Housing) /_____/ _____

a) Total Household Members living/will live at this address: ____

b) Total ADULTS living/will live at this address: _____

c) Total CHILDREN living/will live at this address _____ *(NOTE: a – b = c)*

Time in Program

Has household **a)** received 24 months of ESG assistance in last 36 months or **b)** exceeded other program time limits?

☐ Yes ☐ No

STOP **If household has exceeded eligible time in program, record the determination below**, and complete the HMIS Exit Form for all adults.

Income Status Eligibility (Complete the income reassessment form attached for each adult and enter into HMIS)

What is the total gross household monthly income (include all household members)? $ _____

What is the total gross household annual income? $_____(monthly amount x 12)

Using the chart below, circle the household size and determine the percent of Area Median Income (AMI)

Household Size	1	2	3	4	5	6
30% AMI	$26,050	$29,750	$33,450	$37,150	$40,150	$43,100
31-50% AMI	$43,400	$49,600	$55,800	$61,950	$66,950	$71,900

AMI information current as of 2019

Please check the household's current income status AND the documentation attached

☐ No Income

☐ 1-30% AMI

☐ 31-50% AMI

☐ Over 50% AMI

Copy of Payment Statement / Benefit Notice

☐ Alimony, spousal or child support

☐ GA, SSI, SSDI, or TANF

☐ Private Disability

☐ Pension / Retirement

☐ Unemployment or Workers' Comp

☐ Interest / Dividend Income

Copy of Pay Stubs

☐ Earned Income

Copy of Federal or State Tax Return

Self-Employment Income Self-Certification

☐ No Income

If household has income greater than 30% of Median Income for the ESG program, or greater than 50% of AMI for the PRCS or FRHP program, discontinue assistance. Record the determination below, and complete the Exit Form for all adults.

Is household receiving now or going to begin to receive a housing subsidy from another program?

☐ Yes ☐ No

Subsidy:_____Start date: /_____/ _____

If household receives another subsidy, household is not eligible for continued *financial* assistance at the same time. Household may continue to receive supportive services if needed to prevent homelessness. Skip to Housing Stability Plan Progress.

Rent as Portion of Income

Is the household receiving Financial Assistance to remain housed? Yes
No

What is the **TOTAL** monthly rent?___(the total rent, *not the portion currently paid by tenant*) Rent to Income ratio:

Total Monthly Rent (_____) X 100 =_____%
Gross Monthly Household Income (_____)

Housing Stability Plan Progress

Progress toward Obtaining or Maintaining Appropriate Housing:

☐ Achieved and Complete ☐ Making adequate progress ☐ Not making adequate progress

Progress toward Income or Employment Goals:

☐ Achieved and Complete ☐ Making adequate progress ☐ Not making adequate progress ☐ Does Not Apply

Progress toward Other Stability Goals:

☐ Achieved and Complete ☐ Making adequate progress ☐ Not making adequate progress ☐ Does Not Apply

Comments on Plan Progress, Accomplishments and Barriers:

Does household have financial resources and/or support networks that can help them gain/remain in housing?

If household has other resources or support networks that can help them gain or remain in housing that are adequate to secure their housing, **discontinue assistance.** Record the determination below, and complete the HMIS Exit Form for all adults.

RESULT OF REASSESSMENT:

Discontinuing Program Assistance:

☐ Received maximum permitted assistance
☐Over Income
☐Below targeted rent to
☐Receiving housing income ratio and does not subsidy and does not require services.
☐ Completed Housing Stability Plan Goals
☐ Has other resources

Continuing Assistance:

- ☐ Continue housing stability if income has changed
- ☐ Continue financial assistance, revise/update housing stabilization plan and prepare new budget
- ☐ New Budget (if applicable)

Attached:

☐ Revised Housing Stability Plan

After completing the reassessment of eligibility, I have been informed that I/my household am/are eligible for continued assistance from this program. I understand that my participation agreement remains in force and that a new stability plan, budget and financial contribution may be required. I understand that I will be reassessed again within three months ***or less*** *and that assistance may be discontinued at any time.*

Head of Household Signature:_____ Date: _____

Staff member signature:_____ Date: _____

3 MO. INCOMEREASSESSMENT FORM

Assessment Date:_____/_____/_____**(Forbackdatemode)** ServicePoint ID#_____

Program/Provider: _____

Client Profile

First:_____ Middle:_____ Last:_____ Suffix:_____

Monthly Income

Have you received income from any source in the past 30 days?

☐ No ☐ Yes

☐ Don't Know ☐ Refused

Source	Monthly Amount
☐ Alimony or other spousal support	$ .00
☐ Child support	$_____.00
☐ Earned Income	$_____.00
☐ General Assistance (GA)	$_____.00
☐ Pension from a former job	$ .00
☐ Private disability insurance	$_____.00
☐ Social Security (retirement income)	$_____.00
☐ Social Security Disability Income	$ .00 (**SSDI**)
☐ Supplemental Security Income or **SSI**	$_____.00
☐ (**TANF**) Temporary Assistance for Needy Families	$ .00
☐ Unemployment Insurance	$_____.00
☐ A veteran's disability payment	$_____.00

Non-Cash Benefits

Have you received any of the non-cash benefits listed below in the past 30 days?

☐ No ☐ Yes

☐ Don't Know ☐ Refused

Source

- ☐ Supplemental Nutrition Assistance Program (**SNAP**) ***(Previously known as Food Stamps)***
- ☐ MediCAL health insuranceprogram (**MEDICAID**)
- ☐ **MEDICARE** health insurance program
- ☐ Healthy Families Insurance program (**SCHIP**)
- ☐ Special Supplemental Nutrition Program for Women, Infants, and Children (**WIC**)
- ☐ Veteran's Administration (VA)Medical Services
- ☐ **TANF**/CalWORKS **Child Care** services
- ☐ **TANF**/CalWORKS **transportation** services
- ☐ **Other TANF**/ CalWORKS-funded services
- ☐ **Section 8**, public housing, or other rental assistance
- ☐ Other source
- ☐ Temporary Rental Assistance

Total monthly income **$_____.00**

Complete one income reassessment for each adult in the household and combine for total household income for program reassessment purposes.

Notification of Termination of ESG Assistance

(click here to return to relevant section of the manual)

You/your household has violated the terms of your ESG Participation Agreement, signed by _____ on_____(date.) The program violation(s) consist of

_____

_____

_____

_____.

The program is hereby advising you that as_____no further
of _/
/

☐ financial assistance
☐ housing stabilization services

Will be provided to you/your household.

You/your household will be solely responsible for covering all housing/utility costs as of that date.

_____(Staff signature) _____(Date)

I have reviewed and authorized this notification:

_____
(Supervisor signature and date)

Procedure for due process: If you disagree with this determination, you may request a review of this decision within 10 days of the date of this notice by making a request **in writing*** to:

{Job title}
{Address}
{Address}

The {job title} will review your request and may investigate your claims, ask to interview you, members of your household, your landlord, or call a hearing with yourself, agency staff and any others that may be needed to review this decision. The {job title} must review your request and make a final determination within 14 calendar days. A written notice of the final decision will be provided to you.

**Reasonable accommodation: If you are unable to prepare a request in writing due to a disability and need a reasonable accommodation, you may request a specific accommodation, such as assistance in preparing the request, from the program manager or another staff member.*

Appendix Part III: Monitoring of Subrecipients

City of Berkeley
Contract Monitoring Guide
Agency Administrative Review
Housing and Community Services Department
2180 Milvia Street/2nd Floor
Berkeley, CA 94704

1. General Information

Agency:	
Address:	
Phone:	
Date of Last Visit:	**Review file for last monitoring. Make note of findings.**
Visit Date:	**Later summer – fall. Done by end of November for RFP**
Contract Number:	
Monitoring Review Period:	**1st year of a two year contract**
Amount of Contract:	
Funding Sources:	
Agency Staff Interviewed During Visit:	
(Name and Job Title)	**Executive Director, Operations Director, HR Director**
Monitoring Type:	

2. Administration

A. Contract Review	Y	N	N/A	Comments
1. Are copies of current contracts, subcontracts and amendments kept on file at agency for review? (If no, note where items are kept.)				
2. Has agency submitted reports, invoices, and other required materials on a timely basis? (If no, state actions taken to resolve problem.)				**Monitor check prior to visit.**
3. 501(c)(3) Letter of Determination uploaded in CDS?				" "
4. Is the agency in good standing with the State of CA? https://www.ftb.ca.gov/businesses/Exempt_organizations/Entity_list.shtml				" "
5. Is the agency in good standing with the IRS? IRS Agency Check https://www.irs.gov/Charities-&-Non-Profits/Exempt-Organizations-Select-Check				" "
6. Articles of Incorporation uploaded in CDS?				" "
7. Agency By-Laws uploaded in CDS?				" "
8. Authorized Signatory uploaded in CDS?				" "
9. Berkeley Business License uploaded in CDS?				" "
10. Certificates of Insurance uploaded in CDS?: (Article 12.C.)				" "
a. Workers' Compensation				" "
b. General Liability, including Endorsement Certificate				" "
c. Vehicle				" "

B. Agency Policy and Procedures	Y	N	N/A	Comments
1. Does the agency have an Operations Manual?				**Ask for copy if not on file.**
2. Is the agency's current organizational chart on file?				**Monitor check prior to visit.**
3. Is the agency's current Non-discrimination Assurance Policy on file? (See City Ordinance No. 5876 N.S. and Americans with Disabilities Act of 1990, Civil Rights, Housing & Community Development, and Age Discrimination Acts, Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and others listed in COB contract Articles 13.A.5&6. & 21.)				" "
4. Is the Agency's Written Conflict of Interest Policy with				" "

B. Agency Policy and Procedures	Y	N	N/A	Comments
appropriate safeguards in place on file? (See 2 CFR Part 215.42) (Article 15.) **"** **"**https://www.whitehouse.gov/sites/default/files/omb/assets/omb/circulars/a110/2cfr215-0.pdf				
5. Have there been any problems with conflicts of interest within the agency? (If yes, explain how agency has addressed the conflict.)				

C. Board of Directors Review (*reference:* Brown Act, By Laws)	Y	N	N/A	Comments
1. What is the date of the last board meeting?				**Check for on-site copies.**
2. How many meetings were held during the contract review period? Is the number of meetings in compliance with the Agency's By-Laws?				
3. Is a current list of Board Members (Board Roster) on file with HCS?				**Monitor check prior to visit.**
a. Does the board composition comply with Agency by-laws? (Contact information, titles, committees, low- income representatives, etc.)				
4. Is there a copy of agenda and board minutes for each meeting on file at agency? (If no, explain.)				
5. Has the Board or board committee members conducted any closed meetings, Executive Sessions or special meetings during contract review period? (If yes, explain.)				
6. Describe any strategic planning/organizational development activities undertaken since last visit in comments section.				

Monitoring Results: Administration			
Finding, Concern or Recommendation	Correction Action Needed (For Findings and Concerns only)	Deadline for Corrective Action	Finding or Concern Resolved? (Y/N)
1.			
2.			

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3. Personnel Management

A. Personnel Management	Y	N	N/A	Comments
1. Does the agency have a personnel manual with clear and comprehensive policies and procedures?				
a. If yes, does the manual contain an employee grievance procedure?				
2. Does the agency require all of its employees to sign a code of conduct or conflict of interest statement? (Article 15.)				
3. Does the agency service clients under the age of 18? If yes, does the agency have a policy and procedure for complying with the following requirements:				
a. TB Testing (Article 17.B.)				
b. Criminal Background Check (Article 17.A.)				
c. Is the agency's Child Abuse Reporting Policy on File? (Agencies with Mandated Reporters only.)				
4. Does the agency have an Adult Abuse Report policy on file? (Agencies with Mandated reporters only.)				
5. Are current job descriptions prepared for all COB				**Obtain any new/updated documents.**

A. Personnel Management	Y	N	N/A	Comments
positions? Are they on file? (Article 6.)				
6. Are the resumes of all staff included in the COB contract budget/Statement of Expense reports on file? (Article 1.A.)				**Check all, within reason. Some exceptions may apply (such as rotating clinical staff).**
7. Was there any violation to the City's Employment of Near Relatives Policy during the review period?				
a. Waiver Requested?				
b. Waiver Approved?				
c. If yes, explain the exception and how the agency is managing the personnel functions of employees involved.				
8. Are there significant staff vacancies for the program? (Explain.)				
9. Does the agency adequately supervise staff? (Describe the method.)				**Describe method and frequencies.**
10. Does the agency provide staff development and training? (Describe the efforts.)				
11. Does the agency conduct regular staff meetings to coordinate program activities? (Provide the frequency.)				
12. Does the agency make efforts to hire Berkeley residents, patronize Berkeley businesses, and/or hire women- and minority-owned business?				

Monitoring Results: Personnel Management			
Finding, Concern or Recommendation	Correction Action Needed (For Findings and Concerns only)	Deadline for Corrective Action	Finding or Concern Resolved? (Y/N)
1.			
2.			

4. Agency Strengths

Note agency strengths below:
1.
2.
3.
4.

_____ _____

Contract Monitor Date

_____ _____

Division Manager Date

City of Berkeley
Contract Monitoring Guide
Program Review

Housing and Community Services Department
2180 Milvia Street/2nd Floor
Berkeley, CA 94704

1. General Information

Agency:	
Program Name:	
Address:	
Phone:	
Date of Last Visit:	
Visit Date:	
Contract Number:	
Monitoring Review Period:	
Amount of Contract:	
Funding Sources:	
Agency Staff Interviewed During Visit:	
(Name and Job Title)	**Program Manager, Case Manager, line staff, etc.**
Monitoring Type:	

---

2. Resource Coordination *(complete this section for each program reviewed)*

A. Volunteer Resources	Y	N	N/A	Comments
1. Does the program seek and receive volunteer support from the local community or past clients? (describe how services are documented in comments)				

B. Collaboration	Y	N	N/A	Comments
1. Does the program have a mutual referral system established with other CBO's?				
2. Does the agency/program participate in other collaborations to maximize services/minimize duplication of services?				
3. If the program is required to collaborate with other COB funded agencies, do they have supporting documentation providing evidence of this collaboration and/or referral system?				

Monitoring Results: Resource Coordination			
Finding, Concern or Recommendation	Correction Action Needed (For Findings and Concerns only)	Deadline for Corrective Action	Finding or Concern Resolved? (Y/N)
1.			
2.			

---

3. Facility Safety *(complete this section for each program reviewed)*

A. Safety	Y	N	N/A	Comments
1. Does the program site(s) have an Emergency Evacuation Plan?				
2. Does the program have a First Aid kit on site(s)?				
3. Does the agency/program have a Disaster Response Plan?				
4. Are relevant material safety data sheets (MSDS)				

A. Safety	Y	N	N/A	Comments
sheets posted on site?				

Monitoring Results: Facility Safety			
Finding, Concern or Recommendation	Correction Action Needed (For Findings and Concerns only)	Deadline for Corrective Action	Finding or Concern Resolved? (Y/N)
1.			
2.			

---

4. Client Services *(complete this section for each program reviewed)*

A. Outreach	Y	N	N/A	Comments
1. Does the agency/program conduct outreach to inform potentially eligible recipients of available assistance? Note what type of outreach below.				
a. Public Services Announcements				
b. Presentations				
c. Mail				
d. Flyers				
e. Brochures/Pamphlets				
f. Internet				
g. Other				
2. Are outreach materials available in languages other than English? (Note other languages if applicable.)				

B. Program Accessibility	Y	N	N/A	Comments
1. Is the program's facility close to public transit?				
2. Is the program's facility accessible to clients with disabilities?				**ADA checklist and other resources available for agencies in monitor tools.**
3. Are the program hours accessible to the desired population?				
4. Did the agency maintain records regarding the implementation of procedures intended to:				
a. Advertise the eligibility of facilities and services on a non-discriminatory basis to all persons regardless of race, color, religion, sex, age, national origin, familial status and disability? (Obtain copy.)				
b. Make available to interested persons information concerning the availability and location of services and facilities accessible to persons with disabilities?				

C. Policies and Procedures	Y	N	N/A	Comments
1. Does the program have a written "policies and procedures" manual? Does this manual include how clients engage with the program?				**Monitor review available information prior to visit for full discussion during visit.**
2. Does the program have a written policy that provides a clear description of eligibility criteria for program services? (If yes, obtain copy.)				" "
3. Is there a process or procedure by which higher-level management (supervisor) reviews documentation of services delivered for each client, as well as eligibility determinations?				" "

C. Policies and Procedures	Y	N	N/A	Comments
4. Does the agency have a written statement of client rights?				" "
5. Does the agency have a written client grievance policy and procedure? (Obtain a copy.)				" "
a. Does this policy and procedure include denial of services or termination of a client's participation in services?				" "
b. Does this policy include appeals for clients who have been denied services? (If yes, obtain a copy.)				" "
c. How and when are clients provided a copy of the policy? (I.e.: enrollment, intake, denial of service?)				" "
d. Is a signed copy kept in the client file?				" "
e. Is the policy reviewed at intake?				" "
f. Is the policy posted on site?				" "
g. Is the policy easy to understand?				" "
h. Does the policy describe how to initiate appeals?				" "
i. Does the policy include a clear description of staff positions and contact information?				" "
j. Does the policy include timelines for appeal and appeal response at each stage of the appeal?				" "
k. Is the client informed in writing of the result of the appeal at each stage of the appeal?				" "
l. Does the policy allow for an advocate or other assistance to file grievance/appeal?				" "
m. Are clients provided a written notice when denied services explaining the reason for denial?				" "
n. Does the written notice provide the appeal process?				" "
6. How are grievances tracked by the agency?				
a. Have any grievances been filed against the agency in the period?				
b. If yes, how many?				

D. Client Files	Y	N	N/A	Comments
1. Are adequate files maintained to document services provided to each client?				**Obtain a list of clients prior to visit and/or alert program to have this available in order to identify the client files to review (min. 10% or 10 count).**
2. Do the files include adequate documentation of program eligibility?				
3. Do the files contain adequate documentation of income level? Note below which method the agency uses to document income:				
a. Income verified through copies of paychecks or verification from other income source				
b. Income verified through self-certification				
c. Income verified through classification in a presumed category.				
4. If the agency uses the presumed category, does the client file demonstrate that the service provided is limited to one or a combination of the 8 population				

D. Client Files	Y	N	N/A	Comments
segments presumed to be low- and moderate-income by HUD: (Note which categories apply below.)				
a. Abused children				
b. Battered spouses				
c. Elderly persons				
d. Adults meeting the Bureau of Census' Population Report definition of "severely disabled" that applied at the time of this review				
e. Homeless persons				
f. Illiterate adults				
g. Persons living with AIDS				
h. Migrant farm workers				
5. Do the client files include adequate documentation of client contacts, referrals made, and progress in reaching client goals and appropriate service outcomes?				
6. Does the agency charge rent/fees to clients?				
a. If yes, described how rent/fee is calculated in the comments section.				
b. Does the client file indicate that client rents/fees were charged correctly?				
7. Are client files kept in a secure and locked manner to ensure confidentiality?				
8. Are computerized client files kept in a secure manner to ensure confidentiality?				
9. Does the agency have an electronic data backup system?				
10. What is the agency's policies and procedures related to retaining client files? Is the agency complying with Article 6 of the contract and retaining files for a minimum of 5 years?				
11. How are client files destroyed?				

E. Payee and Money Management Services	Y	N	N/A	Comments
1. Does the agency provide payee or money management services? *(If NO, skip section)*				
2. Does the agency have written policies on how these services are provided? (Obtain copy.)				
3. Can the agency demonstrate client fund balance, both aggregate fund balance and individual client balance?				
4. Does the agency have a bank statement for accounts?				
5. What is the frequency of reconciliation? Please provide the last date of reconciliation.				
6. Is there supporting documentation for expenses paid on behalf of the client?				
7. Are there records of client approval of expenses paid on his/her behalf?				
8. Are any cash, checks and other fiscal records kept in a secure, locked location?				
9. Are financial services managed by more than one person (separation of duties)? (Describe.)				

F. Shelter Plus Care Matching Services	Y	N	N/A	Comments
1. Does the agency provide services to City of Berkeley Shelter Plus Care clients? *(If NO, skip section)*				**Needs to be yes. Coordinate with S+C staff for policies and procedures.**
2. Does the agency provide matching services to City's				" "

Shelter Plus Care program?				
3. How is the agency's matching services calculated? (describe in the comments section)				" "
4. Does the agency have on-site support for previously-submitted match reports?				" "

Monitoring Results: Client Services			
Total Number of Files: _____	Total Number of Files Reviewed:_____		
Finding, Concern or Recommendation	Correction Action Needed (For Findings and Concerns only)	Deadline for Corrective Action	Finding/Concern Resolved? (Y/N)
1.			
2.			

5. Program Reporting and Evaluation *(complete this section for each program reviewed)*

A. Program Reporting (Article 7.)	Y	N	N/A	Comments
1. Were Program Reports submitted on or before due date?				
2. Were the reports accurate?				

B. Program Outcomes				
1. Do more than 51% of clients served have incomes below 80% of Area Median Income? http://www.hcd.ca.gov/				**Print out program reports.**
2. Has the agency accomplished the outcomes goals as stipulated in the contract? (If no, explain.)				
3. Does the agency have adequate back-up documentation for the outcomes reported in the (client) file? (If yes, describe documentation method in comments. If no, explain why.)				
4. Has the agency accomplished the service measures as stipulated in the contract? (If no, explain.)				
5. Does the agency have adequate back-up documentation for the service measures reported in the (client) file? (If yes, describe documentation method. If no, explain why.)				
6. Does the agency make additional efforts to monitor and evaluate the effectiveness of agency services? Explain how in the comments section.				

Monitoring Results: Program Outcomes			
Finding, Concern or Recommendation	Correction Action Needed (For Findings and Concerns only)	Deadline for Corrective Action	Finding or Concern Resolved? (Y/N)
1.			
2.			

6. Rehab Services *(complete this section for each rehab program reviewed)*

A. Single Family	Y	N	N/A	Comments
1. Does the project file for the CDBG assistance provide a full description sufficient to show that the activity is eligible and has been properly classified under Subpart C of Part 570? [24 CFR 570.506(a)]				
2. Is there documentation that shows that the applicant is low- and moderate-income, based on the applicant's household size and household income at the time the assistance was provided? [24 CFR 570.208(a)(3) and 24 CFR 570.506(b)(4)(iii)]				
3. Is there a copy of a written agreement (lease) between the program participant and the landlord receiving CDBG assistance? [24 CFR 570.506(b)(4)(i)]				
4. Is there a copy of an initial property inspection on file?				
5. Does the file contain a Work Write-Up and Cost Estimate that addresses the issues raised in the initial inspection?				
6. Is there a contract between the owner and the subrecipient, or the owner and the contractor in the file, which contains either: (i) a list of all of the work to be performed, or (ii) refer to some other document (e.g., a work write-up) that lists all of the work to be performed?				
7. Was a local building permit obtained for the job? Did the building official sign off on the permit, indicating that the work was completed?				
8. If applicable, were Davis-Bacon requirements met?				
9. Were the environmental requirements at Part 58 met?				

B. Other	Y	N	N/A	Comments
1.				

Monitoring Results: Rehab Services			
Finding, Concern or Recommendation	Correction Action Needed (For Findings and Concerns only)	Deadline for Corrective Action	Finding or Concern Resolved? (Y/N)
1.			
2.			

7. Program Strengths

Note program strengths below:
1.
2.
3.
4.

Contract Monitor _____ Date _____

Division Manager

Date

City of Berkeley
Contract Monitoring Guide
Financial Services Review
Housing and Community Services Department
2180 Milvia Street/2nd Floor
Berkeley, CA 94704

1. General Information

Agency:	
Address:	
Phone:	
Date of Last Visit:	
Visit Date:	
Contract Number:	
Monitoring Review Period:	
Amount of Contract:	
Funding Sources:	
Agency Staff Interviewed During Visit:	
(Name and Job Title)	**Executive Director, Financial Officer, Accountant, etc.**
Monitoring Type:	

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2. Financial Management

A. Fiscal Policies and Procedures (Article 8.)	Y	N	N/A	Comments
1. Does the Agency have clear and comprehensive fiscal policies and procedures?				
2. If yes, do they include the following key internal controls?				
a. Do the policies include procedures for determining the reasonableness, allowability, and allocability of costs?				
b. A fiscal records retention policy that complies with the 5-year minimum retention policy listed in the COB Contract. (Article 6.)				
c. How does the agency assure security of agency funds and property so they are used solely for authorized purposes? (Article 8.) Provide onsite confirmation.				**Check for red flag items like petty cash box, cash/credit cards, valuable equipment, etc.**
d. Adequate segregation of duties?				
e. Do the policies outline who is authorized to approve financial transactions?				**Segregation of duties.**
f. How does the Agency secure storage of assets, blank checks, and confidential documents. Provide onsite confirmation.				**Agency should submit a list of assets at 4th quarter (in CDS).**

B. Record Keeping (Article 6 & 8.)	Y	N	N/A	Comments
1. What is the agency's basis for accounting? (Note in comments: Cash, Accrual, Modified Accrual, Other.)				**See glossary of accounting terms in monitoring tools.**
2. Are books of accounts and financial statements prepared in-house, and supported by a clear and comprehensive accounting manual? (If no, note where in comments.)				**Obtain a copy.**
3. Does the financial system contain sufficient information and reflect proper accounting treatment of financial transactions, including:				
a. Bank accounts and cash balances?				
b. Disbursement details, including date, payee,				

B. Record Keeping (Article 6 & 8.)	Y	N	N/A	Comments
name, account, expense classification, and other relevant information?				
c. Segregation of funds from different sources? Does agency have existing standard financial record keeping system to be used for accounting for grant/COB contract funds? (Article 6.A.3.a & 8.A. in COB contract.)				
d. Comparison of expense against budgets? (Article 8.A. & 8.C. in COB contract.)				
e. Initial records and subsequent clearing of cash advances?				
f. Accrual of expenditures to match costs to proper period (if accrual method is used).				

C. Financial Reports (Article 6.)	Y	N	N/A	Comments
1. Are financial records (including balance sheet and statement of revenue and expense) reconciled, maintained, up-to-date, and reviewed by Executive Director on a monthly basis? (Note the frequency.)				
2. Does the Board review the financial reports? (Note the frequency.)				
3. Are the financial statements audited by an independent account? Or has the agency been monitored by any other funder during the period? (Note date of most recent Audited Financial Statement in comments.)				
a. If yes, were there any findings? (Findings must be included in City Desk Audit and their resolution tracked.)				
b. Did the agency correct the findings? (Note how corrected.)				
4. If the agency was not independently audited, were year-end financial statements prepared and available for review?				
5. Did the Agency receive more than $750,000 in federal funds during the review period? 2 CFR Part 200.501. https://www.gpo.gov/fdsys/pkg/FR-2013-12-26/pdf/2013-30465.pdf				
a. If so, what is the date of the Agency's most recent Single Audit? Please provide a copy. Search Audit Database here: https://harvester.census.gov/facdissem/main.aspx				

D. Cash/Check Handling	Y	N	N/A	Comments
1. Are disbursements properly authorized prior to check issuance or cash outlay?				
2. Is there proper segregation of duties for signing checks and withdrawing sub-grant funds?				
3. Were checks signed by authorized signatories?				
4. Were invoices marked "paid" to avoid double payment?				
5. Are bank accounts reconciled monthly? (Note frequency and responsible staff.)				
6. Are bank reconciliation statements reviewed by appropriate staff? (Note responsible staff.)				
7. Are petty cash balances kept at the office premises?				

D. Cash/Check Handling	Y	N	N/A	Comments
Provide Policies & Procedures. (Note size of petty cash fund.)				
a. How often was petty cash fund count conducted?				
b. Was petty cash fund count conducted by someone other than the person handling the fund?				
c. Was individual handling the petty cash fund different from the staff authorizing replenishment of petty cash?				

E. Procurement/Commodity Tracking (Articles 9 & 11.)	Y	N	N/A	Comments
1. Does the agency have clear and comprehensive written procurement policies and procedures that are aligned with the COB contract, Article 11, as it relates to OMB 2 CFR Part 215.40? Website: https://www.whitehouse.gov/sites/default/files/omb/assets/omb/circulars/a110/2cfr215-0.pdf				**Obtain a copy.**
2. Does the agency require competitive bidding for all major (over $5,000) procurement?				
a. Is the bidding process adequately documented? Provide documentation.				
b. Are the functions for solicitation and evaluation of bids separate from the selection of winning bid? Is there evidence of proper separation of duties?				
3. Has the agency purchased any equipment valued at over $600 with COB funds? (Article 9.)				
a. Were the purchases approved as part of the contract budget? If no, agencies need written approval and must add the item to the equipment inventory located at the bottom of the Q4 SOE.				
4. If applicable, has the agency submitted an equipment inventory along with their Q4 SOE?				
5. Has the agency disposed of any property paid for with COB funds during the period? (Article 9.)				
a. If so, how was the property disposed of and did the agency follow the use and disposition requirements contained in Article 9 of the COB contract?				
6. Does the agency have a fixed assets listing/equipment inventory containing sufficient information to identify items acquired by grant/contract funds?				
7. Does the agency subcontract with other agencies or vendors? (If no, skip to next section.)				
a. Do written agreements contain provisions which allow for legal remedies in case of breach of contract and for termination in case of default or other similar instance?				
b. Does the agency have an appropriate and adequate record-keeping system for monitoring its sub-grant-related activities?				**Example: financial reports, statements of expenses, timesheets.**

3. City of Berkeley Reporting

A. Budget Review	Y	N	N/A	Comments
1. What is the agency's total budget for the current year? (Note amount.)				**Cross check with contract.**
2. Did the agency/program expenditures stay on track with the expenditure budget in the contract?				**Print out SOEs. Check for budget modifications.**

B. Statement of Expense (SOE) Reporting and Advance Payment (AP) Requests (Article 7.)	Y	N	N/A	Comments
1. Are requests for advances/reimbursements prepared, reviewed and approved properly and submitted by required deadlines?				
2. Are financial reports prepared, reviewed and approved properly and submitted by required deadline?				
3. In the period under review, were the SOEs accurate?				**Typical review period is 4th quarter.**
4. Are receiving reports and inventory records used to evidence receipt of commodities and supplies?				**Supplies tracking sheet. Can review this as SOE line item.**
5. Are shared direct costs allocated to funding sources?				**Needs to be yes. Ask for the cost allocation plan.**
a. If yes, is the method for allocated shared direct costs documented?				**Obtain related documents. If no, this is a finding to be corrected.**

C. Line Item #1: **Salaries and Payroll** (Article 6 & 23.)	Y	N	N/A	Comments
1. Does the agency have an appropriate and adequate timecard/reporting systems for hours worked?				
2. Was the payroll register/ledger available for review?				**Use *Payroll Worksheet* in monitoring tools. Accrued (payroll) vs. taken leave (timecards) tracking.**
3. Did timecards reflect distribution of hours worked by fund? Specifically, does the timesheet include distribution of hours of hours charged to the City of Berkeley contract?				**See sample timecards in monitoring tools.**
a. Were timecards signed by the employee?				
b. Were timecards approved by the supervisor?				
4. Are salary rates consistent with the contract rate schedule?				**Refer to contract budget.**
5. Were fringe benefits such as medical and dental insurance supported by invoices and agency payments towards invoice?				**Ask to see invoices and/or payroll docs.**
6. Are all payroll deductions remitted to the appropriate government agency on a timely basis?				**Found in check/payroll register.**
a. Did the agency pay Berkeley Living Wage for all applicable positions funded under this program? (Article 23.)				
b. Living Wage Ordinance (2016) http://www.ci.berkeley.ca.us/Finance/Home/Vendors__Living_Wage_Ordinance.aspx				**Make sure these rates are correct prior to your visit.**
i. Without Benefits: $16.37				
ii. With Benefits: $14.04				
c. Did the agency pay Berkeley Minimum Wage for all positions funded under this program? http://www.cityofberkeley.info/MWO/				**Make sure these rates are correct prior to your visit.**
i. Minimum wage in Berkeley $11, effective Oct.1, 2015, $12.50 effective Oct. 1, 2016.				
7. Was the agency in compliance with the Equal Benefit Ordinance? (Article 24.)				**Self-certification with signatory document on file.**

C. Line Item #1: **Salaries and Payroll** (Article 6 & 23.)	Y	N	N/A	Comments
8. Have any bonuses been paid to employees with City funds? (If yes, please explain.) (Article 16.)				**COB does not allow for City funds paid in bonus. Red flag.**
9. Are appropriate documents or vouchers prepared and signed by the recipient of the payroll funds?				
a. Do those vouchers clearly indicate the rate and period covered by the payroll payment?				

D. Line Item #2: **Example: Client expenses/cash-like $**	Y	N	N/A	Comments
1. Are expenses fully supported by invoices, receipts, or similar documents?				**See *Sampling of Expenses* worksheet in monitor tools. Check 10% or min. of 10 charges in category.**
2. Other				

E. Line Item #3: **Review past file for prior items of concern**	Y	N	N/A	Comments
1. Are expenses fully supported by invoices, receipts, or similar documents?				**See *Sampling of Expenses* worksheet in monitor tools. Check 10% or min. of 10 charges in category.**
2. Other				

Monitoring Results: Financial Management			
Finding, Concern or Recommendation	Correction Action Needed (For Findings and Concerns only)	Deadline for Corrective Action	Finding or Concern Resolved? (Y/N)
1.			
2.			

4. Strengths

Note agency financial management strengths below:
1.
2.
3.
4.

Contract Monitor _____ Date _____

Division Manager _____ Date _____

Sampling of Expenses

Program	
Total Number of charges	
Sampling Number: **(10% of total charges or minimum 10 records)**	

Date	Check Number	Payee	Type of Expense	Are there supports for check? (y/n)	Is expense Allowable? (y/n)	Comments

Guide for Review of ESG Subrecipient Grant Management			
Name of Recipient:			
Name of Subrecipient(s):			
Staff Consulted:			
Name(s) of Reviewer(s)		**Date**	

NOTE: All questions that address requirements contain the citation for the source of the requirement (statute, regulation, or grant agreement). If the requirement is not met, HUD must select "NO" in response to the question and make a finding of noncompliance. All other questions that do not contain the citation for the requirement do not address requirements, but are included to assist the reviewer in understanding the participant's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

Instructions: This Exhibit is designed to assess the recipient's compliance with subrecipient grant management requirements of the Emergency Solutions Grants (ESG) program. HUD reviewers should use a combination of the information in program files and subrecipient staff interviews to answer the questions below. The Exhibit is divided into eight sections: Subgrants Management and Oversight; Systems Coordination Requirements; Recordkeeping; Homeless Management Information System (HMIS); Other ESG-Specific Requirements; Administrative Costs and Financial Management; Other Federal Requirements; and Additional 2 CFR 200 Review for Sub-Subawards.

As previously noted, the ESG rule at 24 CFR part 576 generally incorporates the uniform administrative requirements, cost principles, and audit requirements, which were recently revised and codified at 2 CFR part 200. This Exhibit contains both questions to monitor compliance with 2 CFR part 200 and questions to monitor compliance with the former uniform administrative requirements, cost principles, and audit requirements (i.e., 24 CFR parts 84 and 85 (2013), 2 CFR 225 and 230 (2013), OMB Circular A-133). For HUD's expectations on monitoring for compliance with the uniform administrative requirements, cost principles, and audit requirements during the period of transition to 2 CFR part 200, please see HUD's April 13, 2016, Notice CPD-16-04 (http://portal.hud.gov/hudportal/documents/huddoc?id=16-04cpdn.pdf).

The HUD reviewer must supplement this Exhibit with Exhibit 28-9 (covering the procurement requirements in 24 CFR parts 85 and 84) and Exhibit 34-3 (covering the procurement requirements in 2 CFR part 200), as applicable.

Where ESG funds were used for rental assistance or services, the HUD reviewer MUST complete the applicable Exhibits in Chapter 24 of this Handbook, *Lead-Based Paint Compliance*. NOTE: See Exhibit 24-2 (Services), Exhibit 24-3 (Tenant-Based Rental Assistance), or Exhibit 24-4 (Project-Based Rental Assistance).

This Exhibit can be used to either monitor a single subrecipient or multiple subrecipients. It is the responsibility of the HUD reviewer to ensure that the responses provide sufficient documentation to support the basis for the conclusions. Keep in mind that, if multiple entities are reviewed and a deficiency is identified for a single entity, a "No" response is required.

Questions:

A. SUBGRANTS MANAGEMENT AND OVERSIGHT

1.

Eligible Subrecipients:	Yes	No	N/A
a. If the organization is a subrecipient of a state, is it a unit of general purpose local government (which can include a metropolitan city or urban county that receives ESG funds directly from HUD, or a combination of general purpose local governments recognized by HUD), or a private nonprofit organization within the state; or b. If the organization is a subrecipient of a metropolitan city, urban county, or territory, is it a private nonprofit organization? **NOTE**: A private nonprofit organization does not include a governmental organization, such as a public housing agency or housing finance agency. [24 CFR 576.2; 24 CFR 576.202]	☐	☐	☐
Describe Basis for Conclusion:			

2.

Obligation Requirements (State subrecipients that are units of general purpose local government): Within 120 days after the date the state obligated its funds to a unit of general purpose local government, did the subrecipient obligate all of those funds by: a subgrant agreement with, or a letter of award requiring payment to, a private nonprofit organization; a procurement contract; and/or the written designation of a department within the government of the subrecipient to directly carry out an eligible activity? [24 CFR 576.203(a)(1)(ii)]	Yes ☐	No ☐	N/A ☐
Describe Basis for Conclusion:			

3.

Payments to Subrecipients (Units of General Purpose Local Government): If the subrecipient is a unit of general purpose local government, did it pay each of its subrecipients for allowable costs within 30 days after receiving the subrecipient's complete payment request? [24 CFR 576.203(c)]	Yes ☐	No ☐	N/A ☐
Describe Basis for Conclusion:			

B. SYSTEMS COORDINATION REQUIREMENTS

4.

Coordination with Other Targeted Homeless Services: Does each subrecipient's records reflect that it coordinated and integrated, to the maximum extent practicable, ESG-funded activities with the programs, including those listed under 24 CFR 576.400(b), that are targeted to homeless people in the area covered by the Continuum of Care (CoC) or area over which the services are coordinated to provide a strategic, community-wide system to prevent and end homelessness for that area? [24 CFR 576.400(b); 24 CFR 576.500(m)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

5.

System and Program Coordination with Mainstream Resources: Does each subrecipient's records reflect that it coordinated and integrated, to the maximum extent practicable, ESG-funded activities with mainstream housing, health, social services, employment, education, and youth programs for which homeless and at-risk persons might be eligible? [24 CFR 576.400(c); 24 CFR 576.500(m)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

6.

Use of the Coordinated Assessment System: If the CoC for the area in which the program or project is located has established a coordinated assessment system that meets HUD's requirements, do the records show: a. that the subrecipient (unless it is a victim service provider) uses that assessment system; and b. all initial evaluations were conducted in accordance with the coordinated assessment system requirements? **NOTE**: ESG-funded victim service providers may choose not to use the CoC's coordinated assessment system. [24 CFR 576.400(d); 24 CFR 576.401(a); 24 CFR 576.500(g)	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

7.

Coordinated Assessment (Consistency with Written Standards): Did each subrecipient work with the CoC to ensure that the screening, assessment, and referral of program participants are consistent with the ESG written standards required under 24 CFR 576.400(e)? [24 CFR 576.400(d)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

8.

	Yes	No	N/A
Establishing Written Standards (State Subrecipients): If a subrecipient of a state is required to establish its own written standards, did the subrecipient follow the state recipient's requirements for the establishment and implementation of these standards? [24 CFR 576.400(e)]	☐	☐	☐
Describe Basis for Conclusion:			

9.

	Yes	No	N/A
Written Standards (Content): If a subrecipient of a state is required to establish its own written standards, did the written standards include the minimum required elements described in 24 CFR 576.400(e)(3)? [24 CFR 576.400(e)(3)]	☐	☐	☐
Describe Basis for Conclusion:			

C. RECORDKEEPING

10.

	Yes	No	N/A
Recordkeeping (Subrecipients): If applicable, did the subrecipient retain copies of all solicitations of and agreements with its subrecipients, records of all payment requests by and dates of payments made to subrecipients, and documentation of all monitoring and sanctions of subrecipients? [24 CFR 576.500(v)]	☐	☐	☐
Describe Basis for Conclusion:			

11.

	Yes	No	N/A
Recordkeeping (Eligibility): Does each subrecipient's records document that staff followed the recipient's policies and procedures to: a. conduct an initial evaluation and re-evaluations as required, and b. document eligibility in accordance with HUD's requirements? [24 CFR 576.400(e)(3); 24 CFR 576.401(a), (b), and (c); 24 CFR 576.500(a), (b), (c), and (e)]	☐	☐	☐
Describe Basis for Conclusion:			

12.

	Yes	No	N/A
Recordkeeping (Program Participant Records): Did each subrecipient ensure that each program participant record documented compliance with applicable requirements for providing services and assistance to that program participant under the program components and eligible activities provisions at 24 CFR 576.101 through 24 CFR 576.106? [24 CFR 576.500(f)]	☐	☐	☐
Describe Basis for Conclusion:			

13.

	Yes	No	N/A
Confidentiality: Did each subrecipient have written procedures to ensure confidentiality, including: a. all records containing personally identifying information of any individual or family who applies for and/or receives ESG assistance are kept secure and confidential; b. the address or location of any domestic violence, dating violence, sexual assault, or stalking shelter project assisted under ESG; and c. the address or location of any program participant housing? [24 CFR 576.500(x)]	☐	☐	☐
Describe Basis for Conclusion:			

14.

	Yes	No	N/A
Recordkeeping (Record Retention): Did the recipient or its subrecipients retain copies of the required records for the greater of 5 years or the applicable time period below: a. for emergency shelters subject to a 10-year minimum period of use: at least 10 years from the date that ESG funds were first obligated for the major rehabilitation or conversion of the building; or b. for program participant files: at least 5 years after the expenditure of all funds from the grant under which the program participant was served? [24 CFR 576.500(y)]	☐	☐	☐
Describe Basis for Conclusion:			

D. HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS)

15.

	Yes	No	N/A
Data Collection and Recordkeeping: Do records reflect that each subrecipient entered data on all persons it served under ESG and on all of its ESG activities into the applicable community-wide HMIS or, for victim services providers (and legal services providers that opt out), into a comparable database, in accordance with HUD's HMIS data standards? **NOTE**: Each subrecipient must be able to provide documentation, such as HMIS reports, that shows subrecipient client-level and activity-level data are being entered into the applicable CoC's HMIS (or a comparable database). [24 CFR 576.400(f); 24 CFR 576.500(n); 2014 HMIS Data Standards]	☐	☐	☐
Describe Basis for Conclusion:			

16.

	Yes	No	N/A
Eligible costs (HMIS): If the subrecipient is not a victim service provider, or a legal service provider that uses a comparable database, did the subrecipient use ESG funds only for costs eligible for the purpose of contributing data to the HMIS designated by the CoC? [24 CFR 576.107(a)(1)]	☐	☐	☐
Describe Basis for Conclusion:			

17.

	Yes	No	N/A
Data entry (Comparable database): If the subrecipient is a victim service provider, or a legal services provider that uses a comparable database, were data maintained in the comparable database and not contributed or entered into an HMIS? [24 CFR 576.400(f)]	☐	☐	☐
Describe Basis for Conclusion:			

18.

	Yes	No	N/A
Eligible costs (Comparable database): If the subrecipient is a victim service provider, or a legal services provider that uses a comparable database, were funds used for establishing and operating a comparable database that complies with HUD's HMIS requirements, including collecting client-level data over time (i.e., longitudinal data) and generating unduplicated aggregate reports? [24 CFR 576.400(f); 24 CFR 576.107(a)(3); 24 CFR 576.107(b)]	☐	☐	☐
Describe Basis for Conclusion:			

E. OTHER ESG-SPECIFIC REQUIREMENTS

19.

	Yes	No	N/A
Matching Requirements: If the recipient required its subrecipients to contribute match, did the subrecipients' records reflect that they met the applicable requirements, including records of the source and use of matching funds? [24 CFR 576.201; 24 CFR 576.500(o) and (v)(3)]	☐	☐	☐
Describe Basis for Conclusion:			

20.

	Yes	No	N/A
Conflicts of Interest (Organizational): Did a representative sample of the subrecipients' records reveal zero instances where: a. any type or amount of ESG assistance was conditioned on acceptance of shelter or housing owned by the recipient, subrecipient, contractor, or any parent or subsidiary of the subrecipient or contractor; or b. a subrecipient or contractor carried out the initial evaluation for a program participant while the individual or family was occupying housing owned by the subrecipient or contractor, or any parent or subsidiary of the subrecipient or contractor; or	☐	☐	☐

c. a subrecipient or contractor administered any homelessness prevention assistance to an individual or family occupying housing owned by the subrecipient or contractor, or any parent or subsidiary of the subrecipient or contractor? [24 CFR 576.404(a); regarding contractors, 24 CFR 576.404(c); 24 CFR 576.500(p)]	
Describe Basis for Conclusion:	

21.

Conflicts of Interest (Individual): Does each subrecipient's records: a. contain personal conflicts of interest policy or codes of conduct developed and implemented to comply with requirements; b. demonstrate that the officers and staff of the subrecipient and any contractors complied with the individual conflict of interest requirements at 24 CFR 576.404(b); or c. contain documentation supporting any exceptions to the personal conflicts of interest prohibition? [24 CFR 576.404(b); 24 CFR 576.500(p)]	☐ ☐ ☐ **Yes No N/A**
Describe Basis for Conclusion:	

22.

Homeless Participation: Did each subrecipient involve homeless individuals and families, to the maximum extent practicable, 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 (could include employment or volunteer services)? [24 CFR 576.405(c)]	☐ ☐ ☐ **Yes No N/A**
Describe Basis for Conclusion:	

23.

Faith-Based Activities: Did each subrecipient ensure that it did not engage in inherently religious activities as part of the programs or services funded under ESG? If the subrecipient conducted these activities, were they offered separately, in time or location, from the programs or services funded under ESG, and was participation voluntary for all program participants? [24 CFR 576.406(b); 24 CFR 576.500(r)]	☐ ☐ ☐ **Yes No N/A**
Describe Basis for Conclusion:	

24.

Faith-Based Activities: Did each subrecipient ensure that it did not discriminate against a program participant or prospective program participant on the basis of religion or religious belief? [24 CFR 576.406(d); 24 CFR 576.500(r)]	☐ ☐ ☐ **Yes No N/A**
Describe Basis for Conclusion:	

25.

Faith-Based Activities (Rehabilitation): Did each subrecipient ensure that ESG funds were not used for the rehabilitation of sanctuaries, chapels, or other rooms that an ESG-funded religious congregation uses as its principal place of worship? [24 CFR 576.406(e); 24 CFR 576.500(r)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

26.

Faith-Based Activities (Rehabilitation): If a structure is used for both eligible and inherently religious activities, did the subrecipient ensure that the amount of ESG funds used was limited to the costs of those portions of the rehabilitation that are attributable to eligible activities in accordance with the cost accounting requirements applicable to ESG funds? [24 CFR 576.406(e); 24 CFR 576.500(r)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

F. ADMINISTRATIVE COSTS AND FINANCIAL MANAGEMENT

27.

Eligible activities: Were subrecipients' expenses allowable? **NOTE**: To answer this question with respect to 2 CFR 200.403, the HUD reviewer MUST complete Exhibit 34-2, *Guide for Review of Cost Allowability*. [24 CFR 576.100-576.109; 24 CFR 576.500(u)(2); 24 CFR 84.21(b)(6); 24 CFR 85.22, 2 CFR 200.403]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

28.

Eligible Costs: Did each subrecipient charge staff and overhead costs directly related to carrying out activities eligible under one of the components to the applicable activity, and retain supporting documentation for all costs charged to the grant? [24 CFR 576.100(d); 24 CFR 576.108(a); 24 CFR 576.500(u)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

29.

Eligible Administrative Costs: If a subrecipient received Administrative funds: a. were all administrative costs eligible in accordance with 24 CFR 576.108; and b. were the costs of carrying out the environmental review charged as an Administrative activity? [24 CFR 576.108(a)(1), (2), and (4)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

30.

	Yes	No	N/A
Training Costs: If any staff time was spent on training: a. was it only for providing training on ESG requirements, attending HUD-sponsored ESG training, training staff on using HMIS or a comparable database, or attending HUD-approved training on HMIS and the ESG program; and b. was it charged to the appropriate component (only HMIS for HMIS-related training, and Administrative costs for all other training)? [24 CFR 576.108(a)(1), (2), and (4); 24 CFR 576.107]	☐	☐	☐
Describe Basis for Conclusion:			

31.

	Yes	No	N/A
Indirect Costs: If any indirect costs were charged to the grant, were allocations made to each eligible activity and consistent with an indirect cost rate proposal developed in accordance with the Uniform Administrative Requirements? [24 CFR 576.109; 2 CFR 576.500(u)]	☐	☐	☐
Describe Basis for Conclusion:			

32.

	Yes	No	N/A
Eligible activities: Did a review of personnel costs charged to ESG, including a review of job descriptions, reveal that, for all staff time paid for with ESG funds, the staff member was working on eligible ESG activities? [24 CFR 576.500(u)]	☐	☐	☐
Describe Basis for Conclusion:			

G. OTHER FEDERAL REQUIREMENTS

33.

	Yes	No	N/A
Drug-Free Workplace: Did each subrecipient have a drug-free workplace statement per the requirements of 2 CFR part 2429? [24 CFR 5.105(d) and 24 CFR 576.407(a)]	☐	☐	☐
Describe Basis for Conclusion:			

34.

	Yes	No	N/A
If the requirements of the Drug-Free Workplace Certification were reviewed, is each subrecipient in compliance? [24 CFR 5.105(d); 24 CFR 576.407(a); 2 CFR part 2429]	☐	☐	☐
Describe Basis for Conclusion:			

35.

	Yes	No	N/A
Non-Discrimination, Section 504 of the Rehabilitation Act of 1973, and Other Equal Opportunity Requirements: Did records demonstrate that each subrecipient is in compliance with the applicable requirements in 24 CFR part 5, Subpart A, including the nondiscrimination and equal opportunity requirements at 24 CFR part 5.105(a)? (Use pertinent Exhibits in Chapter 22, as necessary.) [24 CFR part 5, Subpart A; 24 CFR 576.407(a); 24 CFR 576.500(s)(1)]	☐	☐	☐
Describe Basis for Conclusion:			

36.

	Yes	No	N/A
Affirmative Outreach: Do the records indicate that the recipient and its subrecipients: a. make known that the use of the facilities, assistance, and services are available to all on a nondiscriminatory basis, and establish additional procedures, as required under 24 CFR 576.407(b), to ensure that the "target population" who may qualify are made aware of the availability of these facilities, assistance, or services; and b. take appropriate steps to ensure effective communication with persons with disabilities; and c. take reasonable steps to ensure meaningful access to programs and activities for persons with limited English proficiency (LEP)? (Use pertinent Exhibits in Chapter 22 as necessary.) [24 CFR part 5, Subpart A; 24 CFR 576.407(b); 24 CFR 576.500(s)(1)]	☐	☐	☐
Describe Basis for Conclusion:			

37.

	Yes	No	N/A
Applicability of Uniform Administrative Requirements and OMB Circulars: If this area was reviewed, did each subrecipient maintain records documenting compliance with the applicable requirements outlined in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards? [24 CFR 576.407(c); 24 CFR 576.500(s)(2)]	☐	☐	☐
Describe Basis for Conclusion:			

38.

	Yes	No	N/A
Audits: If this area was reviewed, was each subrecipient in compliance with the Single Audit Act of 1984, as amended, and implementing regulations? **NOTE**: To answer this question with respect to 2 CFR 200.501, the HUD reviewer MUST complete Exhibit 34-1, section K ("Audit Requirements"). [24 CFR 84.26; 24 CFR 85.26; 24 CFR 576.407(c); 2 CFR 200.501]	☐	☐	☐
Describe Basis for Conclusion:			

39.

	Yes	No	N/A
Lead-Based Paint: Where ESG funds were used for rental assistance (TBRA or PBRA) or supportive services, do records reflect that the subrecipient complied with all lead-based paint requirements? **NOTE**: See Chapter 24, *Lead-Based Paint Compliance*, in this Handbook: Exhibit 24-2 (Supportive Services), Exhibit 24-3 (TBRA), or Exhibit 24-4 (PBRA), as applicable, MUST be completed to answer this question. [24 CFR 35.700-730 (PBRA); 24 CFR 35.1000-1020 (Supportive Services); 24 CFR 35.1200-1225 (TBRA); 24 CFR 576.403(a)]	☐	☐	☐
Describe Basis for Conclusion:			

40.

	Yes	No	N/A
In making an award to the subrecipient, did the recipient evaluate the subrecipient's risk of noncompliance with the Federal statutes, regulations, and terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring? **NOTE**: This evaluation may include consideration of factors such as: • the subrecipient's prior experience with the same or similar subawards; • the results of previous audits, including whether or not the subrecipient receives a Single Audit in accordance with Subpart F of 2 CFR part 200, and the extent to which the same or similar subaward has been audited as a major program; • whether the subrecipient has new personnel or new or substantially changed systems; and • the extent and results of previous HUD monitoring, if the subrecipient also receives funds directly from HUD. [24 CFR 576.407(c) and 2 CFR 200.331(b)]	☐	☐	☐
Describe Basis for Conclusion:			

41.

	Yes	No	N/A
Section 3: If applicable, was each subrecipient in compliance with the applicable requirements of Section 3 of the Housing and Urban Development Act of 1968? [24 CFR part 135; 24 CFR 576.407(a); 24 CFR 576.405(c)]	☐	☐	☐
Describe Basis for Conclusion:			

H. ADDITIONAL 2 CFR PART 200 REVIEW FOR SUB-SUBAWARDS

NOTE: The following questions apply when a subrecipient carries out its subgrant by making subgrants to a lower tier of subrecipients. To ensure clarity and consistency with part 200, the term "pass-through entity" refers to the first or higher-tier subrecipient, and the term "subrecipient" refers to the subrecipient(s) at the lower tier.

42.

	Yes	No	N/A
If the pass-through entity provides funds through either a subrecipient agreement or a contract, has it followed the criteria in 2 CFR 200.330 for making case-by-case determinations of whether the entity is receiving the funds in the role of either a subrecipient or contractor? [24 CFR 576.407(c); 2 CFR 200.330]	☐	☐	☐
Describe Basis for Conclusion:			

43.

	Yes	No	N/A
In making an award to a subrecipient, has the pass-through entity evaluated each subrecipient's risk of noncompliance with the Federal statutes, regulations, and terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring? **NOTE:** This evaluation may include consideration of factors such as: • the subrecipient's prior experience with the same or similar subawards; • the results of previous audits, including whether or not the subrecipient receives a Single Audit in accordance with Subpart F of 2 CFR part 200, and the extent to which the same or similar subaward has been audited as a major program; • whether the subrecipient has new personnel or new or substantially changed systems; and • the extent and results of previous HUD monitoring, if the subrecipient also receives funds directly from HUD. [24 CFR 576.407(c); 2 CFR 200.331(b)]	☐	☐	☐
Describe Basis for Conclusion:			

44.

For each subaward provided to a subrecipient, has the pass-through entity clearly identified it as a subaward to a subrecipient and included the following information at the time of the subaward: a. Federal award identification? b. Subrecipient name (which must match the name associated with the unique entity identifier)? c. Subrecipient's unique entity identifier? d. HUD award identification number? e. Federal award date, as defined in 2 CFR 200.39 (the date that HUD signed the award to the recipient)? f. Subaward period of performance start and end date? g. Total amount of the Federal award committed to the subrecipient by the pass-through entity? h. Amount of Federal funds obligated by this action by the pass-through entity to the subrecipient? i. Total amount of Federal funds obligated to the subrecipient by the	pass-through entity, including the current obligation?

Yes **No** **N/A**

☐ ☐ ☐

j. Federal Award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA)? k. HUD's name, the name of the pass-through entity, and contact information for the awarding official of the pass-through entity? l. Catalog of Federal Domestic Assistance (CFDA) number and name of the HUD program under which the award is made? m. Identification of whether the award is Research & Development (R&D), if applicable? n. Indirect cost rate for the HUD award to the recipient? o. Indirect cost rate for the subaward (which must be an approved Federally-recognized indirect cost rate negotiated between the subrecipient and the Federal government or, if no such rate exists, either a rate negotiated between the pass-through entity and the subrecipient (in compliance with 2 CFR part 200), or a de minimis indirect cost rate as defined in §200.414(f))? p. All requirements imposed by the pass-through entity on the subrecipient so that the subaward is used in accordance with the Federal statutes, regulations, and the terms and conditions of the HUD award to the recipient? q. Any additional requirements imposed by the pass-through entity on the subrecipient in order for the pass-through entity to meet its own obligations under the ESG program, including identification of any required financial or performance reports? r. A requirement that the subrecipient permit the pass-through entity and auditors to have access to the subrecipient's records and financial statements as necessary for the pass-through entity to meet its requirements under 2 CFR part 200? s. Appropriate terms and conditions concerning closeout of the subaward? [24 CFR 576.407(c); 2 CFR 200.331(a)]	
Describe Basis for Conclusion:	

45.

a. For subawards provided to subrecipients, has the pass-through entity monitored the activities of the subrecipient as necessary, to ensure that the subaward was used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are being, or have been, achieved? [24 CFR 576.407(c); 2 CFR 200.331(d)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

	Yes	No	N/A
b. Did the pass-through entity's monitoring of the subrecipient include: • Reviewing financial and performance reports required by the pass-through entity? • Following up and ensuring that the subrecipient takes timely and appropriate action on all deficiencies pertaining to the subaward detected through audits, on-site reviews, or other means? • Issuing a management decision for audit findings pertaining to the subaward a required by 2 CFR 200.521? [24 CFR 576.407(c); 2 CFR 200.331(d)(1) – (3)]	☐	☐	☐
Describe Basis for Conclusion:			

46.

	Yes	No	N/A
a. For each subrecipient provided a subaward, has the pass-through entity determined whether the subrecipient met or exceeded the audit threshold set in 2 CFR 200.501 for the respective fiscal year? [24 CFR 576.407(c); 2 CFR 200.331(f)]	☐	☐	☐
Describe Basis for Conclusion:			
b. If a subrecipient meets the audit threshold in 2 CFR 200.501, has the pass-through entity verified that the subrecipient is audited as required by Subpart F of 2 CFR part 200? [24 CFR 576.407(c); 2 CFR 200.331(f)]	☐	☐	☐
Describe Basis for Conclusion:			

47.

	Yes	No	N/A
For each subrecipient receiving a subaward, has the pass-through entity considered whether the results of the subrecipient's audits, on-site reviews, or other monitoring indicate conditions that necessitate adjustments to the pass-through entity's own records? [24 CFR 576.407(c); 2 CFR 200.331(g)]	☐	☐	☐
Describe Basis for Conclusion:			

48.

	Yes	No	N/A
If the pass-through entity found any subrecipient non-noncompliant, did the pass-through entity consider taking enforcement action against the subrecipient per 2 CFR 200.338 and the program regulations? [24 CFR 576.407(c); 2 CFR 200.331(h)]	☐	☐	☐
Describe Basis for Conclusion:			

Guide for Review of ESG Rapid Re-housing and Homelessness Prevention Requirements			
Name of Recipient:			
Name of Subrecipient(s):			
Staff Consulted:			
Name(s) of Reviewer(s)		**Date**	

NOTE: All questions that address requirements contain the citation for the source of the requirement (statute, regulation, or grant agreement). If the requirement is not met, HUD must select "NO" in response to the question and make a finding of noncompliance. All other questions that do not contain the citation for the requirement do not address requirements, but are included to assist the reviewer in understanding the participant's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

Instructions: This Exhibit is designed to assess the recipient's compliance with the Rapid Re-housing and/or Homelessness Prevention component(s) of the Emergency Solutions Grant (ESG) program. The eligible activity areas of review include: Housing Relocation and Stabilization Services – Services; Housing Relocation and Stabilization Services – Financial Assistance; and Short- and Medium-term Rental Assistance. These activities are eligible when necessary to either (1) help a homeless individual or family move as quickly as possible into permanent housing and achieve stability in that housing, or (2) prevent an individual or family from moving into an emergency shelter or another place described in paragraph (1) of the "homeless" definition in 24 CFR 576.2. The Exhibit is divided into three sections: General Requirements; Housing Relocation and Stabilization Services; and Short- and Medium-term Rental Assistance. Section B is broken down into sub-sections for Financial Assistance Costs and Services Costs. Section C is broken down into sub-sections for General Requirements and Project-based Rental Assistance. Every question has a header identifying the specific area of review. If the ESG recipient has not funded a particular activity or cost, check the N/A box and continue on to the next section, sub-section, or question of the Exhibit.

This Exhibit can be used to monitor a recipient, a single subrecipient, or multiple subrecipients. It is the responsibility of the HUD reviewer to ensure that the responses provide sufficient documentation to support the basis for the conclusions. Keep in mind that, if multiple entities are reviewed and a deficiency is identified for a single entity, a "No" response is required.

Questions:

A. GENERAL REQUIREMENTS

1.

	Yes	No	N/A
Initial Evaluation: Did the recipient or its subrecipient conduct an initial evaluation to determine each individual's or family's eligibility for rapid re-housing or homelessness prevention assistance and the amount and types of assistance the individual or family needs to regain stability in permanent housing? [24 CFR 576.401(a)]	☐	☐	☐
Describe Basis for Conclusion:			

2.

Eligibility Criteria (Homelessness Prevention): Did the recipient or its subrecipient document that all program participants who received homelessness prevention assistance: a. met the eligibility criteria of the "at risk of homelessness" definition or categories 2, 3, or 4 (if category 4, not sleeping in a place described in category (1)) of the "homeless" definition; and b. have an annual income (as determined in accordance with 24 CFR 5.609) below 30% AMI? [24 CFR 576.103; 24 CFR 576.401(c); 24 CFR 576.500(b); 24 CFR 576.500(c); 24 CFR 576.500(e); 24 CFR 576.500(f)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

3.

Eligibility Criteria (Rapid Re-housing): Did the recipient or its subrecipient document that all program participants who received rapid re-housing assistance met the eligibility criteria: a. under category (1) of the homeless definition, or b. under category (4) and live in an emergency shelter or place described in category (1) of the homeless definition? [24 CFR 576.104; 24 CFR 576.500(b); 24 CFR 576.500(f)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

4.

Re-evaluations (Rapid Re-housing/Homelessness Prevention): Do program participant records document that the recipient or its subrecipient re-evaluated program participants' 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? [24 CFR 576.401(b)(1); 24 CFR 576.500(f)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

5.

Written Standards:	Yes	No	N/A
a. Did the recipient and/or its subrecipients adopt written standards for the provision of homelessness prevention and rapid re-housing assistance, as required by 24 CFR 576.400(e)(1) and 24 CFR 576.400(e)(2)? b. Did these written standards cover the following topics (listed in 24 CFR 576.400(e)(3)): 1. evaluating individuals' and families' eligibility for assistance under ESG; 2. coordination among emergency shelter providers, essential services providers, homelessness prevention and rapid re-housing assistance providers, other homeless assistance providers, and mainstream service and housing providers; 3. determining and prioritizing which eligible families and individuals would receive homelessness prevention assistance and which eligible families and individuals would receive rapid re-housing assistance; 4. determining what percentage or amount of rent and utilities costs each program participant must pay while receiving homelessness prevention or rapid re-housing assistance; 5. determining how long the program participant will be provided with rental assistance and whether and how the amount of that assistance would be adjusted over time; 6. determining the type, amount, and duration of housing stabilization and/or relocation services to provide to the program participant? c. Do the program participant records show that homelessness prevention and rapid re-housing assistance were provided in accordance with the applicable written standards? [24 CFR 576.400(e)(1); 24 CFR 576.400(e)(2); 24 CFR 576.400(e)(3)(i); 24 CFR 576.400(e)(3)(v); 24 CFR 576.400(e)(3)(vi); 24 CFR 576.400(e)(3)(vii); 24 CFR 576.400(e)(3)(viii); 24 CFR 576.400(e)(3)(ix); 24 CFR 576.500(f)]	☐	☐	☐
Describe Basis for Conclusion:			

6.

Re-evaluations (Rapid Re-housing/Homelessness Prevention): Do program participant records document that each re-evaluation of eligibility established that the program participant:	Yes	No	N/A
a. did not have an annual income that exceeds 30% AMI as established by HUD; and b. lacked sufficient resources and support networks necessary to retain housing without ESG assistance? [24 CFR 576.401(b)(1)(i)-(ii); 24 CFR 576.500(e); 24 CFR 576.500(f)]	☐	☐	☐
Describe Basis for Conclusion:			

7.

Recordkeeping (Ineligibility): For each individual and family determined ineligible to receive ESG assistance, did the recipient or its subrecipient document the reason for that determination? [24 CFR 576.500(d)]	☐ Yes	☐ No	☐ N/A
Describe Basis for Conclusion:			

8.

Eligible Costs (Homelessness Prevention): Were all homelessness prevention costs eligible and necessary to help the program participant regain stability in the program participant's current housing or to move into other permanent housing and achieve stability in that housing? [24 CFR 576.103; 24 CFR 576.500(f)]	☐ Yes	☐ No	☐ N/A
Describe Basis for Conclusion:			

9.

Housing Stability Case Management: While providing rapid re-housing or homelessness prevention assistance to a program participant, does the program participant file document that the program participant met with a case manager at least once per month to assist the participant in ensuring long-term housing stability? [24 CFR 576.401(e)(1); 24 CFR 576.500(f)]	☐ Yes	☐ No	☐ N/A
Describe Basis for Conclusion:			

10.

Housing Stability Case Management: While providing rapid re-housing or homelessness prevention assistance to a program participant, did the recipient or its subrecipient document in the program participant's file that it developed 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? [24 CFR 576.401(e)(2); 24 CFR 576.500(f)]	☐ Yes	☐ No	☐ N/A
Describe Basis for Conclusion:			

11.

Connections to Mainstream and Other Resources: While providing rapid re-housing or homelessness prevention assistance to program participants, did the recipient or its subrecipients assist each program participant to obtain mainstream and other resources as needed? [24 CFR 576.401(d)(1); 24 CFR 576.401(d)(2); 24 CFR 576.500(f)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

12.

Recordkeeping (Program Participant Records): Did each program participant record document: a. the services and assistance provided to that program participant, including, as applicable, security deposit, rental assistance, and utility payments made on behalf of the program participant; and b. compliance with all applicable requirements for providing services and assistance to that program participant? [24 CFR 576.500(f)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

13.

Terminating Assistance: a. If the recipient or any of its subrecipients terminated any participants from the program, did they do so in accordance with a formal process established by the recipient or its subrecipient(s) that recognizes the rights of individuals affected, that met the following requirements: (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) who made or approved the termination decision, and (3) prompt written notice of the final decision to the program participant? b. Did the recipient and/or its subrecipient 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? [24 CFR 576.402(a); 24 CFR 576.402(b)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

14.

Lead-Based Paint: Where ESG funds were used for rental assistance (TBRA or PBRA) or supportive services, do records reflect that the recipient and subrecipient complied with all lead-based paint requirements? NOTE: Exhibit 24-2 (Supportive Services), Exhibit 24-3 (TBRA), or Exhibit 24-4 (PBRA), as applicable, MUST be completed to answer this question. See Chapter 24, *Lead-Based Paint Compliance*, in this Handbook. [24 CFR 35.700-730 (PBRA); 24 CFR 35.1000-1020 (Supportive Services); 24 CFR 35.1200-1225 (TBRA); 24 CFR 576.403(a)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

15.

Minimum Habitability Standards: Did the recipient and its subrecipients ensure that all housing units met the minimum habitability standards before incurring any costs to help program participants remain in or move into those housing units? [24 CFR 576.403(c); 24 CFR 576.500(j)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

16.

Conflicts of Interest (Organizational): Did the recipient and its subrecipients ensure that: a. no type or amount of ESG assistance was conditioned on an individual or family's acceptance of housing owned by the recipient, subrecipient, contractor, parent, or subsidiary of the subrecipient; and b. no subrecipient (nor any of its parent or subsidiary organizations) that owns housing, carried out the initial evaluation under 24 CFR 576.401, or administered homelessness prevention assistance for occupants of that subrecipient's housing? [24 CFR 576.404(a)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

B. HOUSING RELOCATION AND STABILIZATION SERVICES

Financial Assistance Costs: If the recipient has not expended ESG funds on Financial Assistance costs, check the N/A boxes and skip to the Services Costs subsection of this Exhibit.

17.

Financial Assistance Costs: Did the recipient and its subrecipients ensure that: a. no program participant received financial assistance under 24 CFR 576.105(a) that was of the same type of assistance that the program participant was receiving through other public sources; and b. no program participant who received replacement housing payments under the Uniform Relocation Act (URA) received financial assistance under 24 CFR 576.105(a) during the period of time covered by the URA payments? [24 CFR 576.105(d)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

18.

Financial Assistance Costs: Were eligible costs listed in 24 CFR 576.105(a) paid only to a housing owner, utility company, or other third party (not directly to the program participant)? [24 CFR 576.105(a)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

19.

Financial Assistance Costs (Rental Housing Application Fees): Were rental housing application fees paid for with ESG funds a standard charge issued by the owner to all applicants? [24 CFR 576.105(a)(1)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

20.

	Yes	No	N/A
Financial Assistance Costs (Security Deposits): Were security deposits paid for with ESG funds equal to no more than 2 months' rent? [24 CFR 576.105(a)(2)]	☐	☐	☐
Describe Basis for Conclusion:			

21.

	Yes	No	N/A
Financial Assistance Costs (Last Month's Rent): Were costs for the last month's rent paid for with ESG funds: a. necessary to obtain housing for a program participant; b. paid to the owner of the housing at the time the owner was paid the security deposit and first month's rent; c. less than or equal to one month's rent; and d. included in calculating the program participant's total rental assistance? [24 CFR 576.105(a)(3)]	☐	☐	☐
Describe Basis for Conclusion:			

22.

	Yes	No	N/A
Financial Assistance Costs (Utility Deposits): Were utility deposits paid for with ESG funds only for eligible types of utility services (gas, electric, water, and sewage) and required by the utility company for all customers? [24 CFR 576.105(a)(4)]	☐	☐	☐
Describe Basis for Conclusion:			

23.

	Yes	No	N/A
Financial Assistance Costs (Utility Payments): Were utility payments paid for with ESG funds: a. within the limit of 24 months of utility payments per program participant, per service, including up to 6 months of utility payments in arrears, per service; b. only provided when 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; and c. only for eligible types of utility services (gas, electric, water, and sewage)? [24 CFR 576.105(a)(5)]	☐	☐	☐
Describe Basis for Conclusion:			

24.

	Yes	No	N/A
Financial Assistance Costs (Moving Costs): Were moving costs paid for with ESG funds only for moving-related activities such as truck rental, hiring a moving company, and allowable temporary storage fees (up to 3 months, fees accrued after the date the program participant began receiving services and before the program participant moves into permanent housing, and excluding storage fees in arrears)? [24 CFR 576.105(a)(6)]	☐	☐	☐
Describe Basis for Conclusion:			

Services Costs: If the recipient has not expended ESG funds on Services costs, check the N/A boxes and skip to the Short- and Medium-Term Rental Assistance section of this Exhibit (Section C).

25.

	Yes	No	N/A
Services Costs (Housing Search and Placement): Were housing search and placement costs paid for with ESG funds: a. necessary to assist program participants in locating, obtaining, and retaining suitable permanent housing; and b. one of those listed in 24 CFR 576.105(b)(1)(i)-(viii)? [24 CFR 576.105(b)(1)]	☐	☐	☐
Describe Basis for Conclusion:			

26.

	Yes	No	N/A
Services Costs (Housing Stability Case Management): Were the activities paid for with ESG funds: a. one of those listed in 24 CFR 576.105(b)(2)(A)-(H), and b. for the purposes of assessing, arranging, coordinating, or monitoring the delivery of individualized services to: (1) facilitate housing stability for a program participant who resides in permanent housing; or (2) to assist a program participant in overcoming immediate barriers to obtaining housing? [24 CFR 576.105(b)(2)(A)-(H)]	☐	☐	☐
Describe Basis for Conclusion:			

27.

	Yes	No	N/A
Services Costs (Housing Stability Case Management): Were the housing stability case management costs paid for with ESG funds: a. under the Rapid Re-housing component, limited to: (1) 30 days during the period the program participant is seeking permanent housing; and (2) 24 months during the period the program participant is living in permanent housing; and b. under the Homelessness Prevention component, limited to 24 months? [24 CFR 576.105(b)(2)]	☐	☐	☐
Describe Basis for Conclusion:			

28.

	Yes	No	N/A
Services Costs (Mediation Costs): Were mediation costs paid for with ESG funds necessary to prevent the program participant from losing permanent housing in which the program participant currently resides, and used for mediation between the program participant and the owner or person(s) with whom the participant is living? [24 CFR 576.105(b)(3)]	☐	☐	☐
Describe Basis for Conclusion:			

29.

	Yes	No	N/A
Services Costs (Legal Services): Did the recipient and its subrecipients ensure that the legal services costs paid for with ESG funds consisted only of the following types of costs: a. for either: 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, or by person(s) under the supervision of the licensed attorney; or fees based on the actual service performed (i.e., fee for service), where the recipient/ subrecipient documented that such costs were less than what the cost of hourly fees would have been; b. for filing fees and other necessary court costs; c. subrecipients' employees' salaries and other costs necessary to perform the services (if the subrecipient is a legal services provider and performs the services itself); and d. for the following component services: (1) client intake; (2) preparation of cases for trial; (3) provision of legal advice;	☐	☐	☐

(4) representation at hearings; (5) counseling? [24 CFR 576.102(a)(1)(vi)(A); 24 CFR 576.102(a)(1)(vi)(D); 24 CFR 576.102(a)(1)(vi)(E); 24 CFR 576.105(b)(4)]	
Describe Basis for Conclusion:	

30.

Services Costs (Legal Services): Did the recipient and its subrecipients ensure that the legal services costs paid for with ESG funds were only used: a. to the extent 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 they currently reside; b. for the following subject matters: (1) landlord/tenant matters; (2) child support; (3) guardianship; (4) paternity; (5) emancipation; (6) legal separation; (7) orders of protection and other civil remedies for victims of domestic violence, dating violence, sexual assault, and stalking; (8) appeal of veterans and public benefit claim denials; and (9) the resolution of outstanding criminal warrants; and c. to the extent that other appropriate legal services were unavailable or inaccessible in the community? [24 CFR 576.105(b)(4); 24 CFR 576.102(a)(1)(vi)(B); 24 CFR 576.102(a)(1)(vi)(C)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

31.

Services Costs (Credit Repair): Were credit repair costs paid for with ESG funds for counseling or other services necessary to assist program participants with critical skills related to household budgeting, managing money, accessing a free personal credit report, or resolving personal credit problems? [24 CFR 576.105(b)(5)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

32.

	Yes	No	N/A
Services Costs (Credit Repair): Did credit repair costs paid for with ESG funds exclude the payment or modification of a debt? [24 CFR 576.105(b)(5)]	☐	☐	☐
Describe Basis for Conclusion:			

C. SHORT- AND MEDIUM-TERM RENTAL ASSISTANCE

General Requirements: If the recipient has not expended ESG funds on Short- or Medium-Term Rental Assistance, check the N/A boxes and skip to the next section.

33.

	Yes	No	N/A
Rental Assistance (Limit): Did each program participant's total rental assistance, including any rental arrears and last month's rent, stay within the limit of 24 months during any 3-year period? [24 CFR 576.106(a)]	☐	☐	☐
Describe Basis for Conclusion:			

34.

	Yes	No	N/A
Rental Assistance (Changes in Household Composition): Did the recipient and its subrecipients apply the limits on rental assistance to the total assistance each individual received, either as an individual or as part of a household? [24 CFR 576.106(j)]	☐	☐	☐
Describe Basis for Conclusion:			

35.

	Yes	No	N/A
Rental Assistance (Use with Other Subsidies): Except for a one-time payment of rental arrears on the tenant's portion of the rental payment, did the provision of rental assistance exclude: a. program participants who were receiving tenant-based rental assistance or living in a housing unit receiving project-based rental assistance or operating assistance through other public sources; and b. program participants who were provided with replacement housing payments under the URA during the period of time covered by the URA payments? [24 CFR 576.106(c)]	☐	☐	☐
Describe Basis for Conclusion:			

36.

	Yes	No	N/A
Rental Assistance (Fair Market Rent and Rent Reasonableness): Did the recipient and its subrecipients ensure that ESG rental assistance was only provided to units for which the rent complied with HUD's standard of rent reasonableness and did not exceed the applicable Fair Market Rent? NOTE: For this purpose, rent equals 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 paid 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. [24 CFR 576.106(d)(1); 24 CFR 576.106(d)(2); 24 CFR 576.500(i)]	☐	☐	☐
Describe Basis for Conclusion:			

37.

	Yes	No	N/A
Rental Assistance (Rental Assistance Agreement): Does the documentation show that the recipient or its subrecipients entered into a rental assistance agreement with each owner before providing the owner with rental assistance payments, including rental arrears? [24 CFR 576.106(e); 24 CFR 576.500(h)]	☐	☐	☐
Describe Basis for Conclusion:			

38.

	Yes	No	N/A
Rental Assistance (Rental Assistance Agreement): Did each rental assistance agreement: a. set forth the terms under which rental assistance will be provided, including the requirements that apply under 24 CFR 576.106; b. provide that, during the term of the agreement, the owner must give the recipient or its 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; and c. contain the same payment due date, grace period, and late payment penalty requirements as the program participant's lease? [24 CFR 576.106(e); 24 CFR 576.106(f)]	☐	☐	☐
Describe Basis for Conclusion:			

39.

Rental Assistance (Payments): Did the recipient or its subrecipient make timely payments to each owner in accordance with the rental assistance agreement? [24 CFR 576.106(f)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

40.

Rental Assistance (Payments): Did the recipient and its subrecipients pay any late payment penalties that they incurred only with non-ESG funds (i.e., no ESG funds were used to pay late payment penalties incurred by the recipient or subrecipient)? [24 CFR 576.106(f)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

41.

Rental Assistance (Leases): a. Does each program participant receiving rental assistance have a file that contains a legally binding, written lease between the program participant and the owner of the property or his/her agent for the rental unit; OR b. If the assistance was solely for rental arrears for a program participant who had an oral lease agreement in place: (1) does each agreement give the program participant an enforceable leasehold interest under state law; and (2) are the agreement and rent owed sufficiently documented by the owner's financial records, rent ledgers, or canceled checks? [24 CFR 576.106(g); 24 CFR 576.500(h)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

42.

Rental Assistance (Rental Arrears): Were the rental arrears paid for with ESG funds one-time payments that did not exceed 6 months of rent in arrears (including any late fees on those arrears)? [24 CFR 576.106(a)(3)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

43.

Recordkeeping (Homelessness Prevention and Rapid Re-housing): Did the recipient or its subrecipient keep records, including copies of documentation of payments made to owners for rental assistance provided, and supporting documentation for these payments, including dates of occupancy by program participants? [24 CFR 576.500(h)]	☐ Yes	☐ No	☐ N/A
Describe Basis for Conclusion:			

44.

Rental Assistance (TBRA): For tenant-based rental assistance, did the recipient and its subrecipients terminate the rental assistance agreement with the owner and stop providing rental assistance payments under that agreement when any of the following conditions were met: a. the program participant moved out of the unit for which the program participant has a lease; b. the lease terminated and was not renewed; or c. the program participant became ineligible to receive ESG assistance? [24 CFR 576.106(h)(3)(i)-(iii)]	☐ Yes	☐ No	☐ N/A
Describe Basis for Conclusion:			

Project-Based Rental Assistance (PBRA): If the recipient has not expended funds on PBRA, check the N/A boxes. This is the final subsection of the Exhibit.

45.

Rental Assistance (Project-based Rental Assistance): If the recipient or any of its subrecipients used ESG funds to pay the rent for a project-based unit before a program participant moved into the unit, does the program participant file reflect that : a. the program participant signed a lease and moved into the unit before the end of the month for which the first month's rent was paid; and b. the amount paid was less than or equal to the rent to be charged under the program participant's lease and included when determining that program participant's total rental assistance? [24 CFR 576.106(i)(2)]	☐ Yes	☐ No	☐ N/A
Describe Basis for Conclusion:			

46.

	Yes	No	N/A
Rental Assistance (PBRA): Did the recipient and its subrecipients make monthly rental assistance payments only for months when a unit was leased to a program participant (either partial or the whole month)? [24 CFR 576.106(i)(3)]	☐	☐	☐
Describe Basis for Conclusion:			

47.

	Yes	No	N/A
Rental Assistance (PBRA): For program participants living in housing with project-based rental assistance, does the program participant's file contain a lease with an initial term of at least 1 year AND did the recipient or its subrecipient (whoever signed the agreement) enter into a rental assistance agreement with the owner for an initial term of 1 year? [24 CFR 576.106(g); 24 CFR 576.106(i)(5)]	☐	☐	☐
Describe Basis for Conclusion:			

48.

	Yes	No	N/A
Rental Assistance (PBRA): If a program participant was determined ineligible or reaches the maximum number of months over which rental assistance could be provided, did the recipient or its subrecipient suspend or terminate the rental assistance payments for the unit? [24 CFR 576.106(i)(4)]	☐	☐	☐
Describe Basis for Conclusion:			

49.

	Yes	No	N/A
Rental Assistance (PBRA): Did the recipient and its subrecipients ensure that the term of occupancy in each program participant's lease was not conditioned on the provision of rental assistance payments, and if ESG-funded rental assistance was suspended, was the program participant allowed to remain in the unit as permitted under the lease? [24 CFR 576.106(i)(4)]	☐	☐	☐
Describe Basis for Conclusion:			

50.

	Yes	No	N/A
Rental Assistance (PBRA – Expenditure Deadline): Did the recipient and its subrecipients commit ESG funds only to be expended: a. within the expenditure deadline in 24 CFR 576.203; and b. for current ESG grants (i.e., not before a grant is awarded)? [24 CFR 576.106(i)(5)]	☐	☐	☐
Describe Basis for Conclusion:			

Guide for Review of ESG Financial Management and Cost Allowability			
Name of Recipient:			
Name of Subrecipient(s):			
Grant Number:			
Staff Consulted:			
Name(s) of Reviewer(s)		**Date**	

NOTE: All questions that address requirements contain the citation for the source of the requirement (statute and regulation). If the requirement is not met, HUD must select "NO" in response to the question and make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements, but are included to assist the reviewer in understanding the participant's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding.**"

Instructions: This Exhibit is designed to assess a recipient's and/or its subrecipient's financial management system, as well as the eligibility of the program's expenditures. **Note**: This Exhibit is designed only to monitor compliance with the ESG interim rule, the Uniform Administrative Requirements (24 CFR part 84 and 85), and the cost principles at 2 CFR part 225 (OMB Circular A-87) and 2 CFR part 230 (OMB Circular A-122), as in effect prior to December 26, 2014. Accordingly, this Exhibit includes citations to regulations and OMB Circulars that pre-dated HUD's implementation of 2 CFR Part 200 (e.g., 24 CFR Part 576 (2013 edition), OMB Circular A-87, 24 CFR Part 85 (2013), 24 CFR Part 84 (2013), and OMB Circular A-122). CPD staff should use the citations in this Exhibit when making findings.

To monitor compliance with the new requirements at 2 CFR part 200, the HUD reviewer must complete Exhibit 34-1, *Guide for Review of Financial Management and Audits* and Exhibit 34-2, *Guide for Review of Cost Allowability*. For HUD's expectations on monitoring for compliance with the uniform administrative requirements, cost principles, and audit requirements during the period of transition to 2 CFR part 200, please see HUD's April 13, 2016, Notice CPD-16-04 (http://portal.hud.gov/hudportal/documents/huddoc?id=16-04cpdn.pdf). When completing this Exhibit or Exhibits 34-1 and 34-2, the HUD reviewer must also complete Exhibit 28-7, *Guide for Review of ESG Match Requirements*.

This Exhibit can be used to either monitor the recipient alone, the recipient with a single subrecipient, or the recipient with multiple subrecipients. It is the responsibility of the HUD reviewer to ensure that the responses provide sufficient documentation to support the basis for the conclusions. Keep in mind that, if multiple entities are reviewed and a deficiency is identified for a single entity, a "No" response is required.

Questions:

1.

	Yes	No	N/A
Did the recipient and its subrecipients have written policies and procedures to ensure that ESG funds are used in accordance with ESG requirements and sufficient records to enable HUD and the recipient to determine whether ESG requirements are being met? [24 CFR 576.500(a)]	☐	☐	☐
Describe Basis for Conclusion:			

2.

Did the recipient and its subrecipients maintain records that identify adequately the source and application of funds for federally-sponsored activities? **NOTE**: These records shall contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, outlays, income and interest. [24 CFR 576.407(c); 24 CFR 576.500(s)(2); 24 CFR 84.21(b)(2); 24 CFR 85.20]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

3.

Eligible Activities: Are the recipient's and its subrecipients' expenses allowable, allocable, and reasonable? [24 CFR 576.100-576.109; 24 CFR 576.500(u)(2); 24 CFR 84.21(b)(6); 24 CFR 85.22]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

4.

Do the fiscal records indicate evidence that the recipient and its subrecipients have effective internal control over, and accountability of, all grant funds, property and other assets? [24 CFR 576.500(u); 24 CFR 84.21(b)(3); 24 CFR 85.20]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

Internal Controls (Reference for some of the questions: GAO/AIMD-98-21.2.1, "Framework for Federal Financial Management System Checklist," May 1998)

5.

a. Do the recipient and its subrecipients have an organization chart that illustrates the actual lines of authority/responsibility?	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

b. Are primary duties for key employees of the recipient and its subrecipients defined?	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

c. Does the recipient's and its subrecipients' chart of accounts include a complete listing of the account numbers used to support the control required to ensure that resources used do not exceed resources authorized?	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

d. Do the approval controls provide reasonable assurance that appropriate individuals approve recorded transactions in accordance with management's general or specific criteria?	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

e. Do the controls over the design and use of documents and records provide reasonable assurance that transactions and events are properly documented, recorded, and auditable?	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

f. In the normal course of the position's requirements, are duties segregated to effectively reduce the opportunity for someone to perpetrate or conceal errors or irregularities?	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

g. Is it clear that all personnel are responsible for communicating to appropriate supervisory officials the recipient's or its subrecipients' operating problems and noncompliance with laws and regulations?	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

h. Do the internal control procedures support the ability to prepare financial statements that are accurately presented in conformity with generally accepted or other relevant and appropriate accounting principles and regulatory requirements? (One level of assurance of the accuracy and integrity of data is provided by the recipient attaining an unqualified opinion on the audited annual financial statements and internal controls.)	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

6.

	Yes	No	N/A
Do the recipient and its subrecipients identify expenditures in their accounting records according to eligible program activities identified in the program regulation, the recipient's Action Plan, and the drawdown activity information? [24 CFR 576.100; 24 CFR 576.500(u); 24 CFR 84.21(b)(2); 24 CFR 85.20]	☐	☐	☐
Describe Basis for Conclusion:			

7.

	Yes	No	N/A
Does a review of the sample transaction records indicate that grant expenditures were eligible costs under regulations, were necessary and reasonable for proper and efficient administration of the program, were allocable to the program, and supported by adequate source documentation (invoices, contracts, or purchase orders)? [24 CFR 576.100-576.109; 24 CFR 576.500(u); 24 CFR 84.21(b); 24 CFR 85.20(b)]	☐	☐	☐
Describe Basis for Conclusion:			

8.

	Yes	No	N/A
Does the source documentation support the amount drawn down from the payment requests? [24 CFR 576.500(u); 24 CFR 84.21(b); 24 CFR 85.20]	☐	☐	☐
Describe Basis for Conclusion:			

9.

	Yes	No	N/A
Do the recipient's financial information (e.g., drawdowns, unexpended balances) records match the information in HUD's financial systems (e.g., Line of Credit Control System (LOCCS), Integrated Disbursement and Information System (IDIS)) for the period under review? [24 CFR 576.500(aa); 24 CFR 85.20]	☐	☐	☐
Describe Basis for Conclusion:			

10.

	Yes	No	N/A
Are payments for salaries and wages supported by documented payrolls and personnel activity reports as specified in the applicable cost principles? [24 CFR 576.500(u)(2); OMB Circular A-122, Attachment B, 8(m); OMB Circular A-87, Attachment B, 8(h)]	☐	☐	☐
Describe Basis for Conclusion:			

11.

	Yes	No	N/A
Are charges to the grant by both governmental units and nonprofit organizations for salaries and wages, whether treated as direct or indirect costs, based on payrolls documented in accordance with generally accepted accounting principles and approved by a responsible official(s) of the organization being monitored? [24 CFR 576.500(u)(2); OMB Circular A-122, Attachment B, 8(m); OMB Circular A-87, Attachment B, 8(h)]	☐	☐	☐
Describe Basis for Conclusion:			

12.

	Yes	No	N/A
For government employees working solely on the grant, are charges for their salaries and wages supported by periodic certifications that the employees worked solely on that program for the period covered by the certification? [24 CFR 576.500(u)(2); OMB Circular A-87, Attachment B, 8(h)(3)]	☐	☐	☐
Describe Basis for Conclusion:			

13.

	Yes	No	N/A
For government employees, were the certifications prepared at least semi-annually and signed by the employee or a supervisory official having first-hand knowledge of the work performed by the employee? [24 CFR 576.500(u)(2); OMB Circular A-87, Attachment B, 8(h)(3)]	☐	☐	☐
Describe Basis for Conclusion:			

14.

	Yes	No	N/A
Does a random selection of administrative costs reflect that grant funds were used for eligible administrative costs? [24 CFR 576.108; 24 CFR 84.21; 24 CFR 85.20]	☐	☐	☐
Describe Basis for Conclusion:			

15.

	Yes	No	N/A
Are all of the administrative costs reviewed allocable to the program, and necessary and reasonable for proper and efficient administration of the program? [24 CFR 576.108; 24 CFR 576.500(u)(2); OMB Circular A-122; OMB Circular A-87]	☐	☐	☐
Describe Basis for Conclusion:			

16.

	Yes	No	N/A
Is the recipient in compliance with the component or activity caps imposed by program regulations, and are all costs subject to the expenditure caps properly classified? [24 CFR 576.100; 24 CFR 576.500(u)]	☐	☐	☐
Describe Basis for Conclusion:			

17.

	Yes	No	N/A
If the recipient advances grant funds to subrecipients, are there procedures to minimize the time elapsed between the transfer of funds to, and disbursement by, the subrecipients? [24 CFR 576.407(c); 24 CFR 84.22(b)(1); 24 CFR 85.21(c)]	☐	☐	☐
Describe Basis for Conclusion:			

18.

	Yes	No	N/A
If the recipient uses advances, is there evidence that any interest earned on grant advances over the amount specified in the uniform administrative requirements has been remitted to the U.S. Treasury as required by HUD? [24 CFR 576.407(c); 24 CFR 85.21(i)]	☐	☐	☐
Describe Basis for Conclusion:			

19.

	Yes	No	N/A
If indirect costs are charged to the grant program by the recipient or its subrecipients, are the costs supported by an Indirect Cost Rate Proposal or Cost Allocation Plan prepared in accordance with OMB Circular A-87 (for governments) or OMB Circular A-122 (for nonprofit organizations)? [24 CFR 576.109; OMB Circular A-87; OMB Circular A-122]	☐	☐	☐
Describe Basis for Conclusion:			

20.

	Yes	No	N/A
a. If single audits are required, does the recipient or its subrecipients have a system or methodology to ensure that such audits are conducted? [24 CFR 576.407(c); 24 CFR 85.26; 24 CFR 84.26]	☐	☐	☐
Describe Basis for Conclusion:			

	Yes	No	N/A
b. If single audits are required for any recipient or subrecipient, is there documentation that the audits have been reviewed for compliance and that the recipient or subrecipient has taken appropriate follow-up actions, if necessary? [24 CFR 576.407(c); 24 CFR 85.26; 24 CFR 84.26]	☐	☐	☐
Describe Basis for Conclusion:			

21.

	Yes	No	N/A
Do the recipient and its subrecipients maintain records of their receipt and use of program income? [24 CFR 576.500(u)(3)]	☐	☐	☐
Describe Basis for Conclusion:			

22.

	Yes	No	N/A
Do the recipient and its subrecipients use program income as the nonfederal share of eligible costs (i.e., match)? [24 CFR 576.201(f); 24 CFR 576.407(c); 24 CFR 84.24(b) or 24 CFR 85.25(g)]	☐	☐	☐
Describe Basis for Conclusion:			

23.

	Yes	No	N/A
Does a review of program expenditures indicate the absence of any unallowable costs including entertainment, contributions and donations, fines and penalties, or general governmental expenditures including salary and expenses of the chief executive officer of the recipient or its subrecipients? [24 CFR 576.100(d); 24 CFR 576.500(u)(2); OMB Circular A-87 or OMB Circular A-122]	☐	☐	☐
Describe Basis for Conclusion:			

24.

	Yes	No	N/A
Does a review of the expenditures indicate that costs related to lobbying political activities have not been charged to the program? [24 CFR 576.100(d); 24 CFR 576.500(u)(2); OMB Circular A-87 or OMB Circular A-122]	☐	☐	☐
Describe Basis for Conclusion:			

City of Berkeley – Priority Home Partnership Program File Review Check List

Last Name:_____First Name:_____HMIS ID: _____

Staff Name: _____

Supervisor Approval - Name: _____

I. Eligibility Documentation

☐ ESG Application for Assistance and Eligibility Determination Form (8 pages)

_____ *Rapid Rehousing Assistance*

_____ *Homeless Prevention*

Attached	Document	COB Review
☐	Homeless Status Supporting Documentation (Rapid Rehousing-RR)	☐
☐	At Imminent Risk Housing Status Supporting Documentation (Homeless Prevention-HP)	☐
☐	Income Eligibility Supporting Documentation (RR&HP)	☐
☐	Asset Verification Supporting Documentation (RR&HP)	☐
☐	Current ROI - Date: _____	☐

II. Documentation of Assistance/Ongoing Services

Attached	Document	COB Review
☐	1. Request for Tenancy Approval	☐
☐	2. Household Budget	☐
☐	3. Housing Stability Plan	☐
☐	4. Financial Assistance Calculation Form	☐
☐	5. Program Participation Agreement	☐
☐	6. Lease Between Participant and Landlord	☐
☐	7. Rental Assistance Agreement with Landlord	☐
☐	8. W-9 Form	☐
☐	Three Month Reassessment(s) ***(if applicable, insert dates)*** 1._____ 2. _____	☐
☐	Budget/Housing Stability Plan, if recertified for additional 3 months	☐
☐	Exit Form (HMIS form), if exited from program.	☐
☐	Termination of Housing Assistance ***(if applicable)***	☐
☐	Other	☐

City of Berkeley – Priority Home Partnership Program File Review Check List

Inspection Documentation Verification

Last Name:_____ First Name:_____ HMIS ID: _____

Unit Address:_____

In File	Document	Inspector's Signature	Unit Pass	Unit Inconclusive /Fail	Date
☐	Rent Reasonableness		☐	☐	
☐	Habitability Inspection (includes Lead Assessment)		☐	☐	
☐	FMR certification		☐	☐	

NOTES:

City of Berkeley
Program Monitoring File Checklist

Client File Reviewed: (first initial, last initial) _____ Date:_____Case Manager: _____
Staff Reviewer_____ Signature _____

Item (All Files)	Yes	No	N/A	Comments
Client Intake				
Needs Assessment				
Income Verification				
Disability Verification				
Homelessness Verification				
Client ID				
Program Participation Agreement				
Notice of Grievance Policies				
Notice of Privacy Policies				
Release of Information				
Individual Service Plan (current)				
Case Notes: Documentation of case management sessions (note frequency) and of ongoing efforts to achieve ISP goals.				
Documentation of Referrals to other needed services				
Documentation of Increased Income				
Documentation of Housing Placement (address)				
Exit Documentation				
Emergency Contact				
Is file stored in secure area with restricted access?				
Is file organized, complete, uses standard forms, entries legible?				
File clearly notes client's status? (active, closed, inactive)				
SHELTER OR TRANSITIONAL HOUSING SERVICES				
Savings Program? Documentation of deposits and withdrawals?				
Other Info:				
Other Info:				
TB Test In File				
OVERALL COMMENTS				

NOTATIONS ON REVIEW ITEMS
INCOME VERIFICATION: If program uses “presumed income” category, file must include verification of qualification for presumed category.
HOMELESS VERIFICATION: HUD guidelines indicate that third-party verification is best practice; self-certification and homeless history are also acceptable.
DISABILITY VERIFICATION: For programs funded to serve disabled, verification should be by a licensed professional.

Excerpted ESG Interim Regulations as Applicable to Subrecipients
Subpart A—General Provisions

§ 576.1 Applicability and purpose.
This part implements the Emergency Solutions Grants (ESG) program authorized by subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371–11378). 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.

§ 576.2 Definitions.
At risk of homelessness means: (1) An individual or family who: Has an annual income below 30 percent of median family income for the area, as determined by HUD; 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
1. Meets one of the following conditions:
   - Has moved because of economic reasons two or more times during the 60 days immediately precedingthe application for homelessness prevention assistance;
   - Is living in the home of another because of economic hardship;
   - 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;
   - 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;
   - 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;
   - 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
   - Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient'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
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 (42 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 Solutions 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 immediatelypreceding 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.

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 recipient or subrecipient.

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

Program year means the consolidated program year established by the recipient under 24 CFR part 91.
Recipient 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.
Subrecipient means a unit of general purpose local government or private nonprofit organization to which a recipient makes available ESG funds.
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.

Subpart B—Program Components and Eligible Activities

§ 576.100 General provisions and expenditure limits.
(a) ESG funds may be used for five program components: street outreach, emergency shelter, homelessness prevention, rapid re-housing assistance, and HMIS; as well as administrative activities. The five program components and the eligible activities that may be funded under each are set forth in § 576.101 through § 576.107. Eligible administrative activities are set forth in § 576.108.
(b) The total amount of the recipient's fiscal year grant that may be used for street outreach and emergency shelter activities cannot exceed the greater of:
(1) 60 percent of the recipient's fiscal year grant; or
(2) The amount of Fiscal Year 2010 grant funds committed for homeless assistance activities.
(c) The total amount of ESG funds that may be used for administrative activities cannot exceed 7.5 percent of the recipient's fiscal year grant.
(d) 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 re- housing, and HMIS are eligible costs of those program components. These costs are not subject to the expenditure limit in paragraph (c) of this section.

§ 576.101 Street outreach component.
(a) *Eligible costs.* 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 recipient or 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 recipient or 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 recipient or 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 recipient or 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 recipient's request, HUD will determine whether the unit of general purpose local government is in a severe financial deficit, based on the recipient's demonstration of each of the following:

(i) The average poverty rate in the unit of general purpose local government's jurisdiction 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 jurisdiction 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.

§ 576.103 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.

§ 576.104 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 re- housing 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-yearperiod.

(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 re- housing 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 recipient 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 recipient 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 recipient or 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 recipient 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 recipient 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 URApayments.

(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 24 CFR 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 recipient or subrecipient may make rental assistance payments only to an owner with whom the recipient or 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 recipient or 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 programparticipant.

(f) *Late payments.* The recipient or 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 recipient or 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 recipient may requirethat 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 recipient or subrecipient identifies a permanent housing unit that meets ESG requirements and becomes available before a program participant is identified to lease the unit, the recipient or 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 recipient or 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 recipient or 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 recipient or 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 recipient or 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 recipient or 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.

(1) 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 recipient or 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.

§ 576.107 HMIS component.

(a) Eligible costs.

(1) The recipient or 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; Leasing office space;

(v) Paying charges for electricity, gas, water, phone service, and high-speed data transmission necessary to operate or contribute data to the HMIS;

(vi) 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;

(F) Training staff on using the HMIS or comparable database; and

(G) Implementing and complying with HMIS requirements;

(vii) 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;

(viii) Paying staff travel costs to conduct intake; and

(ix) Paying participation fees charged by the HMIS Lead, if the recipient or 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 recipient 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.

§ 576.108 Administrative activities.
(a) *Eligible costs.* The recipient may use up to 7.5 percent of its ESG grant for the payment of administrative costs related to the planning and execution of ESG activities. This does not include staff and overhead costs directly related to carrying out activities eligible under § 576.101 through § 576.107, because those costs are eligible as part of those activities. Eligible administrative costs include:
(1) *General management, oversight and coordination.* Costs of overall program management, coordination, monitoring, and evaluation. These costs include, but are not limited to, necessary expenditures for the following:
(i) Salaries, wages, and related costs of the recipient's staff, the staff of subrecipients, or other staff engaged in program administration. In charging costs to this category, the recipient may either include the entire salary, wages, and related costs allocable to the program of each person whose *primary* responsibilities with regard to the program involve program administration assignments, or the pro rata share of the salary, wages, and related costs of each person whose job includes *any* program administration assignments. The recipient may use only one of these methods for each fiscal year grant. Program administration assignments include the following:
(A) Preparing program budgets and schedules, and amendments to those budgets and schedules;
(B) Developing systems for assuring compliance with program requirements;
(C) Developing interagency agreements and agreements with subrecipients and contractors to carry out program activities;
(D) Monitoring program activities for progress and compliance with program requirements;
(E) Preparing reports and other documents directly related to the program for submission to HUD;
(F) Coordinating the resolution of audit and monitoring findings;
(G) Evaluating program results against stated objectives; and
(H) Managing or supervising persons whose primary responsibilities with regard to the program include such assignments as those described in paragraph (a)(1)(i)(A) through (G) of this section.
(ii) Travel costs incurred for monitoring of subrecipients;
(iii) Administrative services performed under third-party contracts or agreements, including general legal services, accounting services, and audit services; and
(iv) Other costs for goods and services required for administration of the program, including rental or purchase of equipment, insurance, utilities, office supplies, and rental and maintenance (but not purchase) of office space.
(2) *Training on ESG requirements.* Costs of providing training on ESG requirements and attending HUD- sponsored ESG trainings.
(3) *Consolidated plan.* Costs of preparing and amending the ESG and homelessness-related sections of the consolidated plan in accordance with ESG requirements and 24 CFR part 91.
(4) *Environmental review.* Costs of carrying out the environmental review responsibilities under § 576.407.
(b) *Sharing requirement.* (1) *States.* If the recipient is a State, the recipient must share its funds for administrative costs with its subrecipients that are units of general-purpose local government. The amount shared must be reasonable under the circumstances. The recipient may share its funds for administrative costs with its subrecipients that are private nonprofit organizations.
(2) *Territories, metropolitan cities, and urban counties.* If the recipient is a territory, metropolitan city, or urban

county, the recipient may share its funds for administrative costs with its subrecipients.

Subpart C—Award and Use of Funds

§ 576.201 Matching requirement.

(a) *Required amount of matching contributions.* (1) Except as provided under paragraphs (a)(2) and (a)(3) of this section, the recipient must make matching contributions to supplement the recipient's ESG program in an amount that equals the amount of ESG funds provided by HUD.

(b) *Eligible sources of matching contributions.* (1) Subject to the requirement for States under paragraph (a)(2) of this section, the recipient may require its subrecipients to make matching contributions consistent with this section to help meet the recipient's matching requirement.

(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 recipient 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 recipient's fiscal year grant, cash contributions must be expended within the expenditure deadline in § 576.203, and noncash contributions must be made within the expenditure deadline in § 576.203.

(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 recipient or subrecipient.

(2) *Noncash contributions.* The value of any real property, equipment, goods, or services contributed to the recipient's or subrecipient's ESG program, provided that if the recipient or 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 noncash contributions.* (1) To determine the value of any donated material or building, or of any lease, the recipient 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 recipient's or subrecipient's organization. If the recipient or 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 recipient or 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 recipient or 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.

(f) *Costs paid by program income.*

Costs paid by program income shall count toward meeting the recipient's matching requirements, provided the costs are eligible ESG costs that supplement the recipient's ESG program.

Subpart E—Program Requirements

§ 576.400 Area-wide systems coordination requirements.

(a) *Consultation with Continuums of Care.* The recipient must consult with each Continuum of Care that serves the recipient's jurisdiction 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 recipient and its subrecipients must coordinate and integrate, to the maximum extent practicable, ESG-funded activities with other programs targeted to homeless people in the area covered by the Continuum of Care or area over which the services are coordinated to provide a strategic, community-wide system to prevent and end homelessness for that area. These programs 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);

(11) Emergency Food and Shelter Program (title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331 *et seq.*));

(12) 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));

(13) Homeless Veterans Reintegration Program (section 5(a)(1)) of the Homeless Veterans Comprehensive Assistance Act (38 U.S.C. 2021);

(14) Domiciliary Care for Homeless Veterans Program (38 U.S.C.2043);

(15) VA Homeless Providers Grant and Per Diem Program (38 CFR part 61);

(16) Health Care for Homeless Veterans Program (38 U.S.C. 2031);

(17) Homeless Veterans Dental Program (38 U.S.C. 2062);

(18) Supportive Services for Veteran Families Program (38 CFR part 62);and

(19) Veteran Justice Outreach Initiative (38 U.S.C. 2031).

(c) *System and program coordination with mainstream resources.* The recipient and its subrecipients must coordinate and integrate, to the maximum extent practicable, ESG- funded activities with mainstream housing, health, social services, employment, education, and youth programs for which families and individuals at risk of homelessness and homeless individuals and families may be eligible. Examples of these programsinclude:

(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 part92);

(5) Temporary Assistance for Needy Families (TANF) (45 CFR parts260–265);

(6) Health Center Program (42 CFR part 51c);

(7) State Children's Health Insurance Program (42 CFR part457):

(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 *etseq.*).

§ 576.401 Evaluation of program participant eligibility and needs.

(a) *Evaluations.* The recipient or its 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 recipient or 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 recipient or subrecipient may require each program participant receiving homelessness prevention or rapid re-housing assistance to notify the recipient or 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 recipient or 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 recipient or subrecipient must use the standard for calculating annual income under 24 CFR 5.609.

(d) *Connecting program participants to mainstream and other resources.* The recipient and its subrecipients 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 Other Federal, State, local, and private assistance available to assist the program participant in obtaining housing stability, including:

(i) Medicaid (42 CFR chapter IV, subchapter C):

(ii) Supplemental Nutrition Assistance Program (7 CFR parts 271–283);

(iii) Women, Infants and Children (WIC) (7 CFR part 246);

(iv) Federal-State Unemployment Insurance Program (20 CFR parts 601– 603, 606, 609, 614–617, 625, 640,

(v) Social Security Disability Insurance (SSDI) (20 CFR part 404);

(vi) Supplemental Security Income (SSI) (20 CFR part 416);

(vii) Child and Adult Care Food Program (42 U.S.C. 1766(t) (7 CFR part 226));

(viii) Other assistance available under the programs listed in § 576.400(c).

(e) *Housing stability case management.* (1) While providing homelessness prevention or rapid re- housing assistance to a program participant, the recipient or 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 recipient or 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 recipient or 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 recipient or subrecipient may terminate the assistance in accordance with a formal process established by the recipient or subrecipient that recognizes the rights of individuals affected. The recipient or 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 recipient or 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 (42 U.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 recipient 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 recipient or subrecipient cannot use ESG funds to help a program participant remain or move into housing that does not meet the minimum habitability standards provided in this paragraph (c). The recipient may also establish standards that exceed or add to these minimum standards.

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

(2) *Space and security.* Each resident must be provided adequate space and security for themselves and their belongings. Each resident must be provided an acceptable place to sleep.

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

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

§ 576.404 Conflicts of interest.
(a) *Organizational conflicts of interest.* The provision of any type or amount of ESG assistance may not be conditioned on an individual's or family's acceptance or occupancy of emergency shelter or housing owned by the recipient, the subrecipient, or a parent or subsidiary of the subrecipient. No subrecipient may, with respect to individuals or families occupying housing owned by the subrecipient, or any parent or subsidiary of the subrecipient, carry out the initial evaluation required under § 576.401 or administer homelessness prevention assistance under § 576.103.
(b) *Individual conflicts of interest.* For the procurement of goods and services, the recipient and its subrecipients must comply with the codes of conduct and conflict of interest requirements under 24 CFR 85.36 (for governments) and 24 CFR 84.42 (for private nonprofit organizations). For all other transactions and activities, the following restrictions apply:
(1) *Conflicts prohibited.* No person described in paragraph (b)(2) of this section who exercises or has exercised any functions or responsibilities with respect to activities assisted under the ESG program, or who is in a position to participate in a decision-making process or gain inside information with regard to activities assisted under the program, may obtain a financial interest or benefit from an assisted activity; have a financial interest in any contract, subcontract, or agreement with respect to an assisted activity; or have a financial interest in the proceeds derived from an assisted activity, either for him or herself or for those with whom he or she has family or business ties, during his or her tenure or during the one-year period following his or her tenure.
(2) *Persons covered.* The conflict-of- interest provisions of paragraph (b)(1) of this section apply to any person who is an employee, agent, consultant, officer, or elected or appointed official of the recipient or its subrecipients.
(3) *Exceptions.* Upon the written request of the recipient, HUD may grant an exception to the provisions of this subsection on a case-by-case basis, taking into account the cumulative effects of the criteria in paragraph (b)(3)(ii) of this section, provided that the recipient has satisfactorily met the threshold requirements of paragraph (b)(3)(i) of this section.
(i) *Threshold requirements.* HUD will consider an exception only after the recipient has provided the following documentation:
(A) If the recipient or subrecipient is a government, disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and
(B) An opinion exception is sought would not violate state or local law.
(ii) *Factors to be considered for exceptions.* In determining whether to grant a requested exception after the recipient has satisfactorily met the threshold requirements under paragraph (b)(3)(i) of this section, HUD must conclude that the exception will serve to further the purposes of the ESG program and the effective and efficient administration of the recipient's or subrecipient's program or project, taking into account the cumulative effect of the following factors, as applicable:
(A) Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available;

(B) Whether an opportunity was provided for open competitive bidding or negotiation;
(C) Whether the affected person has withdrawn from his or her functions, responsibilities or the decision-making process with respect to the specific activity in question;
(D) Whether the interest or benefit was present before the affected person was in the position described in paragraph (b)(1) of this section;
(E) Whether undue hardship results to the recipient, the subrecipient, or the person affected, when weighed against the public interest served by avoiding the prohibited conflict; and
(F) Any other relevant considerations.
(c) *Contractors.* All contractors of the recipient or subrecipient must comply with the same requirements that apply to subrecipients under this section.

§ 576.405 Homeless participation.
(a) Unless the recipient is a State, the recipient must provide for the participation of not less than one homeless individual or formerly homeless individual on the board of directors or other equivalent policy- making entity of the recipient, to the extent that the entity considers and makes policies and decisions regarding any facilities, services, or other assistance that receive funding under Emergency Solutions Grant (ESG).
(b) If the recipient is unable to meet requirement under paragraph (a), it must instead develop and implement a plan to consult with homeless or formerly homeless individuals in considering and making policies and decisions regarding any facilities, services, or other assistance that receive funding under Emergency Solutions Grant (ESG). The plan must be included in the annual action plan required under 24 CFR 91.220.
(c) To the maximum extent practicable, the recipient or subrecipient must involve homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under ESG, in providing services assisted under ESG, and in providing services for occupants of facilities assisted under ESG. This involvement may include employment or volunteer services.

§ 576.406 Faith-based activities.
(a) Organizations that are religious or faith-based are eligible, on the same basis as any other organization, to receive ESG funds. Neither the Federal Government nor a State or local government receiving funds under ESG shall discriminate against an organization on the basis of the organization's religious character or affiliation.
(b) Organizations that are directly funded under the ESG program may not engage in inherently religious activities, such as worship, religious instruction, or proselytization as part of the programs or services funded under ESG. If an organization conducts these activities, the activities must be offered separately, in time or location, from the programs or services funded under ESG, and participation must be voluntary for program participants.
(c) Any religious organization that receives ESG funds retains its independence from Federal, State, and local governments, and may continue to carry out its mission, including the definition, practice, and expression of its religious beliefs, provided that the religious organization does not use direct ESG funds to support any inherently religious activities, such as worship, religious instruction, or proselytization. Among other things, faith-based organizations may use space in their facilities to provide ESG-funded services, without removing religious art, icons, scriptures, or other religious symbols. In addition, an ESG-funded religious organization retains its authority over its internal governance, and the organization may retain religious terms in its organization's name, select its board members on a religious basis, and include religious references in its organization's mission statements and other governing documents.
(d) An organization that receives ESG funds shall not, in providing ESG assistance, discriminate against a program participant or prospective program participant on the basis of religion or religious belief.
(e) ESG funds may not be used for the rehabilitation of structures to the extent that those structures are used for inherently religious activities. Solutions ESG funds may be used for the rehabilitation of structures only to the extent that those structures are used for conducting eligible activities under the ESG program. Where a structure is used for both eligible and inherently religious activities, ESG funds may not exceed the cost of those portions of the rehabilitation that are attributable to eligible activities in accordance with the cost accounting requirements applicable to ESG funds. Sanctuaries, chapels, or other rooms that an ESG-funded religious congregation uses as its principal place of worship, however, are ineligible for funded improvements under the program. Disposition of real property after the term of the grant, or any change in use of the property during the term of the grant, is subject to government-wide regulations governing real property disposition (*see* 24 CFR parts 84 and 85).
(f) If the recipient or a subrecipient that is a local government voluntarily contributes its own funds to supplement

federally funded activities, the recipient or subrecipient has the option to segregate the Federal funds or commingle them. However, if the funds are commingled, this section applies to all of the commingled funds.

§ 576.407 Other Federal requirements.

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

(b) *Affirmative outreach.* The recipient or subrecipient must make known that use of the facilities, assistance, and services are available to all on a nondiscriminatory basis. If it is unlikely that the procedures that the recipient or subrecipient intends to use to make known the availability of the facilities, assistance, and services will 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 recipient or subrecipient must establish additional procedures that ensure that those persons are made aware of the facilities, assistance, and services. The recipient and its subrecipients must take appropriate steps to ensure effective communication with persons with disabilities including, but not limited to, adopting procedures that will make available to interested persons information concerning the location of assistance, services, and facilities that are accessible to persons with disabilities. Consistent with Title VI and Executive Order 13166, recipients and subrecipients are also required to take reasonable steps to ensure meaningful access to programs and activities for limited English proficiency (LEP) persons.

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

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

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

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

(f) *Procurement of Recovered Materials.* The recipient and its contractors must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds $10,000 or the value of the quantity acquired by the preceding fiscal year exceeded $10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

Subpart F—Grant Administration

§ 576.500 Recordkeeping and reporting requirements.

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

(b) *Homeless status.* The recipient must maintain and follow written intake procedures to ensure compliance with the homeless definition in § 576.2. The procedures must require documentation at intake of the evidence relied upon to establish and verify homeless status. The procedures must establish the order of priority for obtaining evidence as third-

party documentation first, intake worker observations second, and certification from the person seeking assistance third. However, lack of third- party documentation must not prevent an individual or family from being immediately admitted to emergency shelter, receiving street outreach services, or being immediately admitted to shelter or receiving services provided by a victim service provider. Records contained in an HMIS or comparable database used by victim service or legal service providers are acceptable evidence of third-party documentation and intake worker observations if the HMIS retains an auditable history of all entries, including the person who entered the data, the date of entry, and the change made; and if the HMIS prevents overrides or changes of the dates on which entries are made.

(1) If the individual or family qualifies as homeless under paragraph (1)(i) or

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

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

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

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

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

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

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

(C) An oral statement by the individual or head of household that the owner or renter of the housing in which they currently reside will not allow them to stay for more than 14 days after the date of application for homeless assistance. The intake worker must record the statement and certify that it was found credible. To be found credible, the oral statement must either:

(I) be verified by the owner or renter of the housing in which the individual or family resides at the time of application for homeless assistance and documented by a written certification by the owner or renter or by the intake worker's recording of the owner or renter's oral statement; or (II) if the intake worker is unable to contact the owner or renter, be documented by a written certification by the intake worker of his or her due diligence in attempting to obtain the owner or renter's verification and the written certification by the individual or head of household seeking assistance that his or her statement was true and complete;

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

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

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

(i) For paragraph (3)(i) of the homeless definition in § 576.2, certification of homeless status by the local private nonprofit organization or state or local governmental entity responsible for administering assistance under the Runaway and Homeless Youth Act (42 U.S.C. 5701 *et seq.*), the Head Start Act (42 U.S.C. 9831 *et seq.*), subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e *et seq.*), section 330 of the Public Health Service Act (42 U.S.C. 254b), the

Food and Nutrition Act of 2008 (7 U.S.C. 2011 *et seq.*), section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), or subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 *et seq.*), as applicable;

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

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

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

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

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

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

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

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

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

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

(B) To the extent that source documents are unobtainable, a written statement by the relevant third party (*e.g.,* former employer, public administrator, relative) or the written certification by the recipient's or subrecipient's intake staff of the oral verification by the relevant third party that the applicant meets one or both of the criteria under paragraph (1)(ii) of the definition of ''at risk of homelessness'' in § 576.2; or

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

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

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

(B) To the extent that source documents are unobtainable, a written statement by the relevant third party (*e.g.,* former employer, owner, primary leaseholder, public administrator, hotel or motel manager) or the written certification by the recipient's or subrecipient's intake staff of the oral verification by the relevant third party that the applicant meets one or more of the criteria under paragraph (1)(iii) of the definition of ''at risk of homelessness''; or To the extent that source documents and third-party verification are unobtainable, a written statement by the recipient's or subrecipient's intake staff that the staff person has visited the applicant's residence and determined that the applicant meets one or more of the criteria under paragraph (1)(iii) of the definition or, if a visit is not practicable or relevant to the determination, a written statement by the recipient's or subrecipient's intake staff describing the efforts taken to obtain the required evidence; or

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

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

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

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

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

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

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

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

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

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

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

(g) *Centralized or coordinated assessment systems and procedures.* The recipient and its subrecipients must keep documentation evidencing the use of, and written intake procedures for, the centralized or coordinated assessment

system(s) developed by the Continuum of Care(s) in accordance with the requirements established by HUD.

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

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

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

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

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

(m) *Coordination with Continuum(s) of Care and other programs.* The recipient and its subrecipients must document their compliance with the requirements of § 576.400 for consulting with the Continuum(s) of Care and coordinating and integrating ESG assistance with programs targeted toward homeless people and mainstream service and assistance programs.

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

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

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

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

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

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

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

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

(3) Records demonstrating compliance with the environmental review requirements, including flood insurance requirements.

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

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

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

(2) The recipient and its subrecipients must keep documentation showing that ESG grant funds were spent on allowable costs in accordance with the requirements for eligible activities under § 576.101-§ 576.109 and thecost

principles in OMB Circulars A–87 (2 CFR part 225) and A–122 (2 CFR part 230).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Alameda County
Priority Home Partnership
(PHP)
City of Berkeley

Emergency Solutions Grant

Rapid Rehousing and Prevention Assistance

Policies and Procedures Manual

Version 2

January 2014

Priority Home ESG
Policies and Procedures Manual

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Introduction

The Emergency Solutions Grant (ESG) is a federal program that provides funding to states and local governments for emergency services and housing supports for homeless and at-risk households. Under the 2009 HEARTH Act, eligible activities under ESG were expanded from traditional shelter and outreach services to also include rapid rehousing and targeted homeless prevention. Per the ESG regulations (§576.400) ESG recipients must consult with the Continuum of Care entity in their region to determine how to allocate ESG funds, develop performance standards and evaluate the outcomes of projects and activities funded with ESG. They also must develop written policies and procedures for determining which households will receive assistance and for determining the type, amount, and length of assistance to be offered to eligible households.

Program Purpose

The primary purpose of local ESG-funding for prevention and/or rapid rehousing is to serve households as close to the "front door" of homelessness as possible – either by diverting them from entry into homelessness, and particularly to shelter, through prevention assistance, or assisting persons as soon as possible after becoming homeless, including after entering shelter, to end their homelessness quickly and shorten lengths of stay in shelter and time spent homeless. In some cases, particular subpopulations may be targeted for this assistance, consistent with plans to end homelessness.

This manual of policies and procedures covers all ESG recipients and subrecipients operating prevention and/or rapid rehousing programs in Alameda County, as these areas are all contained in HUD-recognized Continuum of Care 502. ESG entitlement recipients in Alameda County currently include the Cities of Berkeley and Oakland and the County of Alameda on behalf of the Urban County. Additional ESG subrecipients within the County may be selected by the State of California or, from time to time, additional cities may become entitlement for ESG. This manual was developed collaboratively by the CoC Entity, EveryOne Home, and all current entitlement recipients and State ESG subrecipients.

Interim Guidelines

The ESG and CoC regulations require that the Continuum of Care develop and implement a centralized or coordinated assessment system, and a set of written standards for CoC funded activities. Once coordinated assessment is established, each ESG-funded program or project must use the assessment system, and recipients and subrecipients must work with the Continuum of Care to ensure that screening, assessment and referral of program participants are consistent with the written standards required for ESG programs. This manual and the written standards contained herein for prevention and rapid rehousing are considered interim for the period until a broader coordinated assessment system and written standards for assistance have been developed and adopted across the Continuum.

A complete version of the ESG Interim Regulations can be found here: https://www.onecpd.info/resources/documents/HEARTH_ESGInterimRule&ConPlanConformingAmendments.pdf

Structure of the Manual

This manual is for ESG recipients, subrecipients, and interested parties. It provides a detailed description of the steps that will be taken to determine eligibility, calculate financial assistance, recertify for eligibility, provide support and terminate ESG assistance for rapid rehousing and prevention. Required and/or recommended forms and documents are provided in an Appendix of Forms and Documents at the end of the manual. In some cases, recipients or subrecipients may target their programs more specifically to subpopulations, such as survivors of domestic violence or seniors who are otherwise eligible.

Items in bold italics that are highlighted in grey, are changes to the manual specific to how the City of Berkeley will implement the program.

A document icon appears by every form that is referred to and clicking on the highlighted hyperlinks on the names of the form will take the reader directly to the referenced documents in the Appendix.

💻 Some key forms and information are entered into the county-wide InHOUSE Homeless Management Information System. Forms that are provided by InHOUSE are not included in this manual but are indicated by a computer icon.

Acknowledgments: The development of the ESG Manual was supported by Alameda County EveryOne Home and the City of Berkeley. For more information related to the ESG Manual or about the Priority Home Partnership, please contact Elaine DeColigny, EveryOne Home Director, at (510) 670-5944 or email everyonehome@acgov.org. The manual was prepared by Katharine Gale Consulting with input from local government and community agency staff including the following persons: Kerry Abbot, Erika Bernheimer, Elaine DeColigny, Geoff Green, Kristin Lee, Susan Shelton, Liz Varela, Jennifer Vasquez, and Riley Wilkerson.

1: Participant Eligibility

As stated above, the primary purpose of ESG-funded rapid rehousing and prevention is to reduce entries into homelessness and/or shorten stays in homelessness to the greatest extent feasible.
To be eligible to receive ESG prevention or rapid rehousing assistance, participant households in Alameda County must meet both national and local requirements, and this eligibility must be documented with an application and supporting documentation kept in a client file. These requirements include:

- Participants must be homeless or at imminent risk of homelessness, per the applicable HUD definitions in the ESG regulation (§576.2) supported by documentation;
- Participants must be one of the locally targeted populations for the program, as specified on the application and eligibility determination form;
- Participants must be willing to participate in the program and to meet the terms of a self-developed Housing Stability Plan;
- Participants may not have already received 24 months of ESG assistance during the past 36 months (§576.105(c));
- Participants must meet the local asset policy, including having cash or equivalent assets of less than $2,000 per single individual and $3,000 per couple;

In addition:

- Participants receiving prevention assistance must have incomes at or below 30% of the Area Median Income (§576.103).

Eligibility for Rapid Rehousing

Rapid rehousing provides financial assistance and supportive services to individuals or families that are literally homeless, staying in shelter or transitional housing or on the streets or other places not suitable for human habitation, or exiting institutions and having entered from one of these locations. Eligibility for rapid rehousing includes those fleeing domestic violence who are living in one of the places named above.

In keeping with the intentions of the program, rapid rehousing assistance will be used primarily to serve households that are:

1) Adults or family households able to be rehoused rapidly without anticipation of an ongoing subsidy, with ESG financial assistance anticipated to be of six months or less duration;
2) Adults or family households able to be rehoused rapidly with an ongoing subsidy from another source anticipated within six months of ESG program participation
3) Transition-age youth, especially those recently discharged from foster care, who are able to be rehoused rapidly without anticipation of an ongoing subsidy, with ESG assistance of eighteen months or less duration.

Eligibility for Prevention Assistance

Prevention assistance will be directed to persons who are not literally homeless but are at imminent risk of homelessness per the HUD Homeless definition (Category 2). Prevention assistance may include support to a household to retain its current housing or to move to other housing without having to become literally homeless. While the ESG regulations allow for ESG prevention to be provided to those categorized as "at-risk" but not necessarily at "imminent risk", Alameda County ESG programs will target prevention services specifically to those that are at "immediate risk" defined as:

> *"An individual or family who will imminently lose their primary nighttime residence, provided that:*
> - *the primary nighttime residences will be lost within 14 days of the day of application for homeless assistance;*
> - *no subsequent residence has been identified; and,*
> - *the individual or family lacks the resources of support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing."*

Within the category of "imminent risk" special attention and outreach will be done to target those households that are:

1) doubled up with family and friends, must move within 14 days and are seeking to enter shelter;
2) living in a hotel or motel using their own resources , must leave within 14 days, and are seeking to enter shelter;
~~3) living in their own housing, are being evicted for non-payment of rent, must leave within 14 days, and are seeking shelter~~; ***Not eligible under the City of Berkeley Priority Home Partnership (PHP). These households may be eligible for the Housing Retention Program (HRP).***
4) fleeing domestic violence;
5) imminently leaving foster care, or have recently left foster care and are at imminent risk of losing their current housing.

Eligibility Determination

Program operators must determine that potential participants are eligible for assistance, and document this eligibility, including verifying income and housing status. The Program Application and Eligibility Determination Form contains key questions and documentation requirements.

A copy of the ESG Program Application and Eligibility Determination Form can be found in the Appendix. This document and all supporting documentation should be placed in the Participant's File.
A cover sheet for participant files with a list of all of the program documents can be found here.

Ineligible applicants: If a household is assessed and determined to be ineligible, the program operator must notify the household that they have been determined to be ineligible, provide them with appropriate referrals which should be noted on the application form, and create a client file documenting the assessment process and determination.

2: Enrollment

Once found eligible, to enroll the head of household must sign the ESG Participation Agreement complete the HMIS ROI and staff must complete an HMIS Standard Intake Form (SIF) for all household members.

A copy of the ESG Program Participation Agreement can be found in the appendix, immediately following the Application form.

The HMIS Release of Information (ROI), and the Standardized Intake Form (SIF) are developed and updated by the InHOUSE staff at Alameda County Housing and Community Development Department, in accordance with HUD regulations. Housing Agency staff must ensure that the forms in use are the most recent ones, as HUD and local requirements change periodically. If you are unsure that the forms are the most recent, email HMIS@acgov.org.

Budget and Housing Stability Plan

The purpose of ESG Prevention and/or Rapid Rehousing assistance is to provide the support necessary to help the household retain or gain housing in the shortest period of time possible. Critical to being able to retain the housing is a budget and a housing plan. The budget is also needed to determine the amount of financial assistance to be provided.

The Housing Stability Plan should be updated as frequently as necessary to reflect changing situations. Once a participant has moved into housing, the housing specialist and participant should prepare a new Housing Stability Plan that emphasizes those steps or actions needed to retain housing.

A Sample Budgeting Worksheet and a sample Housing Stability Plan format can be found in the Appendix of Forms. ***ESG-funded programs may use another version of these forms if approved by the recipient.*** Be sure to make a copy of the Budget and Housing Plan for the participant and insert a signed copy in the participant's file.

3: Financial Assistance for Housing

Eligible Financial Assistance Expenses

The ESG program has the ability to provide temporary financial assistance to participants on a short or medium-term basis. This assistance may include:

Security Deposits: The housing agency may provide a maximum of two times the monthly rent for a unit as a security deposit to assist a participant to secure housing. At such time as the participant may leave the unit and the landlord return all or part of the deposit to the participant, the participant may retain any balance to use toward a new housing situation.

Utility Deposits: If, in order to begin utility service, the household must provide a deposit to a utility company, the program may assist with this deposit.

Rental Assistance payments: If the participant cannot currently afford to rent a unit in the community but is reasonably anticipated to have sufficient income, either through employment or benefits, within approximately six months the program may provide a rental subsidy for the participant. Such subsidies will be as low as possible:

- If the participant has an income he/she is expected to contribute at least 50% of his/her income toward the rent, unless the participant is expect to receive a permanent housing subsidy within approximately six months, in which case the participant may pay only 30% of their income. Documentation of the expectation of a permanent subsidy should be included in the file.
- If the participant has no income, the program may subsidize the entire rent for the first three months.

Rental assistance may be conditioned on the participant fulfilling his or her agreements as part of the Housing Stability Plan and is never offered for more than three months at a time. To continue rental assistance after three months, the program must recertify the participant. See Section 6: Three Month Reassessment of Eligibility

Past due rent arrears: ~~If in order for a household to retain their housing they must pay past due rent the program will cover up to three months of rent arrears not to exceed $3,000~~ ***Not eligible under the City of Berkeley PHP.***

Past due utility arrears: In rare cases, the ESG program will provide funding for past due utilities. The program will only provide such funding for prevention clients if failure to do so will result in the loss of utilities and under the terms of the participants lease this would be grounds for eviction. The program will only provide utility arrears assistance to rapid rehousing clients if utility arrears mean that then household will be unable to establish utility service in their new housing.

In addition, ESG funds may be used to cover the costs of rental applications provided this is a fee that is charge by the owner to all applicants.

Determining the Amount of Financial Assistance

The amount of financial assistance is determined by the amount needed to secure the housing and by the amount of contribution the household is able to make toward the housing costs.

For one-time costs, such as security deposits, and rent and utility arrears, the program will pay the entire amount if the household will have less than 50% of income available after paying rent, the household's budget does not contain any disposable income, and the household assets are less than $500.00. If the household has assets greater than $500, and/or the household budget indicates income is available to make a portion of the payment, the household should be required to provide a portion of the deposit and/or arrears. The household's payment may be made through a payment plan with the landlord or utility company if that is possible.

For rental assistance payments, households with any income are expected to contribute either 50% of their income, or 50% of the rent, whichever is lower. An exception to this rule may be made for persons with disabilities who are anticipated to receive a permanent subsidy within six months of their ESG program enrollment.

With agency supervisor approval, households may be permitted to contribute less toward the rent for a brief period to cover other extraordinary costs. The program may pay the entire rent on behalf of households that have no income.

The ESG Financial Assistance Calculation Form can be found in the appendix. The program should complete the form with the participant and the participant should sign it. This calculation needs to be prepared every three months for households receiving medium-term rental assistance.

All financial assistance provided must be recorded in HMIS.

4: Supportive Services and Connection to Mainstream Resources

Whether covered by ESG funds or other sources, ESG programs are expected to assist clients with housing stability case management and with housing search and placement services as needed.

Housing stability case management includes:

- conducting the official evaluation of eligibility and need, including verifying and documenting eligibility
- counseling
- developing, securing, and coordinating services and assistance in obtaining Federal, state and local benefits
- monitoring and evaluating participant progress;
- providing information and referral to other providers;
- developing an individualized housing plan to permanent housing stability; and
- conducting reevaluations.

These services *may not exceed* 30 days during the period the program participant is seeking permanent housing, and may be provided for up to a total of 24 months within a 36 month period.

While providing prevention or rapid rehousing financial assistance, the program must ensure that the participant meets with a case manager not less than once per month to assist the participant in ensuring long-term housing stability. Case management should be provided more frequently if needed.

Housing search assistance are those services intended to assist program participants in locating, obtaining, and retaining suitable permanent housing, and are expected to be offered to all participants receiving rapid rehousing assistance or prevention assistance that includes moving to another unit. These include:

- assessment of housing barriers, needs, and preferences;
- development of a plan for locating housing;
- housing search;
- outreach and negotiations with landlords; and
- assistance with submitting rental applications and understanding leases.

Links to Mainstream Services

As part of the stability case management, each participant is expected to be assisted, as needed to obtain other services and mainstream benefits including:

- 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
- other federal, state, local, and private assistance available to assist the program participant in obtaining housing stability, including
    - Medi-Cal or other medical insurance
    - TANF
    - Food stamps/Supplemental nutrition assistance (SNAPS)
    - WIC
    - Unemployment insurance
    - SSI/SSDI
    - Child and adult care food program
    - Other mainstream benefit programs from which the participant household could benefit.

🗀While no specific form is provided for this documentation, all case management meetings must be documented in the participant file, and/or in the HMIS case management module. Documentation should include evidence of assistance provided to obtain mainstream resources and the results of that assistance. Subrecipients are encouraged to check with the recipient for approval of documentation.

Legal Services

ESG funds may be used for legal services that are 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. More detail on eligible legal services activities can be found at (§576.102 (a)(1)(vi)) and (§576.105(b)(4)).

While legal services providers that do not provide financial assistance are not required to complete the financial assistance calculation form, they must ensure that all households assisted meet program eligibility (Section 1 above) including completing the application for assistance to document participant eligibility, and must ensure that the units assisted meet the habitability standards in Section 5 below.

5: Housing Unit Requirements

In addition to the household being eligible, the unit to be assisted must also meet eligibility requirements. These include that the rent is both reasonable and at or below the Fair Market Rent market rent, and that the unit meets habitability standards.

A. Rent Reasonableness and Compliance with Fair Market Rent

ESG programs must perform both a rent reasonableness determination and document that the rent falls at or below the Fair Market Rent on every unit assisted, whether for prevention or rehousing.

"Rent reasonableness" means that the total rent charged for a unit must be reasonable in relation to the rents being charged during the same time period for comparable units in the private unassisted market and must not be in excess of rents being charged by the owner during the same time period for comparable non-luxury unassisted units.

To make this determination, the recipient or subrecipients should consider

(a) the location, quality, size, type, and age of the unit; and
(b) any amenities, housing services, maintenance and utilities to be provided by the owner.

Comparable rents can be checked by using a market study, by reviewing comparable units advertised for rent, or with a note from the property owner verifying the comparability of charged rents to other units owned (for example, the landlord would document the rents paid in other units). NOTE that not every element in the suggested list of nine things to check for must be known to establish a comparable unit. See more guidance at http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_11753.pdf

The Fair Market Rent (FMR) is a benchmark established by HUD for regions. For ESG, the FMR is the maximum rent permitted even if other similar units rent for more.

Final FY 2013 FMRs By Unit Bedrooms Oakland-Fremont, CA HUD Metro FMR Area (**Alameda and Contra Costa Counties**)					
SRO	Studio/Efficiency	1-bedroom	2-bedroom	3-bedroom	4-bedroom
$776	$1,035	$1,255	$1,578	$2,204	$2,704

Source: http://www.huduser.org/portal/datasets/fmr.html

The above chart displays the Fair Market Rents applicable during FY2013. Fair Market Rents are updated and published by HUD every year. Programs must ensure that they are using the FMR's in effect at the time of their determination.

A copy of a Rent Reasonableness and FMR Certification form can be found in the forms appendix. Subrecipients may use an alternative rent reasonableness determination form meets the requirements of the ESG regulations §576.106 and has been approved by the ESG recipient.

B. Housing Inspection

In order to ensure that ESG funds are used in housing that meets minimum habitability standards, an inspection must be performed on every unit assisted, whether for prevention or rehousing. This inspection includes compliance with the Lead Paint Poisoning Prevention Act.

A copy of a suggested Habitability Standards Inspection Form can be found in the forms appendix. Subrecipients may use an alternative inspection form as long as it covers all of topic areas required under ESG regulations §576.403 and has been approved by the ESG recipient.

C. Rental Assistance Agreement

Relationships with landlords are a central component of the program. The housing specialist assists both the participant and the landlord to make the housing successful.

Once a unit has been identified and inspected, the housing agency must ensure that:

a) The tenant receives a written lease or rental agreement from the landlord which clearly outlines the terms of tenancy and conforms with applicable California and local law; and

b) The landlord is apprised of the nature of the program, the anticipated support to the participant, the obligations of the landlord, and the manner in which the landlord may contact the program if there are concerns.

At a minimum, the housing agency will provide the landlord with a copy of the Rental Assistance Agreement Letter describing the program and outlining the basic support the participant is anticipated to receive. The landlord must sign the letter and return it to the agency. Some agencies may prefer to use a contract or housing assistance payments (HAP) agreement that outlines in greater detail the rights and obligations of the parties. Use of such an agreement is fine if it covers all requirements in the ESG regulations §576.106 and has been approved in advance by the ESG recipient.

In order to determine that the landlord named on the lease is the legitimate owner of the property, the housing agency will use a database service, such as Realquest, or another manner to verify and document the ownership. In addition, the housing agency shall collect a W-9 from the landlord or property management agency and follow all IRS reporting requirements.

A copy of the Rental Assistance Agreement Letter is included in the appendix. A copy of this letter or an acceptable substitute agreement should be kept in the participants file, along with a copy of the tenant's lease and ~~printout from the database used to verify the ownership of the unit and~~ a copy of the W-9. The original W-9 must be given to ~~the housing agency's finance division~~ ***the City of Berkeley. The City of Berkeley will verify property ownership.***

6: Three Month Reassessment of Eligibility

Any participant who receives more than three months of assistance from the program needs to be formally reassessed. This is distinguished from the more frequent check-ins and meetings with the client, which should occur frequently and as needed, and are recorded in case notes.

During the reassessment process, the program is, at a minimum, confirming:

- The participant has not received more than 24 months of assistance, including any arrears coverage.
- The participant's income level is such that there is still a need to provide financial assistance in order to maintain housing stability.
    - Income is not greater than 30%of the Area Median Income (AMI)
    - Rent is more than 50% of participant income (unless the participant is awaiting a permanent subsidy and is currently paying 30% of income.)
- The participant is making documented progress on their housing plan and taking the steps needed towards housing stability without program financial assistance.
- The participant lacks the financial resources or support networks to secure their housing without continued assistance.

The three month reassessment is also used to update the participant's HMIS record with current information about housing and income.

Once the three month reassessment of eligibility is completed, the household should be notified whether they will continue to receive assistance or not, including signing the reassessment form. If continuing to receive assistance, new documents, including an updated housing stability plan, budget and financial assistance calculation should be prepared and discussed with the client.

A copy of the Three Month Reassessment of Eligibility is included in the appendix. The Reassessment requires updated documentation of income, which should be attached to the form and included in the file.

Key pieces of information from the Three Month Reassessment Form, including any change in income or address is to be entered into HMIS. (In the future, the Three Month Reassessment may be an HMIS provided form.)

7: Termination of Housing Assistance or Program Participation

Housing assistance under this program is intended to be temporary and to help participants secure housing that they can remain in without long-term financial support. Any housing assistance is contingent on the participant's active participation in carrying out the terms of his/her Housing Stability Plan. Failure to take steps agreed to in the plan, such as seeking work, applying for benefits, looking for housing or accepting housing that meets the participant's criteria are a reasonable basis for recommending termination of financial assistance.

If a program participant is found to be violating the participation agreement, reasonable efforts will be made and documented by staff to assist the participant to address the issue or correct the violation prior to terminating services. Violations that endanger staff, any other participant, any other person, or the viability of the program as a whole will be acted upon immediately.

If a participant is determined to be in continued or grave violation of the program rules, a written Notice of Termination of Assistance will be provided to the program participant containing a clear statement of the reasons for termination, the date on which the termination will become effective, and the process for appealing the decision.

Participants receiving a Notice may request that the decision to terminate participation be reviewed by making a request to the designated supervisor within the agency. This request must be made in writing and must be reviewed within 14 calendar days. A written notice of the final decision will be issued to the participant.

The program may also resume assistance to a program participant whose assistance was previously terminated with the approval of the agency supervisor.

A sample Notification of Termination of ESG Assistance is provided in the Appendix of Forms. Subrecipients may use an alternative Termination form as long as it covers all of topic areas required under ESG regulations §576.402 and has been approved by the ESG recipient***, the City of Berkeley.***

Grievances and Appeals

Agencies ~~ESG subrecipients~~ must notify participants of the agency's grievance policy at the time of program enrollment, including providing them with a written copy of the policy and keeping a copy of a signed version of the policy or other notification in the participant file. Housing agencies will follow their agency grievance and appeals process, through to the level of the highest ranking staff member of the agency or as may be otherwise specified in the agency's approved policy and procedures.

If there is a grievance specific to the ESG which has not been resolved through the agency grievance process, ESG program participants may appeal to the local recipient, ***the City of Berkeley***. Recipients will follow their appeal process.

8: Program Exit

Upon completion of the program, or upon termination prior to completion, all members of the household should be exited from the program in HMIS. At this time all information including household income, final address and housing status are recorded and updated.

The Exit Form is an HMIS-provided form. A printed copy of the form(s) should be kept in the participant file and all data entered into HMIS.

City of Berkeley
ESG Rapid Rehousing and Prevention

Appendix of Forms and Documents

(click here to return to the main section of manual)

City of Berkeley
ESG Client File Document Check List
(click here to return to relevant section of manual)

Last Name: _____ First Name: _____ HMIS ID: _____

I. **Eligibility Documentation** (check or indicate date completed in blank to left)

_____ Application for Assistance and Eligibility Screening Form
____ Homeless Status/At-Risk Housing Status and Back up Documentation
____ Income Eligibility Determination and Back up Documentation
____ Asset Verification Documentation
_____ Intake on Head of Household (HMIS SIF form)
_____ Intake(s) on other household members ***(if applicable)*** (HMIS SIF form)
Intake on other adult _____ Intake on other adult _____
Intake on child: _____ Intake on child:_____
_____ Other: _____
_____ Current ROI _____ Date:_____

II. **Documentation on the Housing Unit and/or Utilities** (check or indicate date completed in blank to left)

_____ Documentation ~~of rent or~~ utility arrears ***(if applicable)***
_____ Rent Reasonableness and Payment Standard determination for rental unit
_____ Habitability Inspection (includes Lead Assessment)
_____ Lease between Participant and Landlord
_____ Rental Assistance Agreement with Landlord
_____ W-9 Form
_____ Other: _____
_____ RealQuest or other owner verification documentation

III. **Documentation of Assistance/Ongoing Services** (check or indicate date completed in blank to left)

_____ Household Budget
_____ Housing Stability Plan
_____ Financial Assistance Calculation Form
_____ Links to Mainstream Resources
_____ Case Management Notes
Three Month Reassessment(s) ***(if applicable, insert dates)***
1. _____ 2. _____ 3._____ 4._____
_____ Exit Form (HMIS form)
_____ Termination of Housing Assistance Form ***(if applicable)***
_____ Other: _____

City of Berkeley
ESG Application for Assistance and Eligibility Determination Form

(click here to return to relevant section of the manual)

Complete this form and have the head of household sign it. This form will determine eligibility and act as an application by the household for assistance.

Assessment Date: __ __ / __ __ / __ __ __ __

Staff: _____ Agency: _____

A. General Information

1. Head of Household:

First: _____ Middle: _____ Last: _____ Suffix:____

Complete ROI for Head of Household or check here _____if current ROI on file

2. Other Members of Household

First Name	Last Name	Age	Relationship to Head of Household

Total number of persons in household: _____

If applicant is determined to be eligible for assistance, you must complete an HMIS Standard Intake Form (SIF) for every household member.

3. Why are you seeking assistance? Please choose an option, then describe below.

□□I am living on the streets, or a place not meant for human habitation	□□I am in a shelter or TH housing program and have been referred for rapid re-housing	□ I am applying for shelter because I must leave where I am currently staying	□□~~I want to keep the housing I have and am at imminent risk of losing it~~ ***Not eligible under the City of Berkeley PHP***

Explanation:

_____

I understand that I am applying for assistance from the federally-funded Emergency Solutions Grant Program. I understand that I am required to certify that all information in this application is true and to provide all required documents to determine eligibility and to enter into a housing stability plan if I am eligible for assistance. I also understand that financial assistance is not guaranteed, is time-limited, and may be terminated or adjusted at any time. I declare that all information I have provided in this application is true to the best of my knowledge.

Head of Household Signature: _____ Date: _____

B **. Rapid Rehousing Assessment** (Cross through and skip this section if applicant household is applying for prevention assistance)

Homeless Status Documentation: To receive rapid rehousing assistance, clients must be homeless by the HUD Homeless Definition and eligible for assistance under certain categories. Use this portion of the form if the applicant client household is Literally Homeless (Category 1), or is fleeing/attempting to flee domestic violence *(Category 4)* ***and*** also meets the category of Literally Homeless. Otherwise, complete Section B. of this form for Homeless Prevention.

1. Is household among the eligible target population for this program?

☐ Living/staying in a shelter.

☐ Living on the streets, a car, an encampment or a place not meant for human habitation.

☐ Living/staying in transitional housing.

☐ Exiting an institution where s(he) resided for 90 days or less and previously resided in a shelter or the streets of place not mean for human habitation.

☐ Fleeing or attempting to flee domestic violence ***and also meets one of the above conditions.***

Documentation	
Literally Homeless – on the streets or in a shelter	(in order of preference for documentation) ☐ Written observation by an outreach worker (attached), or ☐ Written referral by another housing or service provider (attached) HMIS intake for shelter/TH, or ☐ Self- certification that s(he) was living on the streets or in a shelter (attached)
Exiting an institution and entered from literal homelessness	One of the forms of evidence above and ☐ Discharge paperwork or written/ or documented oral referral (attached), or ☐ Written report of intake workers due diligence to obtain above evidence and certification by the individual that they exited institution (attached)

Be sure to attach the supporting documentation to the application in file.

2. This household is a candidate for ESG rapid rehousing because:

☐ They are homeless but have adequate income to afford a place if assisted to obtain one with short-term assistance (deposit and up to one to three month's rent subsidy).

☐ They are homeless and don't currently have adequate income for housing but have potential to increase income to be self sustainable within approximately 6 months and are willing to commit to a housing stability plan.

☐ They are currently homeless but with assistance can move into a stable situation with friends or family or another situation that doesn't require an increase in income ***and will be included on a lease***.

☐ They are currently homeless and are expected to receive a housing subsidy within six months from another source but need financial assistance to gain housing and/or support services

Subsidy anticipated:
☐ OPRI ☐ VASH ☐ Shelter Plus Care ☐ Other: _____

☐ Benefit anticipated: SSI Date expected: _____Verified by 3rd Party: _____

Note: ESG funds may not be used to cover any cost covered by another subsidy source. For rapid rehousing candidates with a subsidy, ESG may only be used to pay security deposit and utility deposits if needed to secure housing.

☐ Current Subsidy _____ pays for:
_____

☐ No other subsidy currently

Proceed to Part D: Income Verification Section

C. Homelessness Prevention (Cross through and skip this section if applicant household is applying for Rapid Rehousing)

To receive Prevention assistance, clients may either be homeless under certain categories of the HUD Homeless Definition or At risk of Homelessness under any category of that definition. Use this portion of the form if the applicant client household is at Imminent Risk of Homelessness (Category 2), fleeing/attempting to flee domestic violence ***but*** does not meet the category of Literally Homeless (Category 4) or is At Risk of Homelessness. Households who do not qualify for rapid rehousing or prevention assistance under these definitions are not eligible for ESG assistance under this program.

1. This household is a candidate for prevention assistance because:

☐ They are currently seeking shelter, and have been staying with family or friends who will no longer let them remain there. (Must be required to leave within 14 days.)

☐ They are staying in a hotel or motel using their own resources, have no other residence and lack the resource and support networks to obtain other permanent housing.

☐ They are fleeing or attempting to flee domestic violence, have no other residence and lack the resource and support networks to obtain other permanent housing.

~~☐ They have a place to live with their name on the lease from which they are being evicted (must be required to leave within 14 days.)~~ ***Not eligible under the City of Berkeley PHP.***

☐ The are about to be discharged from foster care, or have recently been discharged from foster care, and the residence where they are currently living will be lost within 14 days

Documentation	
Imminent Risk of Homelessness	☐ A court order resulting from an eviction action notifying the individual or family that they must leave (attached), or ☐ Leaving a hotel or motel – evidence that household has been staying in hotel/ motel (attached), and this application documents lack of resources ☐ A documented and verified oral statement that residence will be lost within 14 days of the date of this application (attached), and this application documents lack of resources.
Leaving an institution, including foster care	One of the forms of evidence above <u>and</u> ☐ Discharge paperwork or written/oral referral (attached), or ☐ Written report of intake workers due diligence to obtain above evidence <u>and</u> certification by the individual that they exited an institution or foster care (attached)
Fleeing domestic violence	For victim services providers: ☐ An oral statement, by the individual or head of household self-certified or certified by the intake worker, which states they are fleeing and have no subsequent resident or resources. For non-victim services providers: ☐An oral statement, by the individual or head of household self which states they are fleeing and have no subsequent resident or resources. Where the safety of the individual or family is not jeopardized, the oral statement must be verified.

2. Housing Assessment (Prevention Only) ***Households with a lease in their name are not eligible for the City of Berkeley PHP assistance. Please go to section II of this page.***

I. If household intends to keep current housing, what is the monthly rent? _____

If the household intends to remain in their current unit, does the rent amount exceed the FMR payment standard (based on the chart below)?

☐No: Proceed to next page.

☐Yes: Client is not eligible to be subsidized in their current unit. Ask the client if they are interested in relocating to less expensive housing and if so, proceed with assessment. Otherwise, stop here; client is not eligible. Proceed to end of form

Final FY 2013 FMRs By Unit Bedrooms Oakland-Fremont, CA HUD Metro FMR Area					
SRO	Studio/Efficiency	1-bedroom	2-bedroom	3-bedroom	4-bedroom
$776	$1,035	$1,255	$1,578	$2,204	$2,704

Source: http://www.huduser.org/portal/datasets/fmr.html 2/5/12

Is your name on a rental agreement?
☐No ☐Yes

If you owe back rent, how much do you owe? _____ ***Not eligible under the City of Berkeley PHP.***

How many month's rent is that?
☐One ☐Two ☐Three ☐Four ☐Five ☐Six or more ☐Don't Know

Is your landlord willing to accept rent from you?
☐No ☐Yes ☐Don't Know ☐Does Not Apply

If you are at risk of eviction, where are you in the eviction process?
☐Have not been served formal notice ☐Served a 3-day notice to pay rent or quit ☐Served an Unlawful Detainer summons ☐Eviction judgment has been issued
☐Does not apply

II. If your name is not on a rental agreement, are you living with someone who has a rental agreement and who has notified you in writing that you must leave?
☐No ☐Yes

Do you currently receive any type of housing or utility subsidy or assistance from any other source?
☐No ☐Yes
Subsidy pays for: _____

Note: ESG funds cannot be used to cover any cost covered by another subsidy source. For prevention candidates with a housing subsidy, ESG may only be used to pay the tenant portion of overdue back rent.

Be sure to attach housing status verification form and supporting documentation in file. Proceed to Part D: Income Verification Section

D. Income Verification

What is the combined income of this applicant household? _____

Household size: _____

Alameda County, California FY2013 Income Limits								
Household Size	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
Extremely Low Income (30% of AMI)	$18,750	$21,400	$24,100	$26,750	$28,900	$31,050	$33,200	$35,350

Source: http://www.huduser.org/portal/datasets/il/il2013/2013summary.odn 12/11/12

☐ At or below 30% AMI for household size

☐ Above 30% AMI for household size and seeking rapid rehousing assistance. The City of Berkeley authorization ~~of recipient may be~~ is required to proceed.

Required Authorization: _____ ~~(if applicable)~~

☐ Above 30% AMI for household size and seeking prevention assistance– INELIGIBLE: Proceed to end of form.

You may use the ESG Income Eligibility Calculation Form or another similar form to determine income. Be sure to include income verification form and supporting documentation for determination in file.

E. Resources, Networks and Asset Determination

In addition to meeting the housing status and income requirements, applicants must demonstrate that they do not have sufficient support or resources to retain or gain housing on their own.

ii. Asset Assessment

To determine whether the applicant household has resources that could be used to prevent or end their homelessness, and to determine the amount of financial assistance to be provided, the program must review their assets. This portion of the form applies to all adults in the household listed on page 1.

☐ No Bank accounts

Bank Accounts (*attach appropriate third party documentation for all accounts listed below)*

1. Name of Financial Institution: _____ Type of account:_____

Name(s) on Account: _____

Acct #:_____ Acct. Balance:_____ as of ____/_____/_____

2. Name of Financial Institution: _____ Type of account:_____

Name(s) on Account: _____

Acct #:_____ Acct. Balance:_____ as of ____/_____/_____

Investment Accounts *(obtain appropriate third party documentation for all accounts listed below)*

1. Name of Financial Institution: _____ Type of account:_____

Name(s) on Account: _____

Acct #:_____ Acct. Balance:_____ as of ____/_____/_____

Other Assets

# of Vehicles:_____ ☐ No Vehicles

Make: _____ Model: _____Year:_____

Make: _____ Model: _____Year:_____

For cars that are 2007 or newer, note blue book value: _____

Property (describe and note value): _____

Other (describe):

_____

Be sure to attached copies of bank statements or other asset verification

STOP **If assets exceed $2,000 per individual or $3,000 per couple, if any vehicle is worth more than $10,000, or if household has more working cars than adult drivers, the household is ineligible.**

☐ No ☐ Yes: ineligible. Proceed to end of form

ii. Personal Resource and Networks

Other subsequent housing options

What steps have you taken to identify other appropriate housing options that you can afford *without any assistance from this program*?

Summary of assessment: _____

_____

_____

Does the household have any other appropriate housing options? ☐ Yes ☐ No

2) Financial Resources

Do you have any other resources that you could use to help your household gain housing or remain in your housing? (See asset assessment; discuss use of participants personal resources to resolve situation.)

Summary of assessment: _____

_____

_____

Does the household have other financial resources sufficient to obtain other appropriate subsequent housing or remain in their existing housing? ☐ Yes ☐ No

3) Support Networks

Do you have any other support networks that could help you gain housing or remain in your housing? (This would include family or friends who can lend or give money, a faith-based organization that can assist you, someone with whom you can live, etc.)?

Summary of assessment: _____

_____

_____

Does the household have support networks needed to obtain other appropriate subsequent housing or remain in their existing housing? ☐ Yes ☐ No

F. Approach to housing stability
How did your current situation of homelessness or housing instability come about?

Describe: _____

_____

_____

Are you currently doing anything to increase your household income or decrease your costs?

☐☐No ☐☐Yes ☐☐Does Not Apply

Describe: _____

_____

_____

If you are to be assisted, are you willing to participate in services to increase your income or decrease your costs?
☐☐No ☐☐Yes ☐☐Does Not Apply

If household is not currently working toward increasing income or decreasing costs and is unwilling to do so, the household *may be* determined as ineligible. (Note that households with a fixed income may not need to increase income to remain stable.)

Please add any other information pertinent to eligibility determination:

FOR STAFF USE ONLY:

Last Name: _____ First Name: _____ HMIS ID: _____

Eligibility Determination

A. Household is not eligible to receive ESG assistance due to:
☐ Not among target population for local program

☐ Ineligible Housing Status

☐ Over Income

☐ Households Assets exceed asset limit

☐ Household is already receiving a subsidy for the same cost for which the household is seeking assistance

☐ Adults in household unwilling to engage in activities or participate in services designed to support housing stability plan
☐ Household as already received 24 months of ESG assistance in last 36 months

If client is not eligible, inform client of determination and refer client to other programs that may be able to assist the household. Programs referred to:

1. Program: _____ How was referral made?:_____

2. Program: _____ How was referral made?:_____

3. Program: _____ How was referral made?:_____

4. Program: _____ How was referral made?:_____

B. Household is eligible to receive ESG assistance.

☐ **Eligibility for rapid rehousing verified**; household will be enrolled and housing search assistance will begin.
☐ **Eligibility for prevention assistance verified;** new housing has been identified or current housing is to be retained and program will proceed to check on unit eligibility and to offer financial assistance and housing stability support.

Staff signature:_____ Date: _____

Proceed to ~~enroll~~ collect the below documents from the Household:

- Complete ROI and HMIS Intake
- Enter data into HMIS
- Sign the Participation Agreement
- Complete the Household Budget
- Develop Housing Stability Plan
- Complete Request for Tenancy Approval
- Complete Financial Assistance Calculation Form

City of Berkeley
ESG Program Participation Agreement

(click here to return to relevant section of the manual)

The ESG Program provides support services and limited financial resources to help households gain housing or remain housed. I understand that this program may provide me with some or all of the following services:

- Assistance finding and obtaining housing
- Assistance developing a housing plan
- Assistance to stay in housing I currently occupy, including legal assistance and/or negotiations with family members, friends or landlords;
- One-time or short-term financial assistance to support gaining or retaining housing which may include rental deposits, rental or utility arrears, or short to medium term rental assistance payments designed to secure or retain housing;
- Referrals and support to apply for benefits for which I or a member of my household may be eligible.
- Other services related to securing housing, such as, but not limited to, assistance getting identification, preparing housing applications, searching for housing, negotiating with landlords and other services.

I agree to do the following:

- Provide accurate and honest information to my housing specialist and other program staff.
- Work with a housing specialist to develop a housing plan.
- Take all necessary steps to achieve the goals outlined in the plan.
- Meet with my housing specialist at intervals established in my housing plan, and not less than monthly during my participation in the program.
- Permit home visits and inspections of my housing during my participation in the program. (Advance notice will be provided.)
- Provide current proof of income when requested.
- Pay my portion of rent on time every month and *immediately* advise the housing specialist if I have any trouble in doing so.
- Provide any documentation required by the housing specialist as it pertains to progress on my housing plan, my rent status or income (i.e. attendance record for job training program, proof of application for benefits, etc.)
- Be contacted for follow-up phone calls about my participation in ESG for up to 24 months after I complete the program.

I understand that neither _____ (agency name) nor any party to the ESG Program is responsible for my rent or lease. I understand that assistance will only be provided if I am in compliance with the program requirements including the terms of my Housing Stability Plan.

Client Name:_____ Client Signature: _____ Date: _____

Housing Specialist: _____ Agency Name : _____ Date: _____

City of Berkeley
Sample Budgeting Worksheet

(click here to return to relevant section of the manual)

Participant Name:		Date:
	Actual (with current income)	Proposed (with anticipated income and/or subsidy)
Housing Expenses		
Rent		
PG&E		
Water		
Other:		
Car Expenses		
Loan payment		
Insurance		
Gas		
Maintenance & repairs		
Debt		
Creditor 1		
Creditor 2		
Miscellaneous		
Groceries, Lunches, meals		
Childcare		
School supplies		
Prescriptions		
Cable TV		
Internet Connection		
Telephone		
Clothing		
Hair supplies/Toiletries		
Other:		
Other:		
Expense Total		
Income		
Earnings		
Social Security related $		
Unemployment		
Food Stamps		
Other:		
Other:		
Income Total		
Total Income Minus Expenses		

Participant Signature:_____ Date: _____

Case Manager/Housing Specialist Name_____ Signature_____ Date_____

City of Berkeley
ESG Housing Stability Plan

Client/Head of Household Name: _____ Initial Plan Date _____

My 30 day housing goal is: _____

If different, my 90 day goal is _____

If different, my permanent housing goal is _____

I have or will have the following resources to help me achieve my goals:
1.

2.

3.

In order to reach these goals, I commit to take the following steps:

Step	Actions	What I'll do/Help I'll Receive	30 day progress	60day progress	90 day progress
1		☐referrals to mainstream resources	CM Sign: Date:	CM Sign: Date:	CM sign: Date:
2		☐referrals to mainstream resources	CM Sign: Date:	CM Sign: Date:	CM sign: Date:
3		☐referrals to mainstream resources	CM Sign: Date:	CM Sign: Date:	CM sign: Date:

Client Signature:_____ Date: _____ Housing Specialist: _____ Date: _____

City of Berkeley
ESG Financial Assistance Calculation Form

(click here to return to relevant section of the manual)

Before preparing this calculation, complete the budget form with the Head of Household. Use this form and information from the application, the budget and the lease and/or arrears documentation to determine the amount of financial assistance that the household will receive. **This form must be prepared every three months during the time in which the household receives financial assistance.**

Head of Household : _____ Service Point ID: _____

Assessment date: _____ Staff: _____

☐ First financial assistance calculation ☐ Reassessment of financial assistance

A. GENERAL

Enter the information below from the budget and assets form to determine the amount of financial assistance

Combined Household income: _____ (from application) Rent: _____ (from lease)

Income minus Rent: _____ *** Percent of income for rent without subsidy**:_____

Total Expenses _____ (from budget)

*** Difference between income and expenses**: _____

*** Current Assets:** _____ (from application)

Use information indicated with * to determine financial assistance below

B. SECURITY DEPOSIT (skip if not applicable)

New residence requires a Security Deposit of: _____ (This may include up to two months rent if required as deposit but should not include first month's rent in this calculation. Assistance with First month's rent should be part of the Rental Assistance in section C. below)

Based on income and assets, ***household will make:***

☐ No contribution to the deposit without jeopardizing housing stability (household has less than 50% of income left after paying rent and household budget has no disposable income; household has assets of less than $500.)

☐ A one-time payment toward the security deposit of:_____ (household has assets of greater than $500 and/or budget indicates disposable income available for a payment.)

Program will make a payment on behalf of household of: _____

C. UTILITY DEPOSIT (cross through and skip if not applicable)

To receive utilities at the new residence, one or more utility companies require a Utility Deposit of:
Utility: _____ Required Deposit: _____

Utility: _____ Required Deposit: _____

Utility: _____ Required Deposit: _____

Based on income and assets, ***household will make:***

☐ No contribution to the deposit without jeopardizing housing stability (household has less than 50% of income left after paying rent and household budget has no disposable income; household has assets of less than $500.)

☐ A one-time payment toward the security deposit of:_____ (household has assets of greater than $500 and/or budget indicates disposable income available for a payment.)

Program will make a payment on behalf of household of: _____

D. SHORT OR MEDIUM TERM RENTAL ASSISTANCE (cross through and skip if not applicable)

Client has no income
☐ Program will pay 100% of the rent for up to three months or until a change in income occurs

Household has income and will make payments to the landlord of:

☐ 50% of the rent. Amount: _____

☐ 50% of their income toward the rent: Amount _____

☐ Another amount: _____ (Requires agency supervisor approval.)
Authorized Approval: _____

☐ Household is awaiting an anticipated permanent subsidy and will pay 30% of their income for rent:
Subsidy anticipated: _____Date anticipated: _____

Program will make a monthly rental assistance payment of $ _____ (Rent minus client contribution) for up to three months or until a change in income occurs. Projected length of rental assistance: _____ months.

E. UTILITY ARREARS (skip if not applicable)

This type of support will only be provided if the household will be unable to have utilities in their housing if they do not pay past due arrears.

Household owes _____ in past utility arrears (from documentation of utility arrears)
Based on income and assets available, ***Household will make:***

☐ No payments without jeopardizing housing stability (household pays more than 50% of income for rent and/or household budget has no disposable income; household has assets of less than $500.)

☐ A one-time payment toward the arrears of:_____ (household has assets of greater than $500 and/or budget indicates disposable income available for a payment.)

☐ A monthly payment toward the arrears of: _____ Payment agreement negotiated with landlord.(budget indicates disposable income available for a payment or household has a housing subsidy – attached copy of payment agreement.)

Program will make a payment on behalf of household of _____

F. FINANCIAL ASSISTANCE AGREEMENT

The participant and the program agree to the terms of payment designated above. The program will make payments on behalf of the participant as long as the participant is in good standing with their portion of the agreement and making progress on their Housing Stability Plan.

This agreement expires: _____ (not later than 3 months from first expected payment.)

Participant Signature: _____ Date: _____

Housing Specialist Signature: _____ Date: _____

(Attach this agreement to a copy of lease or occupancy agreement and, if past due rent or utilities, a copy of a record from the landlord/leasor or utility company indicating the amount of arrears.)

City of Berkeley
Rent Reasonableness and FMR Certification

(click here to return to relevant section of the manual)

	PROPOSED UNIT	COMPARISON UNIT #1	COMPARISON UNIT #2	COMPARISON UNIT #3
ADDRESS				
NUMBER OF BEDROOMS				
SQUARE FEET				
TYPE OF UNIT/CONSTRUCTION				
HOUSING CONDITION				
LOCATION/ACCESSIBILITY				
AMENITIES **UNIT:** **SITE:** **NEIGHBORHOOD:**				
AGE IN YEARS				
UTILITIES (TYPE)				
UNIT RENT **UTILITY ALLOWANCE** **GROSS RENT**				
HANDICAP ACCESSIBLE?				

CERTIFICATION:

A. Compliance with Payment Standard

_____ + _____ = _____

Proposed Contract Rent + Utility Allowance = Proposed Gross Rent

Approved rent does not exceed applicable Payment Standard of $_____.

B. Rent Reasonableness

Based upon a comparison with rents for comparable units, I have determined that the proposed rent for the unit [ ] is [ ] is not reasonable.

NAME:	SIGNATURE:	DATE:

City of Berkeley
Habitability Standards Inspection Form

(click here to return to relevant section of the manual)

(based on HUD's HQS and the HPRP Notice; Certified HQS Inspectors may use an HQS form instead)

Name of Participant	Participant Phone Number	Date of Request (mm/dd/yyyy)
Inspector		Date of Initial Inspection (mm/dd/yyyy)
Type of Inspection ☐Initial ☐Special ☐Re-inspection	Date of Last Inspection (mm/dd/yyyy)	Agency

A. General Information

INSPECTED UNIT	**Year Constructed (yyyy):**
Full Address	Housing Type (check as appropriate) ☐Single Family Detached ☐Duplex or two family ☐Row House or Town House ☐Low Rise; 3,4 stories including garden apt. ☐High Rise; 5 or more stories ☐Manufactured Home ☐Congregate ☐Cooperative ☐Independent Group Residence ☐Single Room Occupancy ☐Shared Housing ☐Other: _____
Number of Children in Family Under 6:	
OWNER NAME / OWNER PHONE	
ADDRESS OF OWNER/AGENT	

Is Lead Paint inspection required? (unit was constructed prior to 1978 and children under age 6 or a pregnant woman are in the household.) ☐ Yes ☐ No

B. Summary Decision on Unit (to be completed after form is filled out)

☐Pass ☐Fail ☐Inconclusive	Number of bedrooms	Number of sleeping rooms	Signature of Inspector

How to use this form

1. Review each room in the house as listing in the form (1. Living Room; 2. Kitchen; 3. Bathroom; 4. Other Rooms Used for Living or Halls (use as many as needed); 5. All Secondary Rooms Not Used for Living; 6. Building Exterior; 7. Heating, Plumbing and Installation; 8. General Health and Safety.
   Important: For each item numbered on the checklist, check one box only (e.g., check one box only for item 1.4 "Security," in the Living Room).
2. In the space to the right of the item, if the decision is "Fail," write what repairs are necessary.
3. If the item passes inspection, check the "Pass" box.
4. A final summary page to note repairs needed is provided on the final page. If owner/manager is present at inspection, gather signature on final page.
5. For lead paint inspections, if not required, mark "not applicable." Otherwise, note if the unit is a "pass" or "fail."

INSPECTION CHECKLIST

Item #	1. LIVING ROOM Description	DECISION Yes, PASS	 No, FAIL	Repairs Required
1.1	**LIVING ROOM PRESENT**			
1.2	**ELECTRICITY** Are there at least two working outlets or one working outlet and one working light fixture?			
1.3	**ELECTRICAL HAZARDS** Is the room free from electrical hazards?			
1.4	**SECURITY** Are all windows and doors that are accessible from the outside lockable?			
1.5	**WINDOW CONDITION** Is there at least one window, are all windows free of signs of severe deterioration or missing or broken out panes?			
1.6	**CEILING CONDITION** Is the ceiling sound and free from hazardous defects?			
1.7	**WALL CONDITION** Are the walls sound and free from hazardous defects?			
1.8	**FLOOR CONDITION** Is the floor sound and free from hazardous defects?			
1.9	**LEAD PAINT** Are all painted surfaces free of deteriorated paint? If not, do deteriorated surfaces exceed more than two square feet per from and/or is more than 10% of a component?			☐Not Applicable
Item #	**2. KITCHEN** Description	DECISION Yes, PASS	 No, FAIL	Repairs Required
2.1	**KITCHEN AREA PRESENT**			
2.2	**ELECTRICITY** Is there at least *one* working electric outlet and *one* working, permanently installed light fixture?			
2.3	**ELECTRICAL HAZARDS** Is the kitchen free from electrical hazards?			
2.4	**SECURITY** Are *all* windows and doors that are accessible from the outside lockable?			
2.5	**WINDOW CONDITION** Are all windows free of signs of deterioration or missing or broken out panes?			
2.6	**CEILING CONDITION** Is the ceiling sound and free from hazardous defects?			
2.7	**WALL CONDITION** Are the walls sound and free from hazardous defects?			
2.8	**FLOOR CONDITION** Is the floor sound and free from hazardous defects?			
2.9	**LEAD PAINT** Are all painted surfaces free of deteriorated paint? If not, do deteriorated surfaces exceed more than two square feet per from and/or is more than 10% of a component?			☐Not Applicable
2.10	**STOVE OR RANGE WITH OVEN** Is there a working oven and a stove (or range) with top burners that work?			
2.11	**REFRIGERATOR** Is there a refrigerator that works and maintains a temperature low enough so that food does not spoil over a reasonable period of time?			

2.12	**SINK** Is there a kitchen sink that works with hot and cold running water?			
2.13	**SPACE FOR STORAGE AND PREPARATION OF FOOD** Is there space to store and prepare food?			
	3. BATHROOM	DECISION		
Item #	Description	Yes, PASS	No, FAIL	Repairs Required
3.1	**BATHROOM PRESENT**			
3.2	**ELECTRICITY** Is there at least *one* permanently installed light fixture?			
3.3	**ELECTRICAL HAZARDS** Is the bathroom free from electrical hazards?			
3.4	**SECURITY** Are *all* windows and doors that are accessible from the outside lockable?			
3.5	**WINDOW CONDITION** Are all windows free of signs of deterioration or missing or broken out panes?			
3.6	**CEILING CONDITION** Is the ceiling sound and free from hazardous defects?			
3.7	**WALL CONDITION** Are the walls sound and free from hazardous defects?			
3.8	**FLOOR CONDITION** Is the floor sound and free from hazardous defects?			
3.9	**LEAD PAINT** Are all painted surfaces free of deteriorated paint? If not, do deteriorated surfaces exceed more than two square feet per from and/or is more than 10% of a component?			☐ Not Applicable
3.10	**FLUSH TOILET IN ENCLOSED ROOM IN UNIT** Is there a working toilet in the unit for exclusive private use of the tenant?			
3.11	**FIXED WASH BASIN OR LAVATORY IN UNIT** Is there a working, permanently installed wash basin with hot and cold running water in the unit?			
3.12	**TUB OR SHOWER IN UNIT** Is there a working tub or shower with hot and cold running water in the unit?			
3.13	**VENTILATION** Are there operable windows or a working vent system?			
	4. OTHER ROOMS USED FOR LIVING OR HALLS	DECISION		
Item #	Description	Yes, PASS	No, FAIL	Repairs Required
4.1	**ROOM CODE and ROOM LOCATION:** right/left _____ front/rear _____ floor level _____	ROOM CODES 1 = Bedroom or any other room used for sleeping (regardless of type of room) 2 = Dining Room, or Dining Area 3 = Second Living Room, Family Room, Den, Playroom, TV Room 4 = Entrance Halls, Corridors, Halls, Staircases 5 = Additional Bathroom 6 = Other		
4.2	**ELECTRICITY** If Room Code = 1, are there at least two working outlets or one working outlet and one working, permanently installed light fixture? If Room Code does not = 1, is there a means of illumination?			
4.3	**ELECTRICAL HAZARDS** Is the room free from electrical hazards?			

4.4	**SECURITY** Are *all* windows and doors that are accessible from the outside lockable?			
4.5	**WINDOW CONDITION** If Room Code = 1, is there at least one window? And, regardless of Room Code, are all windows free of signs of severe deterioration or missing or broken out panes?			
4.6	**CEILING CONDITION** Is the ceiling sound and free from hazardous defects?			
4.7	**WALL CONDITION** Are the walls sound and free from hazardous defects?			
4.8	**FLOOR CONDITION** Is the floor sound and free from hazardous defects?			
4.9	**LEAD PAINT** Are all painted surfaces free of deteriorated paint? If not, do deteriorated surfaces exceed more than two square feet per from and/or is more than 10% of a component?			☐Not Applicable
4.10	**SMOKE DETECTORS** Are smoke detectors in each room used for sleeping? Are they working?			

Item #	**4. OTHER ROOMS USED FOR LIVING OR HALLS** Description	DECISION Yes, PASS	 No, FAIL	Repairs Required
4.1	**ROOM CODE and ROOM LOCATION:** right/left _____ front/rear _____ floor level _____	ROOM CODES 1 = Bedroom or any other room used for sleeping (regardless of type of room) 2 = Dining Room, or Dining Area 3 = Second Living Room, Family Room, Den, Playroom, TV Room 4 = Entrance Halls, Corridors, Halls, Staircases 5 = Additional Bathroom 6 = Other		
4.2	**ELECTRICITY**			
4.3	**ELECTRICAL HAZARDS**			
4.4	**SECURITY**			
4.5	**WINDOW CONDITION**			
4.6	**CEILING CONDITION**			
4.7	**WALL CONDITION**			
4.8	**FLOOR CONDITION**			
4.9	**LEAD PAINT**			☐Not Applicable
4.10	**SMOKE DETECTORS**			

Item #	**4. OTHER ROOMS USED FOR LIVING OR HALLS** Description	DECISION Yes, PASS	 No, FAIL	Repairs Required
4.1	**ROOM CODE and ROOM LOCATION:** right/left _____ front/rear _____ floor level _____	ROOM CODES 1 = Bedroom or any other room used for sleeping (regardless of type of room) 2 = Dining Room, or Dining Area 3 = Second Living Room, Family Room, Den, Playroom, TV Room 4 = Entrance Halls, Corridors, Halls, Staircases 5 = Additional Bathroom 6 = Other		
4.2	**ELECTRICITY**			
4.3	**ELECTRICAL HAZARDS**			
4.4	**SECURITY**			
4.5	**WINDOW CONDITION**			
4.6	**CEILING CONDITION**			

4.7	**WALL CONDITION**			
4.8	**FLOOR CONDITION**			
4.9	**LEAD PAINT**			☐Not Applicable
4.10	**SMOKE DETECTORS**			
	5. ALL SECONDARY ROOMS NOT USED FOR LIVING	DECISION		
Item #	Description	Yes, PASS	No, FAIL	Repairs Required
5.1	**NONE. GO TO PART 6**			
5.2	**SECURITY** Are *all* windows and doors that are accessible from the outside lockable in each room?			
5.3	**ELECTRICAL HAZARDS** Are all these rooms free from electrical hazards?			
5.4	**OTHER POTENTIALLY HAZARDOUS FEATURES IN ANY OF THESE ROOMS** Are all of these rooms free of any other potentially hazardous features? For each room with an "other potentially hazardous feature" explain hazard and means of control of interior access to room.			
	6. BUILDING EXTERIOR	DECISION		
Item #	Description	Yes, PASS	No, FAIL	Repairs Required
6.1	**CONDITION OF FOUNDATION** Is the foundation sound and free from hazards?			
6.2	**CONDITION OF STAIRS, RAILS, AND PORCHES** Are all the exterior stairs, rails and porches sound and free from hazards?			
6.3	**CONDITION OF ROOF AND GUTTERS** Are the roof, gutters and downspouts sound and free from hazards?			
6.4	**CONDITION OF EXTERIOR SURFACES** Are exterior surfaces sound and free from hazards?			
6.5	**CONDITION OF CHIMNEY** Is the chimney sound and free from hazards?			
6.6	**LEAD PAINT: EXTERIOR SURFACES** Are all painted surfaces free of deteriorated paint? If not, do deteriorated surfaces exceed 20 square feet of total exterior surface area?			☐Not Applicable
6.7	**MANUFACTURED HOMES: TIE DOWNS** If the unit is a mobile home, it is properly placed and tied down? If not a mobile home, check "Not Applicable."			
	7. HEATING, PLUMBING AND INSULATION	DECISION		
Item #	Description	Yes, PASS	No, FAIL	Repairs Required
7.1	**ADEQUACY OF HEATING EQUIPMENT** a. Is the heating equipment capable of providing adequate heat (either directly or indirectly) to all rooms used for living? b. Is the heating equipment oversized by more than 15%? c. Are pipes and ducts located in unconditioned space insulated?			

7.2	**SAFETY OF HEATING EQUIPMENT** Is the unit free from unvented fuel burning space heaters, or any other types of unsafe heating conditions?			
7.3	**VENTILATION AND ADEQUACY OF COOLING** Does this unit have adequate ventilation and cooling by means of operable windows or a working cooling system?			
7.4	**HOT WATER HEATER** Is hot water heater located, equipped, and installed in a safe manner?			
7.5	**WATER SUPPLY** Is the unit served by an approvable public or private sanitary water supply?			
7.6	**PLUMBING** Is plumbing free from major leaks or corrosion that causes serious and persistent levels of rust or contamination of the drinking water?			
7.7	**SEWER CONNECTION** Is plumbing connected to an approvable public or private disposal system, and is it free from sewer back up?			
	8. GENERAL HEALTH AND SAFETY	DECISION		
Item #	Description	Yes, PASS	No, FAIL	Repairs Required
8.1	**ACCESS TO UNIT** Can the unit be entered without having to go through another unit?			
8.2	**EXITS:** Is there an acceptable fire exit from this building that is not blocked?			
8.3	**EVIDENCE OF INFESTATION** Is the unit free from rats or severe infestation by mice or vermin?			
8.4	**GARBAGE AND DEBRIS** Is the unit free from heavy accumulation of garbage or debris inside and outside?			
8.5	**REFUSE DISPOSAL** Are there adequate covered facilities for temporary storage and disposal of food wastes, and are they approved by a local agency?			
8.6	**INTERIOR STAIRS AND COMMON HALLS** Are interior stairs and common halls free from hazards to the occupant because of loose, broken or missing steps on stairways, absent or insecure railings;, or other hazards?			
8.7	**OTHER INTERIOR HAZARDS** Is the interior of the unit free from any other hazards not specifically identified previously?			
8.8	**ELEVATORS** Are they working and safe?			
8.9	**INTERIOR AIR QUALITY** Is the unit free from abnormally high levels of air pollution from vehicular exhaust, sewer gas, fuel gas, dust, or other pollutants?			
8.10	**SITE AND NEIGHBORHOOD CONDITIONS** Are the site and immediate neighborhood free from conditions, which would seriously and continuously endanger the health or safety of the residents?			
8.11	**LEAD PAINT: OWNER CERTIFICATION** If the owner of the unit is required to treat or cover any interior or exterior surfaces, has the certification of compliance been obtained?			☐Not Applicable
	9. MISCELLANEOUS (from HPRP notice)	DECISION		
Item #	Description	Yes, PASS	No, FAIL	Repairs Required

9.1	**Is there sufficient sleeping place for each individual?**			
9.2	**Is there adequate natural or artificial illumination to permit activities in the home?**			
9.3	**Is home and equipment maintained in a sanitary condition?**			

Summary of Repairs Needed:

Item Number:	Repair Needed:

Owner/Manager's Signature: _____

Priority Home Partnership
Rental Assistance Agreement Letter
(click here to return to relevant section of the manual)

(date)

(landlord address)

_____(Head of Household) has been approved to receive temporary financial assistance through the Emergency Solutions Grant program. The program is designed to help the participant secure and/or retain housing and be a successful tenant. Our agency will maintain regular contact during his/her time in the program to assist him/her with any problems related to his/her housing or tenancy. The program does not, however, assume any responsibility for the tenant's rent or for compliance with the lease. The tenant is fully responsible for complying with the terms of the lease he/she has with you.

The person named above has been approved for assistance with (check all that apply):

☐ A rental deposit in the amount of $_____

☐ A short-term rent subsidy in the amount of $_____ (currently approved until _____ date. This subsidy may be extended at the program's discretion)

☐ Assistance with past due rent in the amount of $_____

All other payments under the terms of the lease are the responsibility of the tenant.

The City of Berkeley Priority Home Partnership Program will provide the above housing assistance payments to you beginning [date]. By signing below, you agree to apply all payments you receive on the tenant's behalf toward the specified housing-related costs on the check. The termination of housing assistance payments shall not affect the household's other rights under the lease.

The tenant is required to notify us if he or she moves; however, if you ever receive a subsidy check for a tenant who has moved, it is your responsibility to return the check to us. Financial assistance from this program can only be used toward the housing-related costs of the tenant named above while he/she resides in your housing. You also must notify us if during the term of this agreement you notify the tenant to vacate or if you lodge any complaint under state or local law to commence an eviction.

You are welcome to contact me if you have any questions or concerns regarding the program or this tenant's housing. [*name, title at 510 XXX-XXXX or housing specialist @ agency.org*]. Thank you for working with us.

Sincerely,

I have read this agreement and I agree to accept payments on behalf of the tenant listed above as described in this letter. I have provided a W-9 form to the agency.

Property Owner/Property Manager Name:_____

Signature:_____ Date: _____

Three Month Reassessment of Eligibility

(click here to return to relevant section of the manual)

Reassessment Date: __ __ / __ __ / __ __ __ __

Staff Name: _____ Agency: _____

Program: ☐ ESG ☐ FRHP ☐ PRCS ☐ Other: _____

Head of Household Name: _____ Service Point ID: _____

Before beginning this Reassessment form, collect copies of updated income documentation for the household.

Has there been a change in address or phone since the last assessment?

☐ No Change

☐ Address and/or phone has changed; new information below **(Enter into HMIS InHOUSE Housing Sub-assessment)**

Current STREET Address: _____

Apartment or Unit Number: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Alternate Phone: _____

Start Date (Date moved into Permanent Housing) __ __/ __ __/ __ __ __ __

a) Total Household Members living/will live at this address: ____

b) Total ADULTS living/will live at this address: ____

c) Total CHILDREN living/will live at this address ____ *(NOTE: a – b = c)*

Time in Program

Has household **a)** received 24 months of ESG assistance in last 36 months or **b)** exceeded other program time limits?

☐ Yes ☐ No

STOP **If household has exceeded eligible time in program, record the determination below**, and complete the HMIS Exit Form for all adults.

Income Status Eligibility (Complete the income reassessment form attached for each adult and enter into HMIS)

What is the total gross household monthly income (include all household members)? $ _____

What is the total gross household annual income? $_____ (monthly amount x 12)

Using the chart below, circle the household size and determine the percent of Area Median Income (AMI)

Household Size	1	2	3	4	5	6	7	8
30% AMI	$18,750	$21,400	$24,100	$26,750	$28,900	$31,050	$33,200	$35,350
50% AMI	$31,250	$35,700	$40,150	$44,600	$48,200	$51,750	$55,350	$58,900

AMI information current as of 12/11/2012

Please check the household's current income status AND the documentation attached

☐ No Income
☐ 1-30% AMI
☐ 31-50% AMI
☐ Over 50% AMI

Other Documentation
_____

Copy of Payment Statement / Benefit Notice
☐ Alimony, spousal or child support
☐ GA, SSI, SSDI, or TANF
☐ Private Disability
☐ Pension / Retirement
☐ Unemployment or Workers' Comp
☐ Interest / Dividend Income

Copies of Pay Stubs
☐ Earned Income

Copy of Federal or State Tax Return
☐ Self-Employment

Income Self-Certification
☐ No Income

If household has income greater than 30% of Median Income for the ESG program, or greater than 50% of AMI for the PRCS or FRHP program, discontinue assistance. Record the determination below, and complete the Exit Form for all adults. (For other programs, check program guidelines.)

Is household receiving now or going to begin to receive a housing subsidy from another program?

☐ Yes ☐ No

Subsidy: _____ Start date: __ __/ __ __/ __ __ __ __

If household will be starting another subsidy, household is not eligible for continued *financial* assistance. Household may continue to receive supportive services if needed to prevent homelessness. Skip to Housing Stability Plan Progress.

Rent as Portion of Income

Is the household receiving Financial Assistance to remain housed?
☐ Yes ☐ No

What is the **TOTAL** monthly rent? _____ (the total rent, *not the portion currently paid by tenant*)

Rent to Income ratio: Total Monthly Rent (_____) X 100 = _____ %
Gross Monthly Household Income (_____)

If the income to rent ratio is lower than 50% for ESG and PRCS and 40% for FRHP, discontinue financial assistance. Household may continue to receive supportive services if needed to prevent homelessness.

Housing Stability Plan Progress

Progress toward Obtaining or Maintaining Appropriate Housing:

☐ Achieved and Complete ☐ Making adequate progress ☐ Not making adequate progress

Progress toward Income or Employment Goals:

☐ Achieved and Complete ☐ Making adequate progress ☐ Not making adequate progress ☐ Does Not Apply

Progress toward Other Stability Goals:

☐ Achieved and Complete ☐ Making adequate progress ☐ Not making adequate progress ☐ Does Not Apply

Comments on Plan Progress, Accomplishments and Barriers:

If the household has achieved/completed all goals, they are no longer in need of assistance; **discontinue assistance.** If the household is not making adequate progress on the Housing Stability Plan, and the household has been offered all assistance necessary to make progress and has refused such assistance, **you *may* discontinue assistance.** Indicate in comments below efforts made and current status of plan. Programs are strongly encouraged not to discontinue assistance if household is making appropriate efforts but progress is delayed. If discontinuing assistance, record the determination below, and complete the Exit Form for all adults.

Does household have financial resources and/or support networks that can help them gain/remain in housing?

If household has other resources or support networks that can help them gain or remain in housing that are adequate to secure their housing, **discontinue assistance.** Record the determination below, and complete the HMIS Exit Form for all adults.

RESULT OF REASSESSMENT:

Discontinuing Program Assistance:

☐ Received maximum permitted assistance	☐ Over Income	☐ Below targeted rent to income ratio and does not require services.	☐ Receiving housing subsidy and does not require services.
☐ Completed Housing Stability Plan Goals	☐ Not making adequate progress	☐ has other resources or support networks that can secure the housing	☐ Other: _____

After completing the reassessment of eligibility, I have been informed that I/my household am/are no longer eligible for assistance from this program. I understand that I and my household will be exited from the program. I understand that if I am in need at a later time I may reapply for assistance (as long as I have not exceeded the maximum length of assistance and continue to be eligible.)

Head of Household Signature: _____ Date: _____

Staff member signature: _____ Date: _____

Continuing Assistance:

☐ Continue *housing stabilization services only*. Revise/update Housing Stability Plan, and prepare new household budget if income has changed.

☐ Continue financial assistance and housing stabilization services. Complete new financial assistance calculation, revise/update housing stability plan and prepare new budget.

Attached:

☐ Revised Housing Stability Plan	☐ New Budget (if applicable)	☐ New Financial Assistance Calculation form (if applicable)

After completing the reassessment of eligibility, I have been informed that I/my household am/are eligible for continued assistance from this program. I understand that my participation agreement remains in force and that a new stability plan, budget and financial contribution may be required. I understand that I will be reassessed again within three months ***or less*** *and that assistance may be discontinued at any time.*

Head of Household Signature: _____ Date: _____

Staff member signature: _____ Date: _____

INHOUSE — 3 MO. INCOME REASSESSMENT FORM – 01/22/2013

Assessment Date: ___/ ____/ _____(For backdate mode) ServicePoint ID # _____

Program/Provider: _____

Client Profile

First: _____Middle: _____Last: _____Suffix:___

Monthly Income

Have you received income from any source in the past 30 days?

☐ No ☐ Yes
☐ Don't Know ☐ Refused

Source Amount	Monthly
☐ Alimony or other spousal support	$ _____.00
☐ Child support	$ _____.00
☐ Earned Income	$ _____.00
☐ General Assistance (GA)	$ _____.00
☐ Pension from a former job	$ _____.00
☐ Private disability insurance	$ _____.00
☐ Social Security (retirement income)	$ _____.00
☐ Social Security Disability Income (**SSDI**)	$ _____.00
☐ Supplemental Security Income or **SSI**	$ _____.00
☐ (**TANF**) Temporary Assistance for Needy Families	$ _____.00
☐ Unemployment Insurance	$ _____.00
☐ A veteran's disability payment	$ _____.00
☐ Veteran's pension	$ _____.00
☐ Worker's compensation	$ _____.00
☐ Other source	$ _____.00

Non-Cash Benefits

Have you received any of the non-cash benefits listed below in the past 30 days?

☐ No ☐ Yes
☐ Don't Know ☐ Refused

Source

- ☐ Supplemental Nutrition Assistance Program (**SNAP**) ***(Previously known as Food Stamps)***
- ☐ MediCAL health insurance program (**MEDICAID**)
- ☐ **MEDICARE** health insurance program
- ☐ Healthy Families Insurance program (**SCHIP**)
- ☐ Special Supplemental Nutrition Program for Women, Infants, and Children (**WIC**)
- ☐ Veteran's Administration (VA) Medical Services
- ☐ **TANF**/CalWORKS **Child Care** services
- ☐ **TANF**/CalWORKS **transportation** services
- ☐ **Other TANF**/ CalWORKS-funded services
- ☐ **Section 8**, public housing, or other rental assistance
- ☐ Other source
- ☐ Temporary Rental Assistance

Total monthly income **$ _____.00**

Complete one income reassessment for each adult in the household and combine for total household income for program reassessment purposes.

Priority Home Partnership
Notification of Termination of ESG Assistance

(click here to return to relevant section of the manual)

You/your household has violated the terms of your ESG Participation Agreement, signed by _____ on _____ (date.) The program violation(s) consist of _____

_____

_____

The program is hereby advising you that as of ___/____/_____ no further

☐ financial assistance

☐ housing stabilization services

Will be provided to you/your household.

You/your household will be solely responsible for covering all housing/utility costs as of that date.

_____ _____
(Staff signature) (Date)

I have reviewed and authorized this notification:

_____ _____
(Supervisor signature) (Date)

Procedure for due process: If you disagree with this determination, you may request a review of this decision within 10 days of the date of this notice by making a request **in writing*** to:

{job title}
{Address}
{Address}

The {job title} will review your request and may investigate your claims, ask to interview you, members of your household, your landlord, or call a hearing with yourself, agency staff, and any others that may be needed to review this decision. The {job title} must review your request and make a final determination within 14 calendar days. A written notice of the final decision will be provided to you.

**Reasonable accommodation: If you are unable to prepare a request in writing due to a disability and need a reasonable accommodation, you may request a specific accommodation, such as assistance in preparing the request, from the program manager or another staff member.*

City of Berkeley ESG Income Eligibility Calculation Worksheet					
To be eligible for ESG, households must be at or below 30% of the Area Median Income (and meet other Federal and local ESG eligibility requirements.) This worksheet has been adapted from the HUD authorized form used for HPRP can be used to determine whether an applicant household meets the ESG eligible income requirement. A copy of this form or a similar document used to determine income should be kept in the client file. Be sure to attach to the document copies of all income documentation used to prepare the calculation. See the income verification policy for further information and instructions.					
Household Member Number	**Household Member Name**				**Age of Household Member**
1					
2					
3					
4					
5					
	Total Household Members (Household size)				
	30% of Area Median Income (AMI) for Household Size				**$**
Household Member Number / Name	**Sources of Household Income**	**Gross Documented Current Income Amount**	**Frequency of Income**	**Number of Payments per Year**	**Annual Gross Income (gross income amount X # of payments per year)**
	Earned Income (for ADULT household members only)	$			**$**
	Earned Income (for ADULT household members only)	$			**$**
	Self-employment/ business income	$			**$**
	Interest & Dividend Income	$			**$**
	Pension/Retirement Income	$			**$**
	Unemployment & Disability Income	$			**$**
	Unemployment & Disability Income	$			**$**
	TANF/Public Assistance	$			**$**
	Alimony, Child Support and Foster Care Income	$			**$**
	Armed Forces Income	$			**$**
	Other (specify):	$			**$**
	Total Annual Gross Income from all Sources				**$**
	30% of Area Median Income for Household Size				**$**
	Variance (If less than AMI, then household is income eligible)				**$**
	Is the household at or below 30% Area Median Income?				***YES-Income Eligible NO-COB approval needed***

Attachment 3

Systemwide Performance Targets for Rapid Re-Housing Services

Rapid Re-Housing		**Target**
How Much?	Service Population: Unduplicated count of individuals served (HUD Element, APR Q5a)	**observe**
	Service Population: Proportion of chronically homeless individuals served (HUD Element, APR Q5a)	**observe**
	Service Population: Unduplicated count of households served(HUD Element, Annual Performance Report/APR Q8a)	**observe**
	Service Population: Proportion of chronically homeless households served (HUD Element, APR Q26a)	**observe**
How Well?	Data Quality: Data entry within 3 days (HUD Element, APR Q6e)	**100%**
	Data Quality: Completion. Adult participants with income info. recorded in HUD Element at entry and annual or exit assessments (HUD Element, APR Q18)	**90%**
	Average length of time from enrollment to move in (HUD Element, Apr Q22c)	**60% within 2 months**
With What Impact?	Are participants growing their income? (HUD Element, APR Q19a3)	**50%**
	Are participants accessing mainstream benefits? (HUD Element, APR Q20b)	**85%**
	Are participants enrolled in health insurance?(HUD Element, APR Q21)	**85%**
	Are we successfully moving people into permanent housing? (HUD Element, APR Q23a&b)	**80%**
	Exits to Homelessness: What proportion of people exit to homeless destinations? (HUD Element APR Q23a&b)	**<5%**

Homelessness Solutions in Alameda County

ESG-CV STANDARDS AND EXPECTATIONS

Applicable in all participating jurisdictions of Alameda County

INTRODUCTION

This document provides policies and standards for the provision of Rapid Rehousing funded by the Emergency Solutions Grant program under the CARES Act (ESG-CV) in Alameda County.

Providers funded with ESG-CV are expected to follow the guidance in this document which pulls from and enlarges upon guidance issued by the U.S. Department of Housing and Urban Development for the general ESG program and for the specific funds made available through the CARES Act, with additional prioritization and design determinations developed locally in response to COVID-19.

The Complete ESG Interim Regulations as of April 1, 2017, including amendments made to incorporate VAWA requirements, can be found at this link. The Notice issued September 1, 2020 regarding Waivers and Alternative Requirements for the Emergency Solutions Grants (ESG) Program Under the CARES Act can be found at this link.

***This document serves in lieu of the ESG Prevention and Rapid Rehousing Policy and Procedure Manual adopted in 2012 for ESG-CV funded programs only*.**

Approved	*February 10, 2021*
Effective date	*February 16, 2021*
Next review required by	*February 10, 2022*

ESG-CV STANDARDS AND EXPECTATIONS

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PRIORITIZATION AND REFERRAL

1. Prioritization

ESG-CV funds are specifically awarded and designated for rehousing those impacted, or more likely to be impacted, by the COVID-19 pandemic.

1.1 First priority for ESG-CV Rapid Rehousing are individuals and households assisted and staying in hotel rooms provided via Project RoomKey/Safer Ground or a similar program specifically designed to provide non-congregate or safe and distanced temporary shelter during COVID-19 for people who have been impacted by or are at risk from COVID-19.

1.2 Secondary priority are other persons on the Coordinated Entry By-Name List/Housing Queue who are deemed at higher risk for complications from COVID-19, based on criteria adopted in the Temporary Resource Prioritization Policy During COVID-19. The full policy for prioritization as adopted by the System Coordination Committee in January 2021 can be found HERE.

2. Referrals

2.1 Any resident of a site mentioned in 1.1 above is eligible to be offered an ESG-CV supported RRH Bridge Subsidy, as long as they are eligible under ESG-CV requirements. Such referrals do not need to come through Coordinated Entry as they have already been through a prioritization process. Referrals will be made via communication from the Health Care Services Agency Office of Homeless Care and Coordination and the City of Berkeley directly to contracted providers.

2.2 Potential participants in ESG-CV funded Rapid Rehousing in category 1.2 will be referred to contracted providers if there are additional openings using the Alameda County Coordinated Entry process. Contracted providers must accept Coordinated Entry referrals as long as potential participants meet eligibility criteria.

2.3 Time expectations for responding to referrals will be established in the Coordinated Entry policies and, when established, will apply to ESG-CV contracted providers.

PARTICIPANT ELIGIBILITY AND ENROLLMENT

3. Eligibility

In addition to being referred through Coordinated Entry, households must be eligible for ESG-CV funded Rapid Rehousing. Program operators must determine that potential participants are eligible for assistance, and document this eligibility, including either verifying homeless status/chronic homeless status or receiving such verification from Coordinated Entry.

3.1 Literal or Chronic Homelessness

3.1.1 To be eligible for the ESG-CV program the participant must be "Literally Homeless" and without other identified housing options at the time of referral. This includes households that meet the HUD Homeless Definition under Category 1, and households that meet the Definition under Category 4, Fleeing or attempting to flee domestic violence *and also meet one of the following conditions*.

- Living/staying in a shelter. This includes staying at a hotel or motel under Project RoomKey or a similar program that provides temporary shelter for people who have been impacted by or are at risk from COVID-19.
- Living on the streets, a car, an encampment or a place not meant for human habitation.
- Living/staying in transitional housing.
- Exiting an institution where s(he) resided for 90 days or less and previously resided in a shelter or the streets or a place not meant for human habitation.

Documentation requirements to verify homelessness can be found HERE.

3.1.2 Because many participants in ESG-CV funded Rapid Rehousing may have been Chronically Homeless prior to participation in the program, and should continue to remain eligible for PSH and other resources that may be targeted to chronically homeless, chronic homeless verification is encouraged.

Verification requirements and a suggested tool for how to document chronic homelessness can be found HERE.

3.2 Required Documentation

To demonstrate eligibility at the time of enrollment, the enrolling provider must obtain:

1. Referral from a referring entity or Coordinated Entry
2. Verification of homelessness or chronic homelessness with required back up documentation

All required documentation should be uploaded into HMIS if participant has an HMIS record, or kept in a participant file.

3.3 Income verification

3.3.1 Income Verification is ***not*** a required eligibility criteria and is not needed for referral by Coordinated Entry nor for enrollment. However, income verification will be needed to establish rent payments. (See 6.3 Financial Assistance Approach.) Inability to document income at the time of referral must not prevent a participant from being enrolled, but may delay the household getting rehoused.

3.3.2 Persons with zero income are eligible for ESG-CV funded Rapid Rehousing and will be offered services to increase income through employment and/or connection to benefits.

3.3.3 For any participant who remains in the program for more than 12 months, income must be certified at annual recertification and must be below 30% of Area Median Income for the participant to continue to receive assistance (See 11.1 Annual Reassessment.)

3.4 Ineligible applicants

If a household is determined to be ineligible after referral and before enrollment, the program operator must notify the referring entity that they have been determined ineligible, provide the potential participant with the Notice of Occupancy Rights and Certification Form, and create a participant file documenting the process and determination.

4. Program Enrollment

4.1 Participation Agreement

All heads of household enrolled in the program will sign a Participant Agreement. This agreement must state what the program will provide and what the expectations of the participant are, and the circumstances that can lead to their being terminated prior to completing the program. Programs may use the attached ESG-CV Participation Agreement or a program agreement that covers the same items, including all certifications, and does not conflict with ESG-CV regulations.

Enrolled participants should receive a copy of the Program's grievance and appeals process (See Grievance and Appeals 13.1)

4.2 Notice of Occupancy Rights and Certification

At the time of enrollment, or if a potential participant is denied enrollment for any reason, the participant must be provided with form HUD-5380 Notice of Occupancy Rights and Certification. This document describes protections for victims of domestic violence, dating violence, sexual assault, or stalking under VAWA. Forms and other guidance regarding VAWA can be found HERE.

4.3 HMIS Enrollment

4.3.1 ROI: For all households participating in HMIS, all Adults must have an HMIS Release of Information (ROI) that is in effect. If an up to date ROI has not been executed and on file for each adult, one must be completed.

4.3.2 Program enrollment: Staff must complete a program enrollment in HMIS for all members of the household. Enrollment will be in one of the four designated projects within HMIS (Oakland, Berkeley, Urban County, State) based on information provided by Coordinated Entry.

5. Bridge and Rapid Program Tracks

Rapid Rehousing funding may be used to provide rehousing support on a more traditional rapid rehousing track designed to serve households anticipated to take over full rent within a 6-24 month period ("Rapid") or to provide subsidies that are intended to be used as a "bridge" to another longer-term or permanent housing resource for persons with greater needs ("Bridge"). While these tracks are not distinguished by different program enrollments they should be established from the outset in collaboration between the referring and contracting entity and periodically reassessed or modified as needed.

At the time of referral an initial determination of whether the household is beginning on the Rapid or Bridge track should be included. ***Unless otherwise specified at time of referral, persons referred from a Project Roomkey/Safer Ground/similar program site, or from the second priority group of high risk for complications from COVID-19 will be considered on the Bridge Track.***

5.1 Bridge Track

Participants on the Bridge track are anticipated to participate in the ESG-CV program until another housing resource has been identified and secured for the participant.

5.1.1 Securing another resource: Program providers will work closely with the Health Care Services Agency (HCSA) and with the ESG Recipient for the jurisdiction in which they operate in to identify a housing resource for each enrolled household on the Bridge track. Processes for determining which resources are offered to a specific client will be worked out with the provider.

5.1.2 Reevaluation: If a Bridge Track participant has not been successfully transferred to another resource within 11 months of enrollment, and the program has the ability to retain them for more than 12 months, a reassessment will occur within 30 days of the participant's program anniversary as part of the Annual Reevaluation (See Annual Reevaluation 11.1)

5.2 Rapid Track

ESG-CV is targeted to assist those at high risk from COVID who are anticipated to have higher needs. However, it is possible that within the second priority group there may be some participants who can benefit from a more traditional Rapid Track. Any participants on the Rapid Track are anticipated to take over full rent of their housing during their participation in the program. Providers must work with the household to determine program and household rent contributions and offer appropriate services to support this progress (See 6.3 Financial Assistance – Rapid Track).

FINANCIAL ASSISTANCE AND SUPPORTIVE SERVICES

ESG-CV funds may be used for specific financial assistance expenditures related to securing and maintaining housing. Each type of assistance requires specific documentation be kept on file to support the expenditures.

6. Financial Assistance

6.1 Maximum Assistance

6.1.1 24-month limitation: For first round ESG-CV awards and for second round awards covered under a HUD-approved Consolidated Plan amendment or waiver that allows for up to 24 months assistance, the maximum allowable assistance is 24 months within a 36 month period, consistent with the ESG regulations.

6.1.2 12-month limitation: For second round awards received after September 1, 2020, unless covered by a Consolidated Plan amendment or a waiver approved by HUD, the maximum period of allowed assistance is 12 months.

Changes or updates to the ESG-CV program requirements through law, regulation or Notice may change the maximum assistance time frames. Providers must be aware of the applicable maximum assistance requirements that are in effect for the funding they are using to assist any participant.

6.2 Expense Categories, Limitations and Requirement Documentation

The following tables lists each allowable expense category for financial assistance, any limitations on time, amounts or cost, and the required documentation for the expenditure.

Expense Category	Permitted Expenditures and Limitations	Required Documentation
Security Deposit	Up to the equivalent of two (2) months of rent.	❒ Copy of W9 and Receipt ❒ One year Lease Agreement. ❒ Confirmation of property ownership
Utility Deposit	Standard utility deposits that the utility company requires for all customers.	❒ Copy of bill or receipt of payment. A billing statement is necessary if assistance for multiple months is provided with a single payment.
Application Fees	Costs associated with applications for rental housing required by property owners/managers	❒ Receipt
Moving Costs	Reasonable costs associated with assisting participants to move themselves and their belongings into housing, including vehicle rentals and movers if needed	❒ Cost Estimate ❒ Receipt
Landlord Incentives	Signing bonuses, security deposits, repairing damages incurred by the program participant not covered by the security deposit or that are incurred while the program participant is still residing in the unit, and cost of extra cleaning or maintenance. Landlord incentives may not exceed three months' rent including any funds spent on deposits under Security Deposits above. **Landlord incentives do not count against the 12- or 24-month cap on assistance but the three-month maximum includes the amount offered in Security Deposit.**	Documentation required depends on the category of assistance being provided. All Landlord Incentives must be documented with a receipt by the landlord or a third-party receipt for coverage of allowable costs such as repairs or cleaning.
Rental Assistance	A portion of the contract rent of up to 100% of rent for up to maximum number of months *permitted under the applicable grant agreement with the Recipient.*	❒ Habitability Inspection ❒ One year Lease/Rental Agreement ❒ Letter of payment or a Housing Assistance Payment (HAP) agreement ❒ W9
Utility Assistance	Up to total number of months of rental assistance provided. Total utility assistance includes the first month's payment.	❒ Copy of Bill for each utility for each month paid.
Rental Arrears	Only if necessary to successfully re-house; maximum two (2) months of arrears. **Counts against the total months of assistance permitted.**	❒ Statement or Bill that includes the cost of each month paid.

Expense Category	Permitted Expenditures and Limitations	Required Documentation
Utility Arrears	Only if necessary, to re-house; maximum two (2) months of arrears per utility. Eligible utilities include gas, electricity, water, & trash. **Counts against the total months of assistance permitted.**	❒ Statement or Bill that includes the cost of each month paid.

6.3 Financial Assistance Approach

For one-time costs, such as security deposits, move in expenses and application fees, the ESG-CV program may pay the entire amount.

For rental assistance payments, households with income are expected to contribute *at least* 30% of their adjusted gross income. To make this determination, verification of income will be required.

6.3.1 Bridge Housing track: If a household is determined to be on a **Bridge Housing track** (See 5.1 above) the participant contribution may be set at 30% of adjusted gross income, consistent with many permanent housing subsidy programs, and may continue at 30% of adjusted gross income for the duration of their time in the program.

6.3.1.a. If a participant household on the Bridge Housing track significantly increases their income or demonstrates a likelihood to be able to pay full rent without assistance, they should be reclassified to the Rapid track and financial assistance should be adjusted as specified for the Rapid Track.

6.3.1. b. The program may pay the entire rent on behalf of households that have no income.

6.3.2 Rapid track: If a household is determined to be on **Rapid track** (anticipated to be able to take over the full rent within the time frame of permitted assistance) the amount that the household is expected to contribute will be expected to fluctuate and to grow over time based on the ongoing assessment of the program operator.

6.3.2.a. Households with any income are expected to contribute 30% of adjusted gross income toward their rent from the start of the program and to assume a greater portion of the rent over time. Expectations must be made clear to the participant household and reviewed periodically, and not less than every three months.

6.3.2.b. With supervisor approval, households may be permitted to contribute less toward their rent for a limited period to assist them to cover extraordinary costs. The program may pay the entire rent on behalf of households that have no income.

6.3.2.c. For participants on the Rapid track, programs should use a progressive engagement approach to assistance, offering the least amount of support needed to ensure the participant household remains housed, with the potential to increase financial assistance and services if needed.

6.4. Prohibition on Duplication of Benefits

Financial assistance cannot be provided to a program participant who is receiving any other form of tenant-based rental assistance or to a program participant who has been provided with replacement housing payments under the Uniform Relocation Act (URA) during the period of time covered by the URA payments. Participants should be asked to certify that they are not receiving such assistance. Language to this effect is included in the provided Participation Agreement.

6.5 Recording Financial Assistance

All financial assistance provided must be recorded in HMIS. Supporting documentation must be kept in participant files.

7. Supportive Services

7.1 Services may not be required

Regular ESG funding and other Rapid Rehousing programs typically require that programs assist participants with housing search and housing stability case management. This includes a requirement that a participant meet with a housing stability case manager not less than once per month for the period that they are enrolled. However, under the ESG-CV Notice, Recipients and Subrecipients ***may not require*** individuals or families experiencing homelessness to receive treatment or perform prerequisite activities as a condition for receiving assistance funded by ESG-CV. This specifically includes any requirement to participate in Housing Stability Case Management.

7.2 Services must be made available

ESG-CV funded Rapid Rehousing in Alameda County must offer and provide, as requested by participants, housing search and placement assistance, case/care management and connections to other services, benefits and supports. These services should be offered regularly, minimally monthly, to participants to ensure they are aware that services are available if they wish to use them.

7.3 Housing Search Assistance

Housing search assistance are those services intended to assist participants in locating, obtaining, and retaining suitable permanent housing. These may include:

- assessment of housing barriers, needs, and preferences;
- development of a plan for locating housing;
- assistance with a housing search or searching on behalf of a participant;
- outreach and negotiations with landlords; and
- assistance with submitting rental applications and understanding leases.
- assessment of housing for compliance with Emergency Solutions Grant (ESG) requirements for habitability, lead-based paint, and rent reasonableness;
- assistance with obtaining utilities and making moving arrangements; and
- tenant counseling.

7.4 Housing Stability Case Management or Care Management

Housing stability case management may include:

- conducting the official evaluation of eligibility and need, including verifying and documenting eligibility
- counseling
- developing, securing, and coordinating services and assistance in obtaining Federal, state and local benefits
- monitoring and evaluating participant progress;
- providing information and referral to other providers;
- developing an individualized housing plan to permanent housing stability, including referrals to and support with submitting applications to affordable housing projects; and
- conducting required reevaluations to determine (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.

Given that ESG-CV is targeted to those at risk from COVID-19 and first priority is for persons participating in Project RoomKey/Safer Ground or a similar program, ESG-CV participants may be already participating in, or eligible for, case or care management through the Alameda County or Berkeley Health Departments and their subcontractors. In these cases, agencies offering housing stability case management may provide services in line with their approved care management approach, provided that the services are voluntary and individualized and include a focus on assisting the participant to stabilize in and retain housing.

7.5 Recording Services

Services that are provided directly to or specifically associated with a participant household must be recorded in HMIS.

Some contractors may be funded to hire specialists to recruit landlords and secure units for a number of participants which are not provided as specific services to any one participant. Such services are not expected to be recorded in HMIS.

Some participants in a Rapid Rehousing program funded by ESG-CV may be offered and receive services paid for by other sources than ESG-CV and offered by organizations other than the ESG-CV provider. Such services should be recorded in the client record for the ESG-CV program if considered part of the ESG-CV program, or under a separate program enrollment.

HOUSING RELATED REQUIREMENTS

8. Unit Requirements

8.1 Rent Reasonableness

Units rented by participants in an ESG-CV funded Rapid Rehousing program must meet the standard for rent reasonableness. "Rent reasonableness" means that the total rent charged for a unit must be reasonable in relation to the rents being charged during the same time period for comparable units in the private unassisted market and must not be in excess of rents being charged by the same owner during the same time period for comparable non-luxury unassisted units. See more guidance regarding Rental Reasonableness HERE.

A sample Rent Reasonableness form is provided in the appendix. Subrecipients may use an alternative rent reasonableness determination form that meets the requirements of the ESG regulations §576.106.

8.2 Checking Against applicable Payment Standards

The Fair Market Rent (FMR) is a benchmark established by HUD by region. The regular ESG program requires that the rent for units assisted meet *both* standards for rent reasonableness and rent at or below the Fair Market Rent (FMR). ***ESG-CV waives the requirement for use of the FMR.***

However, under the design for ESG-CV to serve in many circumstances as a bridge to a longer subsidy including subsidies provided under the Housing Choice Voucher, is strongly recommended that households expected to receive a long-term subsidy not be assisted to move into units that rent for more than the FMR or the applicable Payment Standard in the jurisdiction in which the unit is located.

Housing Providers must document decisions to rent a unit above the Payment Standard, including either documentation of a plan for the participant to take over the full rent, receive a subsidy that does not require units rent at FMR, or a plan for the tenant to move to another location that the participant has agreed to.

8.3 Habitability

8.4.1 Habitability Standard: In order to ensure that ESG funds are used in housing that meets minimum habitability standards, an inspection must be performed on every unit assisted. A description of the standard for permanent housing and a form that can be used to record the results of an inspection can be found HERE.

8.4.2 Lead-based paint remediation and disclosure. The Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992 and implementing regulations apply to all housing occupied by program participants. More information can be found at the HUD Lead Safe Housing site HERE.

8.4.3. Use of HQS: The ESG Habitability Standards are different from, and generally not as stringent as the Housing Quality Standards (HQS) used for other programs such as CoC Rental Assistance programs (i.e. Shelter Plus Care) and Housing Choice Vouchers. Because some participants in the ESG-CV program are anticipated to receive a HCV, Shelter Plus Care or other potential resources that may require the unit to meet HQS, operators are strongly encouraged to ensure that units either meet HQS initially or can be made to meet HQS prior to the transfer of the subsidy. HQS will be accepted in lieu of Habitability Standards, provided that compliance with Lead Paint Poisoning Act is included.

9. Leases and Rental Assistance Agreements

9.1. Leases

Once a unit has been identified and inspected, the housing agency must ensure that the participant/tenant receives a written one year lease or rental agreement from the landlord which clearly outlines the terms of tenancy and conforms with applicable California and local law.

9.1.1 VAWA-Mandated Requirements: Participant leases must include the following provisions in order to comply with the Violence Against Women Act:

The Landlord may not consider incidents of domestic violence, dating violence or stalking as serious or repeated violations of the lease or other "good cause" for termination of assistance, tenancy or occupancy rights of the victim of abuse.

The Landlord may not consider criminal activity directly relating to abuse, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of that abuse.

The Landlord may request in writing that the victim, or a family member on the victim's behalf, certify that the individual is a victim of abuse and that the Certification of Domestic Violence, Dating Violence or Stalking, Form HUD-91066, or other documentation as noted on the certification form, be completed and submitted within 14 business days, or an agreed upon extension date, to receive protection under the VAWA. Failure to provide the certification or other supporting documentation within the specified timeframe may result in eviction.

If the lease does not cover the terms of the Violence Against Women Act then a lease addendum should be executed that covers these requirements. A copy of a HUD VAWA Lease Addendum can be found here.

9.1.2 Lease Bifurcation: Housing providers may bifurcate leases to evict, remove, or terminate assistance to a household member who engages in domestic-violence-related criminal activity without evicting, removing, or terminating assistance to, or otherwise penalizing, a victim of such criminal activity who is also a tenant or lawful occupant.

Financial assistance shall continue for the family member(s) who are not evicted or removed.

9. 2 Rental Assistance Agreements

Providers of Rapid Rehousing assistance must ensure that the Landlord to whom payment is being made is apprised of the nature of the program, the anticipated support to the participant, the obligations of the landlord, and the manner in which the landlord may contact the program if there are concerns.

9.2.1 Rental Assistance Agreement Letter: At a minimum, the agency providing financial assistance will provide the landlord with a Rental Assistance Agreement Letter describing the program and outlining the basic support the participant is anticipated to receive. If using the letter, the landlord must sign the letter and return it to the agency.

9.2.2 Housing Assistance Payment (HAP) or other contract agreement: Agencies may prefer to use a contract or housing assistance payments (HAP) agreement that outlines in greater detail the rights and obligations of the parties. Use of such an agreement is acceptable if it covers all requirements in the ESG regulations §576.1 and this guidance.

9.3 Ownership/Tax Document

9.3.1 W-9: In addition, the housing agency shall collect a W-9 from the landlord or property management agency and follow all IRS reporting requirements.

9.3.2 Evidence of ownership: In order to determine that the landlord named on the lease is the legitimate owner of the property, the housing agency will use a database service, such as Realquest, or another manner to verify and document the ownership.

9.4 Documentation

Documentation related to the housing unit that must be kept in the Participant File includes:

1. An original or copy of the Rent Reasonableness/FMR determination
2. An original or copy of the Habitability or HQS inspection.
3. A copy of the Rental Assistance Agreement Letter or Housing Assistance Payment contract.
4. A copy of the tenant's lease, including the VAWA Lease Addendum if not included in lease.
5. Printout from the database used to verify the ownership of the unit.
6. Copy of the W-9 from the landlord. The original W-9 must be given to the program operator's finance division.

10. Emergency Transfer Plan

10.1 Qualifications for Emergency Transfer

A participant qualifies for an emergency transfer if:

1. The participant is a survivor of domestic violence, dating violence, sexual assault or stalking;
2. The participant expressly requests the transfer; *and*
3. Either:
    a. The participant reasonably believes there is a threat of imminent harm from further violence if the participant remains in the same dwelling unit; or
    b. If the participant is a survivor of sexual assault, the sexual assault occurred on the premises during the 90-calendar-day period preceding the date of the request for transfer.

10.2 Emergency Transfer Process

A participant may submit an emergency transfer request directly to program staff. A participant may seek an internal and external emergency transfer, or both at the same time if a safe unit is not immediately available. The program will take reasonable steps to support them in securing a new safe unit as soon as possible and a transfer may not be necessary.

Programs will ensure strict confidentiality measures are in place to prevent disclosure of the location of the participant's new unit to a person who committed or threatened to commit an act of domestic violence, dating violence, sexual assault, or stalking against the participant.

Where a family separates as part of the emergency transfer, the family member(s) receiving the emergency transfer will retain the rental assistance when possible. The program will work with the CoC and the household to support an effective transfer in situations where the program is not a good fit for the family member(s) receiving the emergency transfer.

10.2.1 Internal Transfer: Where the participant requests an internal emergency transfer within the same building or program, the program should take steps to immediately transfer the participant to a safe unit if a unit is available. Requests for internal emergency transfers should receive at least the same priority as the program provides to other types of transfer requests.

If a safe unit is not immediately available, program staff will inform the participant that a unit is not immediately available and explain the options to:

1. Wait for a safe unit to become available for an internal transfer,
2. Request an external emergency transfer, and/or
3. Pursue both an internal and external transfer at the same time in order to transfer to the next available safe unit in the CoC.

10.2.2 External Transfer: If a participant requests an external emergency transfer, the participant has priority over all other applicants, provided the household meets all eligibility criteria required by HUD and the program. After the agency communicates the participant's emergency transfer request, the Coordinated Entry Management Entity will refer the participant to the next available appropriate unit through the Coordinated Assessment System. The household retains their original homeless status for purposes of the transfer.

10.3 Documentation and Record Keeping

To request an emergency transfer, the participant should submit a written request to program staff, certifying that they meet the emergency transfer qualification requirements. The program may – but is not required to – request additional documentation of the occurrence for which the participant is requesting an emergency transfer. No other documentation is required.

Programs must retain records of all emergency transfer requests and their outcomes for a period of 5 years following the grant year of the program in which the household was a participant and report them to HUD annually. A model emergency transfer plan can be found HERE.

REEVALUATION

11. Reevaluation of Need and of Eligibility

11.1 Annual Reevaluation

For programs operating with ESG-CV funding that is capped at 12 months of assistance, it is not expected that formal reevaluation will occur during the period in which assistance is provided. Households should be informed from the beginning that assistance is limited to a maximum of

12 months and focus should be placed on identifying a long-term resource or housing strategy for after the program is over.

Annual Reevaluation is required for any participant receiving more than 12 months of assistance. This applies to programs operating with ESG-CV funding covered by an approved Consolidated Plan amendment, waiver or revised Notice of HUD guidance permitting greater than 12 months assistance. The reevaluation must determine:

1. The participant has not received more than the permitted number of months of assistance.
2. The participant's income level is such that there is still a need to provide financial assistance in order to maintain housing stability.
    a. Income is not greater than 30% of the Area Median Income (AMI)
3. The participant lacks the financial resources or support networks to secure their housing without continued assistance.

Annual reevaluation should be documented, including updated income verification and an updated participation agreement which certifies lack of resources to secure housing without assistance.

11. 2 HMIS Update

The annual reevaluation is recorded in HMIS and used to update the participant's HMIS record with current information about housing and income.

11.3 Notification and Update Documents

Once the annual reevaluation of eligibility is completed, the household should be formally notified whether they will continue to receive assistance or not. If continuing to receive assistance, new documents, including an updated Participation Agreement should be prepared and discussed with the participant. If a household is not expected to have the subsidy extended, they should be notified of this determination at the earliest possible time and assisted to develop an alternative housing plan.

11.4 Periodic Reassessment of Need

Alameda County has adopted a more frequent reassessment standard for ESG-funded Rapid Rehousing which includes a review of need and ability to pay every three months during participation. ***This requirement does not apply to participants in the ESG-CV program who are on the Bridge Track.*** However, frequent and ongoing review of the participant's situation and needs should occur throughout the program to determine whether the participant is likely to be able to transition to the Rapid track or off of assistance or will need to be connected to an ongoing subsidy or move to a permanently affordable location such as affordable housing or PSH (Bridge Track).

PROGRAM TERMINATION, APPEALS AND EXIT

12. Ending Program Participation

Assistance under this program is intended to be temporary and to help participants secure housing that they can remain in without long-term financial support ***or*** to successfully bridge to another resource or unit with an ongoing subsidy.

12.1 No Termination for Lack of Service Participation

Under ESG-CV participants cannot be required to take part in services. However, they must provide the program with information needed to continue to determine eligibility, and to ensure that the program and the participant remain in good standing with the landlord.

12.2 Violation of Participation Agreement

Consistent violations of the Participation Agreement, including failure to provide required information to the Program as needed to continue to determine eligibility, may result in termination. If a program participant is violating the participation agreement, reasonable efforts will be made and documented by staff. Staff will provide written notice to the participant outlining program and/or lease violations and assist the participant to address the issue or correct the violation prior to terminating enrollment. ***Threatening or violent behavior towards staff, any other participant, or any other person connected to the property which they reside may be acted upon immediately.***

12.3 Written Notice

If a participant is determined to be in continued or grave violation of the participation agreement, a written Notice of Termination of Assistance will be provided to the program participant containing a clear statement of the reasons for termination, the date on which the termination will become effective, and the process for appealing the decision.

Participants receiving a Notice may request that the decision to terminate participation be reviewed by making a request to the designated supervisor within the agency – following the agency's grievance policy. This request must be made in writing and must be reviewed within 10 calendar days. A written notice of the final decision will be issued to the participant within 14 calendar days.

A sample Notification of Termination of ESG-CV Assistance is provided in the Appendix of Forms. Subrecipients may use an alternative Notice of Termination form as long as it covers all of topic areas required under ESG regulations §576.402 and has been approved by the ESG-CV recipient.

12.4 Resuming Assistance

A program may resume assistance to a program participant whose assistance was previously terminated with the approval of the Program Manager, provide that continued assistance does not violate the applicable maximum subsidy period.

12. 5 Program Exit

Upon completion of the program, or upon termination prior to completion, all members of the household should be exited from the program in HMIS. At this time, all information including household income, final address and housing status are recorded and updated.

a. Participants who complete or leave the ESG-CV RRH program having received another permanent housing resource should be recorded as permanently housed with a subsidy.
b. Participants who complete or leave the ESG-CV RRH program without another resource but still in housing should be recorded as permanently housed without an ongoing subsidy.

13. Grievances and Appeals

13.1 Program Appeals

ESG-CV subrecipients must notify participants of the agency's grievance policy at the time of program enrollment, including providing them with a written copy of the policy and keeping a copy of a signed version of the policy or other notification in the participant file. Housing agencies will follow their agency grievance and appeals process, through to the level of the highest ranking staff member of the agency or as may be otherwise specified in the agency's approved policy and procedures.

13.2 Appeal to Recipient

If there is a grievance specific to the ESG-CV program which has not been resolved through the agency grievance process, ESG program participants may appeal to the local Recipient. Recipients will follow their appeal process.

(Place on letterhead)

ESG-CV Program Participation Agreement

(click here to return to relevant section of the manual)

The ESG-CV Rapid Rehousing Program provides time-limited financial assistance and supportive services, if requested, to help households impacted by the COVID-19 pandemic gain housing and remain housed. I understand that this program may provide me with some or all of the following services:

1. Short to medium term financial assistance to support gaining and retaining housing which may include rental deposits, short to medium term rental assistance payments, and other assistance designed to help secure or retain housing.
2. Assistance finding and obtaining rental housing such as assistance getting identification, preparing housing applications, searching for housing, negotiating with landlords and other services.
3. Assistance developing an individualized service plan, and support to achieve my self-determined goals.
4. Referrals and support to apply for benefits for which I or a member of my household may be eligible.
5. Other services related to securing and retaining housing and to participation in services for which I and my household are eligible and wish to use.

I agree to do the following:

1. Provide accurate and honest information regarding myself and my household to the program as needed to determine eligibility.
2. Provide current proof of income when requested.
3. Pay my portion of rent on time every month and *immediately* advise the program if I have any trouble in doing so.
4. Provide any documentation required by the program as it pertains to my rent status or income, my household composition, the status of payments to my landlord, lease violations, or other information as may be needed to continue my participation.
5. Permit home visits and inspections of my housing during my participation in the program. (Advance notice will be provided.)
6. Respond in a timely fashion to offers of alternative and longer-term housing resources or programs.
7. Be contacted for follow-up phone calls about my participation for up to 24 months after I complete the program.

Certifications: *(please initial each line and sign below)*

I certify that I/my household do not have the financial resources or support networks to secure housing without assistance.____

I certify that I/my household are not currently receiving any other tenant-based rental subsidy nor am I/are we being provided with replacement housing payments under the Uniform Relocation Act._____

I have been given a copy of the Grievance Procedure and of the Notice of Occupancy Rights____

I understand that this program is time-limited and will not provide financial assistance for more than the maximum permitted period _____

I understand that neither _____ (Agency name), _____ (Recipient Name) nor any party to the ESG-CV Program is responsible for my rent or for the terms of any lease I may sign. _____

I understand that my participation may terminated if I do not follow the terms of this participation agreement. ____

Participant Name:_____

Other Household Members: _____

Participant Signature:_____ Date: _____

Program Specialist Name: _____ Agency Name : _____

Program Specialist Signature:_____ Date: _____

Rent Reasonableness and FMR Certification

(click here to return to relevant section of the manual)

	PROPOSED UNIT	COMPARISON UNIT #1	COMPARISON UNIT #2	COMPARISON UNIT #3
ADDRESS				
NUMBER OF BEDROOMS				
SQUARE FEET				
TYPE OF UNIT/CONSTRUCTION				
HOUSING CONDITION				
LOCATION/ACCESSIBILITY				
AMENITIES UNIT: SITE: NEIGHBORHOOD:				
AGE IN YEARS				
UTILITIES (TYPE)				
UNIT RENT UTILITY ALLOWANCE GROSS RENT				
HANDICAP ACCESSIBLE?				

A. Comparison with FMR or applicable Payment Standard

_____ _____ _____

Proposed Contract Rent + Utility Allowance = Proposed Gross Rent

Approved rent [ ] does [ ] does not exceed applicable Payment Standard of $_____.

B. Rent Reasonableness

Based upon a comparison with rents for comparable units, I have determined that the proposed rent for the unit [ ] is [ ] is not reasonable.

Name: _____ Signature: _____ Date: _____

Rental Assistance Agreement Letter

(click here to return to relevant section of the manual)

(date)

(landlord address)

_____(Participant Name) has been approved to receive temporary financial assistance through the Emergency Solutions Grant- CV program. The program is designed to help the participant secure and retain housing and be a successful tenant. Our agency will maintain regular contact during their time in the program to assist them with any problems related to their housing or tenancy. The program does not, however, assume any responsibility for the tenant's rent or for compliance with the lease. The tenant is fully responsible for complying with the terms of the lease he/she/they have with you.

The person named above has been approved for assistance with (check all that apply):

☐ A rental deposit in the amount of $_____

☐ A monthly rental subsidy in the amount of $_____ (currently approved until _____ date. This subsidy may be extended at the program's discretion)

All other payments under the terms of the lease are the responsibility of the tenant.

[Name of Housing Agency]_____, will provide the above housing assistance payments to you beginning_____ [date]. By signing below, you agree to apply all payments you receive on the tenant's behalf toward the specified housing-related costs on the check. The termination of housing assistance payments shall not affect the household's other rights under the lease.

The tenant is required to notify us if he or she moves; however, if you ever receive a subsidy check for a tenant who has moved, it is your responsibility to return the check to us. Financial assistance from this program can only be used toward the housing-related costs of the tenant named above while he/she/they reside in your housing. You also must notify us if during the term of this agreement you notify the tenant to vacate or if you lodge any complaint under state or local law to commence an eviction.

You are welcome to contact me if you have any questions or concerns regarding the program. [N*ame, title at XXX XXX-XXXX or housing specialist @ agency.org*]. Thank you for working with us.

Sincerely,

I have read this agreement and I agree to accept payments on behalf of the tenant listed above as described in this letter. I have provided a W-9 form to the agency.

Property Owner/Property Manager Name:_____

Signature:_____ Date: _____

Notification of Termination of ESG-CV Assistance

(click here to return to relevant section of the manual)

You/your household has violated the terms of your ESG-CV Participation Agreement, signed by _____ on _____ (date.) The program violation(s) consist of _____ _____ _____ _____.

The program is hereby advising you that as of ___/____/_____ no further financial assistance will be provided to you/your household.

You/your household will be solely responsible for covering all housing and utility costs as of that date, per the terms of your lease with your landlord.

_____ (staff signature) _____ (date)

I have reviewed and authorized this notification:

_____ (Supervisor signature) _____ (date)

Procedure for due process: If you disagree with this determination, you may request a review of this decision within 10 days of the date of this notice by making a request **in writing*** to:

{job title}

{Address}

{Address}

The {job title} will review your request and may investigate your claims, ask to interview you, members of your household, your landlord, or call a hearing with yourself, agency staff, and any others that may be needed to review this decision. The {job title} must review your request and make a final determination within 14 calendar days. A written notice of the final decision will be provided to you.

**Reasonable accommodation: If you are unable to prepare a request in writing due to a disability and need a reasonable accommodation, you may request a specific accommodation, such as assistance in preparing the request, from the program manager or another staff member.*