

Before Starting the CoC Application

You must submit all three of the following parts in order for us to consider your Consolidated Application complete:

1. the CoC Application,
2. the CoC Priority Listing, and
3. all the CoC's project applications that were either approved and ranked, or rejected.

As the Collaborative Applicant, you are responsible for reviewing the following:

1. The FY 2023 CoC Program Competition Notice of Funding Opportunity (NOFO) for specific application and program requirements.
2. The FY 2023 CoC Application Detailed Instructions which provide additional information and guidance for completing the application.
3. All information provided to ensure it is correct and current.
4. Responses provided by project applicants in their Project Applications.
5. The application to ensure all documentation, including attachment are provided.

Your CoC Must Approve the Consolidated Application before You Submit It
- 24 CFR 578.9 requires you to compile and submit the CoC Consolidated Application for the FY 2023 CoC Program Competition on behalf of your CoC.

- 24 CFR 578.9(b) requires you to obtain approval from your CoC before you submit the Consolidated Application into e-snaps.

Answering Multi-Part Narrative Questions

Many questions require you to address multiple elements in a single text box. Number your responses to correspond with multi-element questions using the same numbers in the question. This will help you organize your responses to ensure they are complete and help us to review and score your responses.

Attachments

Questions requiring attachments to receive points state, "You Must Upload an Attachment to the 4B. Attachments Screen." Only upload documents responsive to the questions posed—including other material slows down the review process, which ultimately slows down the funding process. Include a cover page with the attachment name.

- Attachments must match the questions they are associated with—if we do not award points for evidence you upload and associate with the wrong question, this is not a valid reason for you to appeal HUD's funding determination.

- We must be able to read the date and time on attachments requiring system-generated dates and times, (e.g., a screenshot displaying the time and date of the public posting using your desktop calendar; screenshot of a webpage that indicates date and time).

1A. Continuum of Care (CoC) Identification

HUD publishes resources on the HUD.gov website at CoC Program Competition to assist you in completing the CoC Application. Resources include:

- Notice of Funding Opportunity (NOFO) for Fiscal Year (FY) 2023 Continuum of Care Competition and Noncompetitive Award of Youth Homeless Demonstration Program Renewal and Replacement Grants;
- 24 CFR part 578;
- FY 2023 CoC Application Navigational Guide;
- Section 3 Resources;
- PHA Crosswalk; and
- Frequently Asked Questions

1A-1. CoC Name and Number: CA-512 - Daly City/San Mateo County CoC

1A-2. Collaborative Applicant Name: San Mateo County Human Services Agency

1A-3. CoC Designation: CA

1A-4. HMIS Lead: San Mateo County Human Services Agency

1B. Coordination and Engagement–Inclusive Structure and Participation

HUD publishes resources on the HUD.gov website at CoC Program Competition to assist you in completing the CoC Application. Resources include:

- Notice of Funding Opportunity (NOFO) for Fiscal Year (FY) 2023 Continuum of Care Competition and Noncompetitive Award of Youth Homeless Demonstration Program Renewal and Replacement Grants;
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1B-1.	Inclusive Structure and Participation–Participation in Coordinated Entry.	
	NOFO Sections V.B.1.a.(1), V.B.1.e., V.B.1f., and V.B.1.p.	
	In the chart below for the period from May 1, 2022 to April 30, 2023:	
	1. select yes or no in the chart below if the entity listed participates in CoC meetings, voted—including selecting CoC Board members, and participated in your CoC’s coordinated entry system; or	
	2. select Nonexistent if the organization does not exist in your CoC’s geographic area:	

	Organization/Person	Participated in CoC Meetings	Voted, Including Electing CoC Board Members	Participated in CoC’s Coordinated Entry System
1.	Affordable Housing Developer(s)	Yes	Yes	Yes
2.	CDBG/HOME/ESG Entitlement Jurisdiction	Yes	Yes	Yes
3.	Disability Advocates	Yes	Yes	Yes
4.	Disability Service Organizations	Yes	Yes	Yes
5.	EMS/Crisis Response Team(s)	Yes	Yes	Yes
6.	Homeless or Formerly Homeless Persons	Yes	Yes	Yes
7.	Hospital(s)	Yes	Yes	Yes
8.	Indian Tribes and Tribally Designated Housing Entities (TDHEs) (Tribal Organizations)	Nonexistent	No	No
9.	Law Enforcement	Yes	Yes	Yes
10.	Lesbian, Gay, Bisexual, Transgender (LGBTQ+) Advocates	Yes	Yes	Yes
11.	LGBTQ+ Service Organizations	Yes	Yes	Yes
12.	Local Government Staff/Officials	Yes	Yes	Yes
13.	Local Jail(s)	Yes	Yes	Yes
14.	Mental Health Service Organizations	Yes	Yes	Yes
15.	Mental Illness Advocates	Yes	Yes	Yes

16.	Organizations led by and serving Black, Brown, Indigenous and other People of Color	Yes	Yes	Yes
17.	Organizations led by and serving LGBTQ+ persons	Yes	Yes	Yes
18.	Organizations led by and serving people with disabilities	No	No	No
19.	Other homeless subpopulation advocates	Yes	Yes	Yes
20.	Public Housing Authorities	Yes	Yes	Yes
21.	School Administrators/Homeless Liaisons	Yes	Yes	Yes
22.	Street Outreach Team(s)	Yes	Yes	Yes
23.	Substance Abuse Advocates	Yes	Yes	Yes
24.	Substance Abuse Service Organizations	Yes	Yes	Yes
25.	Agencies Serving Survivors of Human Trafficking	Yes	Yes	Yes
26.	Victim Service Providers	Yes	Yes	Yes
27.	Domestic Violence Advocates	Yes	Yes	Yes
28.	Other Victim Service Organizations	Nonexistent	No	No
29.	State Domestic Violence Coalition	No	No	No
30.	State Sexual Assault Coalition	No	No	No
31.	Youth Advocates	Yes	Yes	Yes
32.	Youth Homeless Organizations	Yes	Yes	Yes
33.	Youth Service Providers	Yes	Yes	Yes
	Other: (limit 50 characters)			
34.	Veteran Service Providers	Yes	Yes	Yes
35.				

1B-2.	Open Invitation for New Members.	
	NOFO Section V.B.1.a.(2)	

	Describe in the field below how your CoC:
1.	communicated a transparent invitation process annually (e.g., communicated to the public on the CoC's website) to solicit new members to join the CoC;
2.	ensured effective communication and access for persons with disabilities, including the availability of accessible electronic formats; and
3.	invited organizations serving culturally specific communities experiencing homelessness in the geographic area to address equity (e.g., Black, Latino, Indigenous, LGBTQ+, and persons with disabilities).

(limit 2,500 characters)

(1) The CoC Steering Committee represents a range of stakeholders and regularly adds new members to ensure continued representation by a diversity of stakeholders. The San Mateo County Human Services Agency (HSA, the CoC Lead Agency) and the Steering Committee Chair review membership and solicit new members for vacancies due to resignations or term limits, as well as identify individuals to represent additional stakeholder groups. Outreach includes contacting individuals who have experienced homelessness, service providers, community-based organizations, City and County departments, and other stakeholder groups. A standing invitation to apply is posted on the CoC website, including general information on the CoC Steering Committee and how to request to become a member. Interested individuals can also contact HSA or the Steering Committee Chair to request to join the committee. Nine new members have been added since 2021.

(2) HSA ensures that all CoC information is accessible via its public website, including meeting dates and invitations to participate, CoC contact information, and all NOFO-related notifications. The website also hosts machine-readable PDFs. Information is also communicated via email. In person CoC meetings are held in ADA-accessible locations. Since the onset of the pandemic, all CoC meetings have been held virtually, further expanding accessibility. Virtual meeting access information are posted on the CoC website prior to each meeting date.

(3) HSA and the Steering Committee Chair and members utilize their connections in the community to identify and recruit committee members from organizations serving culturally specific communities. Currently, there are seats held by three organizations that work in communities of color with a high number of people experiencing homelessness: Project WeHOPE, Retraining the Village and Coastside Hope. Additionally, one seat is held by an organization that provides intensive LGBTQ+ services in the community: StarVista, and multiple seats are also held by an organization that serves people with disabilities: Mental Health Association, Behavioral Health and Recovery Services.

1B-3.	CoC's Strategy to Solicit/Consider Opinions on Preventing and Ending Homelessness.	
	NOFO Section V.B.1.a.(3)	

Describe in the field below how your CoC:	
1.	solicited and considered opinions from a broad array of organizations and individuals that have knowledge of homelessness, or an interest in preventing and ending homelessness;
2.	communicated information during public meetings or other forums your CoC uses to solicit public information;
3.	ensured effective communication and access for persons with disabilities, including the availability of accessible electronic formats; and
4.	took into consideration information gathered in public meetings or forums to address improvements or new approaches to preventing and ending homelessness.

(limit 2,500 characters)

(1) The San Mateo County Human Services Agency (HSA, the CoC Lead Agency) involves an array of stakeholders with an interest in preventing & ending homelessness. The CoC Steering Committee includes members with varying levels of expertise, including lived experience of homelessness, private sector staff, non-profits, & government entities. Members are encouraged to present/provide updates on relevant topics. CoC members have solicited input on the San Mateo County HCH/Farmworker Health Program, Homelessness, Housing Assistance and Prevention (HHAP) and Encampment Resolution Fund (ERF) grants & on the CoC Racial Equity Committee.

(2) CoC meetings are open to the public & non-members are welcome. HSA maintains a list of community members who are notified of CoC meetings & provided information on CoC activities, trainings, & system updates. Information is also posted to the CoC's public website. Interested parties are encouraged to participate, regardless of whether they are voting members. Agendas are sent in advance and include opportunities for attendees to provide input on CoC policies. Recently, WIOA grantee NOVAWorks San Mateo presented on services available through their federally funded job centers offering career advising, customer-led, 1:1 support, remote job search workshops, & computer access.

(3) HSA ensures that all CoC information is accessible via its public website & through posting machine readable PDFs, including meeting dates, CoC contact information, & all NOFO-related notices. Information is also communicated via email, often using machine-readable PDFs. Stakeholder input meetings with service providers are often held virtually, to support accessibility. Lived Experience input sessions are held on site at shelter/service sites, or other convenient locations for the audience.

(4) HSA gathers input from entities and planning bodies working to address homelessness through public meetings of the HOPE Interagency Council (a city/county/stakeholder coordinating body), the Community Action Agency, providers, & a range of local elected officials. In October 2022, HSA, County partners, other CoC stakeholders, and members of the public participated in a countywide Working Together to End Homelessness (WTEH) convening to gather input from all stakeholders on addressing homelessness in the County. The County, including through the Home for All (HfA) initiative, consolidated this input, which has informed the County's WTEH Plan.

1B-4.	Public Notification for Proposals from Organizations Not Previously Awarded CoC Program Funding.	
	NOFO Section V.B.1.a.(4)	
	Describe in the field below how your CoC notified the public:	
1.	that your CoC will consider project applications from organizations that have not previously received CoC Program funding;	
2.	about how project applicants must submit their project applications—the process;	
3.	about how your CoC would determine which project applications it would submit to HUD for funding; and	
4.	ensured effective communication and access for persons with disabilities, including the availability of accessible electronic formats.	

(limit 2,500 characters)

(1) San Mateo County Human Services Agency (HSA, the CoC Lead Agency) announced CoC funding availability via email blasts and on the agency website on July 21, 2023. HSA encourages new organizations to apply for CoC funding. Preferential scoring is not given to existing grantees. CoC funding availability was broadly announced to both CoC funded and non-CoC funded organizations. An informational session was announced on July 25 via email and July 21 via public posting. The session was held on July 27, resulting in attendance from CoC-funded and non-CoC funded agencies. Materials from the session were publicly posted on July 28 to be available for any CoC-funded and non-CoC-funded agencies who may not have attended the live session.

(2) Information about the process and timeline for submission of proposals for both new and renewal funding was emailed broadly and posted to the HSA website on July 21. An informational meeting for applicants was held on July 27 in which HSA staff and the CoC's TA provider reviewed the process and responded to questions.

(3) The CoC's written Project Review and Ranking Policy was approved on July 20, 2023, at a publicly announced meeting of the CoC Steering Committee. A meeting announcement and draft of the Policy was broadly distributed via email blast and posted to the HSA website. The Policy document describes how the CoC will score and rank both new and renewal projects.

(4) CoC information is readily accessible via the HSA public website, including CoC contact information, NOFO-related notifications, and machine-readable PDFs of all materials relating to the CoC competition.

1C. Coordination and Engagement

HUD publishes resources on the HUD.gov website at CoC Program Competition to assist you in completing the CoC Application. Resources include:

- Notice of Funding Opportunity (NOFO) for Fiscal Year (FY) 2023 Continuum of Care Competition and Noncompetitive Award of Youth Homeless Demonstration Program Renewal and Replacement Grants;
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1C-1.	Coordination with Federal, State, Local, Private, and Other Organizations.	
	NOFO Section V.B.1.b.	
	In the chart below:	
	1. select yes or no for entities listed that are included in your CoC's coordination, planning, and operations of projects that serve individuals, families, unaccompanied youth, persons who are fleeing domestic violence who are experiencing homelessness, or those at risk of homelessness; or	
	2. select Nonexistent if the organization does not exist within your CoC's geographic area.	

	Entities or Organizations Your CoC Coordinates with for Planning or Operations of Projects	Coordinates with the Planning or Operations of Projects?
1.	Funding Collaboratives	Nonexistent
2.	Head Start Program	Yes
3.	Housing and services programs funded through Local Government	Yes
4.	Housing and services programs funded through other Federal Resources (non-CoC)	Yes
5.	Housing and services programs funded through private entities, including Foundations	Yes
6.	Housing and services programs funded through State Government	Yes
7.	Housing and services programs funded through U.S. Department of Health and Human Services (HHS)	Yes
8.	Housing and services programs funded through U.S. Department of Justice (DOJ)	Yes
9.	Housing Opportunities for Persons with AIDS (HOPWA)	Yes
10.	Indian Tribes and Tribally Designated Housing Entities (TDHEs) (Tribal Organizations)	Nonexistent
11.	Organizations led by and serving Black, Brown, Indigenous and other People of Color	Yes
12.	Organizations led by and serving LGBTQ+ persons	Yes
13.	Organizations led by and serving people with disabilities	Yes
14.	Private Foundations	Yes
15.	Public Housing Authorities	Yes
16.	Runaway and Homeless Youth (RHY)	No
17.	Temporary Assistance for Needy Families (TANF)	Yes
	Other:(limit 50 characters)	

18.		
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1C-2.	CoC Consultation with ESG Program Recipients.	
	NOFO Section V.B.1.b.	

Describe in the field below how your CoC:	
1.	consulted with ESG Program recipients in planning and allocating ESG Program funds;
2.	participated in evaluating and reporting performance of ESG Program recipients and subrecipients;
3.	provided Point-in-Time (PIT) count and Housing Inventory Count (HIC) data to the Consolidated Plan jurisdictions within its geographic area; and
4.	provided information to Consolidated Plan Jurisdictions to address homelessness within your CoC's geographic area so it could be addressed in the Consolidated Plan update.

(limit 2,500 characters)

(1) The San Mateo County Department of Housing (DOH) is the only entity within the CoC that receives an ESG allocation. DOH is also the administrative entity for CDBG, CDBG-CV, ESG-CV, & State ESG & ESG-CV funds received by San Mateo County. CoC Lead Agency (HSA) & DOH staff jointly establish funding priorities, ensuring alignment with the CoC's strategic plan, key program performance metrics, & system performance measures. HSA staff review funding applications alongside DOH staff & provide input on ESG funding allocations. ESG allocations are approved by the Housing and Community Development Committee (HCDC), which includes representation from the CoC Steering Committee.

(2) HSA provides performance data from HMIS on ESG-funded programs to DOH. HSA & DOH staff meet regularly & discuss program performance, strengths, & challenges of ESG-funded programs. As part of the continuous monitoring process, HSA & DOH review data from ESG & ESG-CV-funded programs, which include evaluating the specific projects' staffing, organizational structure, & service delivery. HSA & DOH incorporate performance measurements within their contracts with ESG-funded shelters & RRH programs. HSA also collaborates with DOH staff on evaluating each program's role in the homelessness system, including how they receive referrals from CES. Through the ongoing evaluation, it has been identified that ESG funds have been critical to increasing shelter capacity, specifically regarding non-congregate shelter options. Data from ESG-funded programs are included in the quarterly data reviews conducted by the CoC Performance Measurement Committee meetings, in which CoC members, including ESG recipients, & other stakeholders are invited to review & analyze homeless system performance and suggest improvements at the project, organization, & system levels. HSA has made its CoC trainings available to ESG grantees as applicable in order to ensure consistent performance across programs.

(3) HSA responds to requests for HMIS, PIT, & HIC data as needed by all partners, including the 3 Con. Plan jurisdictions in the County geography.

(4) The Con. Plan jurisdictions all reach out to HSA when information is needed for Con Plan updates. HSA prepares data from a range of sources, including from the PIT count, HMIS, & other local data sources; HSA also supports with drafting or editing narratives relating to the County's overall homelessness response, Strategic Plan, & other topics.

1C-3.	Ensuring Families are not Separated.	
	NOFO Section V.B.1.c.	

Select yes or no in the chart below to indicate how your CoC ensures emergency shelter, transitional housing, and permanent housing (PSH and RRH) do not deny admission or separate family members regardless of each family member's self-reported sexual orientation and gender identity:

1.	Conducted mandatory training for all CoC- and ESG-funded service providers to ensure families are not separated.	No
2.	Conducted optional training for all CoC- and ESG-funded service providers to ensure families are not separated.	Yes
3.	Worked with ESG recipient(s) to adopt uniform anti-discrimination policies for all subrecipients.	Yes
4.	Worked with ESG recipient(s) to identify both CoC- and ESG-funded facilities within your CoC's geographic area that might be out of compliance and took steps to work directly with those facilities to bring them into compliance.	Yes
5.	Sought assistance from HUD by submitting questions or requesting technical assistance to resolve noncompliance by service providers.	No

1C-4.	CoC Collaboration Related to Children and Youth—SEAs, LEAs, School Districts.	
	NOFO Section V.B.1.d.	

Select yes or no in the chart below to indicate the entities your CoC collaborates with:

1.	Youth Education Provider	No
2.	State Education Agency (SEA)	No
3.	Local Education Agency (LEA)	Yes
4.	School Districts	No

1C-4a.	Formal Partnerships with Youth Education Providers, SEAs, LEAs, School Districts.	
	NOFO Section V.B.1.d.	

Describe in the field below the formal partnerships your CoC has with at least one of the entities where you responded yes in question 1C-4.

(limit 2,500 characters)

The San Mateo County Human Services Agency (the CoC lead agency) maintains a strong relationship with the San Mateo County Office of Education (SMCOE), which is the LEA and coordinates with the CA Dept. of Education (SEA), to remove educational barriers for homeless children, assist children with accessing education and understanding their educational rights, and supporting the academic success of homeless children. For example, HSA and the SMCOE are currently coordinating to provide a site visit to a program serving families that requested assistance in supporting participating families with school-related questions. The SMCOE Homeless Liaison holds a seat on the CoC Steering Committee and communicates about data on homeless students, resources for students who are homeless, and ensuring a coordinated system of care. The Homeless Liaison is a resource for the CoC, homeless service providers, and other stakeholders about the educational rights of families and supportive services available for children experiencing homelessness. HSA coordinates with providers of services for youth and provides information to our CoC member agencies on how to access these services, including mental health counseling for young people through StarVista and Behavioral Health and Recovery Services. HSA contracts with LifeMoves and the Core Service Agencies to provide services to families experiencing homelessness, inclusive of services for children. HSA has regular meetings with the SMCOE Homeless Liaison to coordinate to address needs of children in local school districts.

1C-4b.	Informing Individuals and Families Experiencing Homelessness about Eligibility for Educational Services.	
	NOFO Section V.B.1.d.	

Describe in the field below written policies and procedures your CoC uses to inform individuals and families who become homeless of their eligibility for educational services.

(limit 2,500 characters)

The CoC’s written policies, as incorporated in the CoC Governance Charter, require all providers of services, shelter, and housing for families with children to inform residents about their eligibility for educational services. Providers are also expected to ensure children are enrolled in school or an early childhood education program and connected to appropriate community services. All family shelters have Children’s Services Coordinators whose role is to assist parents and children with understanding their rights and ensuring they are able to access the services for which they are eligible. During the shelter intake process for families, shelter staff assesses each child’s academic needs, screen them for special education needs, provide school supplies, and inform the families of their educational rights, including transportation assistance. Shelter staff also assist the family in completing the school enrollment process. Shelters have identified that some aspects of the school enrollment process can be challenging for homeless families (for example, gathering documentation of immunization requirements and birth certificates) so the shelters have established processes to assist families with completing the school enrollment process as quickly as possible. Shelter staff also maintain close connections with the local homeless education liaisons for their local schools to address any challenges that arise with school enrollment or accessing educational services. Children’s Services Coordinators focus on providing developmentally appropriate services for children to enhance their academic progress.

1C-4c.	Written/Formal Agreements or Partnerships with Early Childhood Services Providers.	
	NOFO Section V.B.1.d.	

Select yes or no in the chart below to indicate whether your CoC has written formal agreements or partnerships with the listed providers of early childhood services:

		MOU/MOA	Other Formal Agreement
1.	Birth to 3 years	No	No
2.	Child Care and Development Fund	No	Yes
3.	Early Childhood Providers	Yes	Yes
4.	Early Head Start	Yes	Yes
5.	Federal Home Visiting Program–(including Maternal, Infant and Early Childhood Home and Visiting or MIECHV)	No	No
6.	Head Start	Yes	Yes
7.	Healthy Start	Yes	Yes
8.	Public Pre-K	Yes	Yes
9.	Tribal Home Visiting Program	No	No
	Other (limit 150 characters)		
10.		No	No

1C-5.	Addressing Needs of Domestic Violence, Dating Violence, Sexual Assault, and Stalking Survivors–Collaboration with Federally Funded Programs and Victim Service Providers.	
	NOFO Section V.B.1.e.	

In the chart below select yes or no for the organizations your CoC collaborates with:

Organizations		
1.	state domestic violence coalitions	No
2.	state sexual assault coalitions	No
3.	other organizations that help this population	Yes

1C-5a.	Collaboration with Federally Funded Programs and Victim Service Providers to Address Needs of Domestic Violence, Dating Violence, Sexual Assault, and Stalking Survivors.	
	NOFO Section V.B.1.e.	

Describe in the field below how your CoC regularly collaborates with organizations indicated in Question 1C-5 to:

1.	update CoC-wide policies; and
2.	ensure all housing and services provided in the CoC's geographic area are trauma-informed and can meet the needs of survivors.

(limit 2,500 characters)

(1) San Mateo County’s sole provider of domestic violence-specific services is the nonprofit agency Community Overcoming Relationship Abuse (CORA). CORA is a CoC grantee, long-standing member of the CoC Steering Committee, & regular participant in other CoC committees, including the CoC Performance Measurement committee & the RRH Workgroup. The San Mateo County Human Services Agency (HSA, the CoC Lead) meets with CORA to provide TA & to learn about the needs of DV survivors in the community. HSA staff sit on the County’s DV Council, alongside CORA & other partners, to review DV services & needs. San Mateo County’s Human Trafficking Coordinator attends CoC Steering meetings & provided information on the need for services for human trafficking victims as part of the planning process for implementing the Emergency Housing Voucher and Stability Voucher programs.

The CoC Steering Committee is responsible for updating CoC-wide policies regarding victim services & housing, in consultation with CORA & other community providers. HSA & its TA provider regularly review the governance charter for areas that need updates to ensure community needs are met & the CoC remains in compliance with HUD regulations. HSA reviews HMIS and comparable database data, including data on the number of people fleeing DV who access CES.

(2) HSA provides CoC-wide training for service providers to ensure all CoC services are trauma-informed. HSA has also provided TA to assist agencies in ensuring their client processes are trauma-informed. HSA also organizes regular CoC-wide training by CORA on trauma-informed care for DV survivors, including topics on safety planning & accessing CORA’s services, so that all providers are equipped to support DV survivors. In 2023, HSA partnered with CORA to provide a 3-part training series that covered DV Dynamics & Scenarios, Technology Enabled Abuse, & Signs & Symptoms of Strangulation. CoC housing providers must inform clients of their rights under VAWA & are required under the CoC Governance Charter to document this. HSA provides training on VAWA & other CoC compliance topics & has provided technical assistance & sample documents such as lease addenda to support providers in VAWA compliance. CoC housing providers must accommodate emergency transfer requests. CoC providers refer to CORA both for safe housing where a confidential location is warranted & to connect survivors to counseling & other survivor-targeted services.

1C-5b.	Coordinated Annual Training on Best Practices to Address the Needs of Domestic Violence, Dating Violence, Sexual Assault, and Stalking Survivors.	
	NOFO Section V.B.1.e.	
	Describe in the field below how your CoC coordinates to provide training for:	
1.	project staff that addresses best practices (e.g., trauma-informed, victim-centered) on safety and planning protocols in serving survivors of domestic violence and indicate the frequency of the training in your response (e.g., monthly, semi-annually); and	
2.	Coordinated Entry staff that addresses best practices (e.g., trauma informed care) on safety and planning protocols in serving survivors of domestic violence and indicate the frequency of the training in your response (e.g., monthly, semi-annually).	

(limit 2,500 characters)

(1) Homeless service programs train staff on an annual basis regarding best practices in effectively supporting DV survivors, dating violence, sexual assault, and stalking, including trauma-informed and victim-centered practices. CORA, the CoC’s DV services provider, conducts an annual training for homeless service providers regarding the dynamics of relationships involving DV and supporting DV survivors through cultural humility and trauma-informed care. The training also provides hands-on skills in peer counseling, crisis intervention, assessment, advocacy, and safety planning. In 2023, CORA’s trainings also included trainings on Technology-Enabled Abuse, & Signs & Symptoms of Strangulation. At a recent Steering Committee meeting, CORA presented on DV-specific services (including the 24-hour hotline, emergency shelter, and subsidy) and connecting DV survivors to CORA. Additionally, the CoC lead agency provides training on VAWA compliance as part of a CoC Compliance training available online for on-demand viewing. The CoC also review VAWA requirements as part of annual site visits.

(2) The Coordinated Entry Services (CES) provider agency (Samaritan House) has an MOU with CORA (the CoC’s victim services provider) to conduct semi-annual training for CES staff on DV intervention and prevention conducts and quarterly in-service trainings on identified topics as needed. Training covers CES procedures, safety screenings and the safety protocol designed by CORA, trauma-informed care, DV screening questions, interviewing, and safety planning. Via the CES DV protocol, clients identified as having a potential safety issue are immediately connected to CORA’s DV hotline for DV assessment and connection to shelter, housing, and services. CES provider leadership maintains a close collaboration with CORA program leadership to continually communicate and refine procedures as needed. The CES provider also holds biweekly CES staff meetings to discuss how the processes are going with relation to DV clients, resources, and referrals.

1C-5c.	Implemented Safety Planning, Confidentiality Protocols in Your CoC’s Coordinated Entry to Address the Needs of Domestic Violence, Dating Violence, Sexual Assault, and Stalking Survivors.	
	NOFO Section V.B.1.e.	
	Describe in the field below how your CoC’s coordinated entry includes:	
1.	safety planning protocols; and	
2.	confidentiality protocols.	

(limit 2,500 characters)

The CoC is committed to ensuring the safety of households fleeing domestic violence (DV) while respecting housing choice.

(1) If a household directly contacts CORA (the local victim services provider), CORA offers a trauma-informed, victim-centered 24-hour hotline with access to safe housing options, and other services. The hotline provides access to CORA’s services, including emergency shelter, housing, legal services, and mental health services. These programs are designed to connect survivors to individualized supportive services while restoring their sense of safety, choice, and control. Households contacting the Coordinated Entry (CE) system are screened using victim-centered practices to determine safety concerns and receive referrals to DV or non-DV shelter and housing. Clients are referred to housing based on their unique circumstances (e.g., safety needs, income level, behavioral health needs, proximity to schools).

(2) Confidentiality is ensured regardless of how clients initially contact the homeless system. CE and CORA cross-refer in order to ensure households are connected to appropriate services, including services funded by ESG, CoC, DOJ/OVW, HHS, and other non-DV-specific programs. If a client identifies as a DV survivor in response to the CE process, the CE provider will refer and connect the client to CORA. CORA assesses the client’s needs and safety and offers them housing in a CORA shelter in a confidential location if appropriate. For clients served by CORA, data is securely entered into an HMIS-compatible database. All households, including DV survivor households, may opt out of HMIS participation. No household seeking homeless services, including DV survivor households, is denied assistance if they do not wish to participate in HMIS.

The CoC has adopted a set of policies to support DV victims, which includes an Emergency Transfer Plan. The CoC ensures that covered programs maintain procedures in compliance with VAWA and HUD’s DV Rule, including how programs offer tenants the ability to transfer to another unit for safety reasons. All CoC providers have received training from HSA and CORA on how to comply with HUD’s DV rule.

1C-5d.	Used De-identified Aggregate Data to Address the Needs of Domestic Violence, Dating Violence, Sexual Assault, and Stalking Survivors.	
	NOFO Section V.B.1.e.	
	Describe in the field below:	
1.	the de-identified aggregate data source(s) your CoC used for data on survivors of domestic violence, dating violence, sexual assault, and stalking; and	
2.	how your CoC uses the de-identified aggregate data described in element 1 of this question to evaluate how to best meet the specialized needs related to domestic violence and homelessness.	

(limit 2,500 characters)

(1) The Human Services Agency (HSA, the CoC Lead Agency) holds ultimate responsibility for assessing community needs related to DV. Alongside partners, HSA staff sit on the County’s DV Council to review DV services and needs. To assess community needs related to DV, the CoC looks to Community Overcoming Relationship Abuse (CORA), the community’s only provider of domestic violence-specific services and a long-standing HUD CoC Steering Committee member.

CORA operates many programs, including a DV shelter and DV housing programs. CORA’s data is entered into and managed through Apricot by Social Solutions, an HMIS-comparable database. CORA also uses its Apricot database to assess the needs of DV victims in the community. For example, during San Mateo County’s affordable housing and COVID crises, CORA has seen an increase in mental health issues, legal issues, and number of clients in crisis; many victims are choosing to stay with their abuser longer rather than face homelessness due to the economic situation and public health emergency, as well as all the threats that accompany those added stressors. CORA employs a full-time Data Analyst responsible for managing, evaluating, and reporting on data in Apricot. As needed, CORA’s Data Analyst provides the CoC with DV-specific data to assess the needs of the community.

(2) In 2023, HSA and CORA collaborated to develop an assessment of need for Housing Stability Vouchers for domestic violence survivors. CORA extracted data from Apricot and other data sources to quantify how many DV households were served in emergency shelter, how many were on waiting lists for shelter, how many were referred to other organizations due to there not being a DV shelter bed available. They found there were 190 such households in the period from July 1, 2022, to June 30, 2023. HSA compared this information to HMIS data on the overall numbers of people experiencing homelessness in the CoC to determine how many of the community’s stability vouchers to set aside for DV households. This process was similar to that of the EHV’s in 2021.

** **

1C-5e.	Implemented Emergency Transfer Plan Policies and Procedures for Domestic Violence, Dating Violence, Sexual Assault, and Stalking Survivors.	
	NOFO Section V.B.1.e.	

Describe in the field below how your CoC communicates to all individuals and families seeking or receiving CoC Program assistance:

1.	whether your CoC has policies and procedures that include an emergency transfer plan;
2.	the process for individuals and families to request an emergency transfer; and
3.	the process your CoC uses to respond to individuals’ and families’ emergency transfer requests.

(limit 2,500 characters)

(1) As is outlined in the CoC Governance Charter, CoC housing providers must document that clients were informed of their rights to request and receive an emergency transfer under the Violence Against Women Act (VAWA) and were provided with copies of the notices. A signed copy of acknowledgement must be maintained in client files. The CoC Governance Charter also requires that programs have a HUD-compliant written policy on Emergency Transfers. Further, the ability to request a transfer must be available regardless of sex, gender identity, or sexual orientation. HSA, the CoC Lead Agency, has provided a training centered on implementing VAWA into homeless service providers' policies, including adhering to the Emergency Transfer Plan and provided sample lease addendum language. HSA also provided a training webinar on CoC compliance, including VAWA compliance, to all CoC programs. This training was last circulated in September 2023. HSA also makes technical assistance available to providers in the CoC on VAWA, including during site visits.

(2) Clients may request an emergency transfer plan in writing or verbally to the provider case management staff to receive a transfer from their current unit to another unit. Providers must accept oral statements from program participants as certification of incidents of domestic violence, dating violence, sexual assault, or stalking in the absence of other documentation, and may not require third-party verification of an incident of domestic violence, stalking, etc., to enact VAWA protections.

(3) At the time of the request, provider case management staff work with the client to assess for immediate safety needs, and refer to the CoC's victim services provider, CORA, for safety planning and potential referral to CORA's confidential emergency shelter program, or other available appropriate shelter if necessary, to ensure immediate safety needs are met. Otherwise, for TH and project-based PSH, the program would work with CE to identify another unit at another site, and to arrange for transportation as needed. For tenant-based housing programs, the provider accommodates the request by working with the households to transfer the rental assistance to a new unit. Housing navigation assistance may be provided to assist with locating a new unit.

1C-5f.	Access to Housing for Survivors of Domestic Violence, Dating Violence, Sexual Assault, and Stalking.	
	NOFO Section V.B.1.e.	

Describe in the field below how your CoC:	
1.	ensures that survivors of domestic violence, dating violence, sexual assault, or stalking have safe access to all of the housing and services available within the CoC's geographic area; and
2.	proactively identifies systemic barriers within your homeless response system that create barriers to safely house and provide services to survivors of domestic violence, dating violence, sexual assault, or stalking.

(limit 2,500 characters)

(1) The CoC ensures that CES is widely marketed and available to all populations and subpopulations in the CoC’s geographic area, including survivors of domestic violence, dating violence, sexual assault, or stalking. The San Mateo County Human Services Agency (as the CoC Lead Agency) developed detailed Domestic Violence policies with CORA (the local victim services provider) that align with the CoC policies. The San Mateo County CoC provides individuals and families fleeing domestic violence access to housing and trauma-informed, victim-centered services that prioritize the survivor’s safety needs, accommodate their unique circumstances, and maximize client choice. CES ensures equal access to homeless system programs for any households fleeing domestic violence, regardless of whether they initially contact a victim services provider or other homeless system provider, per the CES policies. HSA also makes technical assistance available to providers in the CoC about complying with VAWA, including supporting them to ensure their policies comply regarding emergency transfers to allow victims of domestic violence and/or sexual violence to move to another safe and available unit if they are concerned for their safety in the current unit/program.

(2) HSA has proactively trained providers on VAWA policy requirements, including through providing sample lease language for ensuring VAWA compliance and making a CoC compliance training webinar that includes VAWA requirements available online. HSA has prioritized for this local fiscal year training for homeless services providers on the updated homelessness definition broadening the eligibility criteria for people who have experiencing DV and other interpersonal violence. HSA has worked with the local victim services provider to share aggregate data for use in determining the proportionate amount of household seeking services to ensure parity of access to programs such as the EHV and stability voucher programs. HSA will also be instituting CES Housing Matching monthly office hours this fiscal year, to which CORA and other providers will be invited, to facilitate ongoing overviews, refreshers, and question-answering for new and existing direct services staff of outreach and shelter programs.

1C-5g.	Ensuring Survivors With a Range of Lived Expertise Participate in Developing CoC-Wide Policy and Programs.	
	NOFO Section V.B.1.e.	

Describe in the field below how your CoC:	
1.	ensured survivors with a range of lived expertise are involved in the development of your CoC-wide policy and programs; and
2.	accounted for the unique and complex needs of survivors.

(limit 2,500 characters)

(1) The San Mateo County Human Services Agency (HSA, the CoC Lead) works diligently to include the voices of people with lived experience of homelessness with a diverse range of background experiences and circumstances surrounding their experience of homelessness through regular input sessions, the Lived Experience Advisory Group (LEAG), and working group sessions that specifically included clients working with the DV service provider, CORA. LEAG includes 1+ members who identify as DV survivors, and CORA’s staff includes DV survivors. The information gathered through these efforts is used for a wide array of community needs, including to inform policy planning and priorities, service provision priorities and structures, and much more. HSA invites new LEAG members to introduce themselves rather than sharing and information on their behalf. The Center on Homelessness Lived Experience Analyst reaches out individually to LEAG members as they join LEAG, and if they miss multiple meetings, and if they have any questions. All people with lived experience who participate in information gathering or workgroups receive compensation for their time in the form of grocery store gift cards, which enables participants to remain anonymous if they wish. LEAG meets virtually at this time per its preference, and other engagements are coordinated to suit the situation. In FY23, HSA hosted a 3-part Client Feedback Workgroup series to hear from provider agencies and their clients about how to engage participants and better respond to their feedback. Topics discussed during this series included: what providers desire from HSA and LEAG for more client input; best ways to survey clients; methods to collect feedback; and how to act on client feedback.

(2) HSA accommodates people’s preferences when engaging with people with lived experience by meeting them where they are in terms of comfort to share information and by not requiring disclosure of personal information. HSA invites people to introduce themselves, rather than speaking for them, and this fosters a sense of confidence in being able to present yourself as you wish, rather than being labeled or spoken for by another, which is particularly important for DV survivors. Survivors and others are also welcome to provide feedback in a multitude of ways. To further this effort, HSA has drafted an anonymous open feedback mechanism for client feedback and suggestions directly to HSA and expects to roll that out this year.

1C-6.	Addressing the Needs of Lesbian, Gay, Bisexual, Transgender and Queer+--Anti-Discrimination Policy and Training.	
	NOFO Section V.B.1.f.	

	1. Did your CoC implement a written CoC-wide anti-discrimination policy ensuring that LGBTQ+ individuals and families receive supportive services, shelter, and housing free from discrimination?	Yes
	2. Did your CoC conduct annual CoC-wide training with providers on how to effectively implement the Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity (Equal Access Final Rule)?	Yes
	3. Did your CoC conduct annual CoC-wide training with providers on how to effectively implement Equal Access in Accordance With an Individual's Gender Identity in Community Planning and Development Programs (Gender Identity Final Rule)?	Yes

1C-6a.	Anti-Discrimination Policy—Updating Policies—Assisting Providers—Evaluating Compliance—Addressing Noncompliance.	
NOFO Section V.B.1.f.		
Describe in the field below:		
1.	how your CoC regularly collaborates with LGBTQ+ and other organizations to update its CoC-wide anti-discrimination policy, as necessary to ensure all housing and services provided in the CoC are trauma-informed and able to meet the needs of LGBTQ+ individuals and families;	
2.	how your CoC assisted housing and services providers in developing project-level anti-discrimination policies that are consistent with the CoC-wide anti-discrimination policy;	
3.	your CoC's process for evaluating compliance with your CoC's anti-discrimination policies; and	
4.	your CoC's process for addressing noncompliance with your CoC's anti-discrimination policies.	

(limit 2,500 characters)

(1) The CoC updates the CoC-wide anti-discrimination policy on an as-needed basis, utilizing stakeholder and CoC feedback. LGBTQ+ stakeholder organization StarVista is an active, voting member of the CoC Steering Committee.

(2) The CoC provides technical assistance support to providers as they develop or update their project-level anti-discrimination policies that align with the CoC-wide anti-discrimination policy. The CoC-wide anti-discrimination policy states that all homeless system providers and programs receiving federal CoC and/or ESG funds, or who contract with the San Mateo County Human Services Agency, shall affirmatively market their housing, shelter and supportive services to eligible persons regardless of race, color, national origin, religion, sex, age, familial status, or disability and who are least likely to apply in the absence of special outreach, and maintain records of those marketing activities. The policy also states that housing and services must be made available to individuals and families without regard to actual or perceived sexual orientation, gender identity, or marital status in accordance with 24 CFR 5.105 (a)(2). The policy also states that programs shall adopt written policies ensuring that LBGTQ+ individuals and families may receive supportive services, shelter and housing free from discrimination and that all programs shall comply with all applicable state and Federal civil rights and fair housing laws and requirements.

(3) The CoC evaluates whether project-level anti-discrimination policies comply with the CoC-wide anti-discrimination policies via program compliance check-ins or site visits. The CoC reviews the project's anti-discrimination policy and discusses the contents with program leadership.

(4) If a program were to be out of compliance with the CoC-wide anti-discrimination policies, the CoC would address the noncompliance with program leadership, offer technical assistance to the program to support the revision of their policies and practices, and take corrective action as necessary.

1C-7.	Public Housing Agencies within Your CoC's Geographic Area—New Admissions—General/Limited Preference—Moving On Strategy.	
NOFO Section V.B.1.g.		

You must upload the PHA Homeless Preference\PHA Moving On Preference attachment(s) to the 4B. Attachments Screen.

Enter information in the chart below for the two largest PHAs highlighted in gray on the current CoC-PHA Crosswalk Report or the two PHAs your CoC has a working relationship with—if there is only one PHA in your CoC’s geographic area, provide information on the one:

Public Housing Agency Name	Enter the Percent of New Admissions into Public Housing and Housing Choice Voucher Program During FY 2022 who were experiencing homelessness at entry	Does the PHA have a General or Limited Homeless Preference?	Does the PHA have a Preference for current PSH program participants no longer needing intensive supportive services, e.g., Moving On?
The Housing Authority of the County of San Mateo (HACSM)	39%	Yes-HCV	Yes

1C-7a.	Written Policies on Homeless Admission Preferences with PHAs.	
	NOFO Section V.B.1.g.	

Describe in the field below:

- | | |
|----|--|
| 1. | steps your CoC has taken, with the two largest PHAs within your CoC’s geographic area or the two PHAs your CoC has working relationships with, to adopt a homeless admission preference—if your CoC only has one PHA within its geographic area, you may respond for the one; or |
| 2. | state that your CoC has not worked with the PHAs in its geographic area to adopt a homeless admission preference. |

(limit 2,500 characters)

The Housing Authority of the County of San Mateo (HACSM) is the sole Public Housing Authority in the CoC’s geographic area. HACSM has implemented a homeless admission set-aside in its Moving to Work (MTW) program called the Housing Readiness Program (MTW-HRP). MTW-HRP is a voucher program designed to provide homeless individuals and families with rental assistance for up to 5 years.

HACSM provides a focus on self-sufficiency to support MTW-HRP households in being successful without subsidy following graduation from the program. For the first 18 months in the program, participants receive case management from a homeless services provider within the CoC, before a transition into HACSM’s self-sufficiency services. Eligibility requirements for MTW-HRP include that the applicants must be experiencing homeless as defined by HACSM’s policy. Collaboration between HACSM and the CoC led the referral process for MTW-HRP to be integrated into the Coordinated Entry System (CES), which ensures prioritization of households who are experiencing the greatest vulnerabilities and most extensive histories of homelessness. In 2022, 12 new households enrolled in MTW-HRP, with a total of 111 households served by the program.

Starting in 2021, HACSM collaborated with the CoC to roll out the Emergency Housing Voucher (EHV) program. San Mateo County paired housing navigation services and additional supportive services through nonprofit service providers, including the victim services provider, to utilize EHV’s. The CoC elected to set a preference for households experiencing homelessness at entry for EHV’s. Our community has an EHV utilization rate of 97.3% as of mid-August 2023. HACSM and the CoC are working together to roll out the new Stability Voucher program in 2023.

HACSM also operates a Project-Based Voucher (PBV) program which designates funds to existing or newly constructed housing units. Eligibility requirements for funding for some PBV units include housing individuals/families who are homeless, which requires selection preference for the specified units to include the criterion of homelessness. Various project-based sites in the CoC have a total of 31 PBV units set aside for residents experiencing homelessness prior to entry. In addition, HACSM has elected to contribute 37 PBV units to support the state-funded Mental Health Services Act (MHSA) program to house people experiencing or are at risk of experiencing homelessness and have a serious mental illness.

1C-7b.	Moving On Strategy with Affordable Housing Providers.	
	Not Scored—For Information Only	

Select yes or no in the chart below to indicate affordable housing providers in your CoC’s jurisdiction that your recipients use to move program participants to other subsidized housing:

1.	Multifamily assisted housing owners	No
2.	PHA	Yes
3.	Low Income Housing Tax Credit (LIHTC) developments	Yes
4.	Local low-income housing programs	Yes

	Other (limit 150 characters)	
5.		No

1C-7c.	Include Units from PHA Administered Programs in Your CoC's Coordinated Entry.	
	NOFO Section V.B.1.g.	

In the chart below, indicate if your CoC includes units from the following PHA programs in your CoC's coordinated entry process:

1.	Emergency Housing Vouchers (EHV)	Yes
2.	Family Unification Program (FUP)	No
3.	Housing Choice Voucher (HCV)	Yes
4.	HUD-Veterans Affairs Supportive Housing (HUD-VASH)	Yes
5.	Mainstream Vouchers	No
6.	Non-Elderly Disabled (NED) Vouchers	No
7.	Public Housing	No
8.	Other Units from PHAs:	
		No

1C-7d.	Submitting CoC and PHA Joint Applications for Funding for People Experiencing Homelessness.	
	NOFO Section V.B.1.g.	

1.	Did your CoC coordinate with a PHA(s) to submit a competitive joint application(s) for funding or jointly implement a competitive project serving individuals or families experiencing homelessness (e.g., applications for mainstream vouchers, Family Unification Program (FUP), other programs)?	Yes
		Program Funding Source
2.	Enter the type of competitive project your CoC coordinated with a PHA(s) to submit a joint application for or jointly implement.	Mainstream Vouchers, FUP

1C-7e.	Coordinating with PHA(s) to Apply for or Implement HCV Dedicated to Homelessness Including Emergency Housing Voucher (EHV).	
	NOFO Section V.B.1.g.	

	Did your CoC coordinate with any PHA to apply for or implement funding provided for Housing Choice Vouchers dedicated to homelessness, including vouchers provided through the American Rescue Plan?	Yes
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1C-7e.1.	List of PHAs with Active MOUs to Administer the Emergency Housing Voucher (EHV) Program.	
	Not Scored—For Information Only	

	Does your CoC have an active Memorandum of Understanding (MOU) with any PHA to administer the EHV Program?	Yes
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	If you select yes to question 1C-7e.1., you must use the list feature below to enter the name of every PHA your CoC has an active MOU with to administer the Emergency Housing Voucher Program.	
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PHA		
The Housing Autho...		

1C-7e.1. List of PHAs with MOUs

Name of PHA: The Housing Authority of the County of San Mateo

1D. Coordination and Engagement Cont'd

HUD publishes resources on the HUD.gov website at CoC Program Competition to assist you in completing the CoC Application. Resources include:

- Notice of Funding Opportunity (NOFO) for Fiscal Year (FY) 2023 Continuum of Care Competition and Noncompetitive Award of Youth Homeless Demonstration Program Renewal and Replacement Grants;
- 24 CFR part 578;
- FY 2023 CoC Application Navigational Guide;
- Section 3 Resources;
- PHA Crosswalk; and
- Frequently Asked Questions

1D-1.	Discharge Planning Coordination.	
	NOFO Section V.B.1.h.	

Select yes or no in the chart below to indicate whether your CoC actively coordinates with the systems of care listed to ensure persons who have resided in them longer than 90 days are not discharged directly to the streets, emergency shelters, or other homeless assistance programs.

1. Foster Care	Yes
2. Health Care	Yes
3. Mental Health Care	Yes
4. Correctional Facilities	Yes

1D-2.	Housing First—Lowering Barriers to Entry.	
	NOFO Section V.B.1.i.	

1.	Enter the total number of new and renewal CoC Program-funded PSH, RRH, SSO non-coordinated entry, Safe Haven, and Transitional Housing projects your CoC is applying for in FY 2023 CoC Program Competition.	14
2.	Enter the total number of new and renewal CoC Program-funded PSH, RRH, SSO non-coordinated entry, Safe Haven, and Transitional Housing projects your CoC is applying for in FY 2023 CoC Program Competition that have adopted the Housing First approach.	14
3.	This number is a calculation of the percentage of new and renewal PSH, RRH, SSO non-Coordinated Entry, Safe Haven, and Transitional Housing projects the CoC has ranked in its CoC Priority Listing in the FY 2023 CoC Program Competition that reported that they are lowering barriers to entry and prioritizing rapid placement and stabilization to permanent housing.	100%

1D-2a.	Project Evaluation for Housing First Compliance.	
	NOFO Section V.B.1.i.	

You must upload the Housing First Evaluation attachment to the 4B. Attachments Screen.

	Describe in the field below:
1.	how your CoC evaluates every project—where the applicant checks Housing First on their project application—to determine if they are using a Housing First approach;
2.	the list of factors and performance indicators your CoC uses during its evaluation; and
3.	how your CoC regularly evaluates projects outside of your local CoC competition to ensure the projects are using a Housing First approach.

(limit 2,500 characters)

(1&2) CoC projects are regularly monitored for compliance with all funding requirements, including Housing First. HSA, the CoC Lead, evaluates CoC projects during site visits by reviewing data and policies and discussing practices. Also, each CoC-funded program provider’s Housing First policies & procedures are reviewed as part of the CoC rating process; points are awarded to projects that are consistent with CoC requirements. Additionally, renewal project performance data are incorporated into the scoring process, which may further indicate whether programs are aligning with Housing First principles. The CoC examines exits to permanent housing, housing retention, average length of stay, returns to homelessness, & increases to or maintenance of income. Projects are expected to document how they are not screening participants out based on having too little income, actively using substances or having a history of substance use, having a criminal record, or having a history of domestic violence; & how they are not terminating participants for failure to participate in services, failure to progress on a service plan, loss of income, or being a victim of domestic violence. CoC renewal projects are scored based on whether their written project guidelines align with these criteria.

(3) The CoC has adopted a systemwide policy on Housing First stating “the system prioritizes rapid placement and stabilization in permanent housing and there is an expectation that programs will not have service participation requirements or preconditions such as sobriety or a minimum income threshold.” Operational program standards for ES, TH, RRH and PSH include expectations that align with Housing First. The CoC provides written guidance to all CoC-funded providers on how to align their policies. HSA manages a central referral list for CE placement. HSA tracks the rate of acceptance of CES referrals & reasons for refusal and uses that information to monitor whether a program is creating barriers to program entry. Programs identified as having challenges with Housing First principles in program eligibility/screening are invited to meet with HSA to problem solve to lower barriers. HSA also reviews project performance data regularly, including exit destinations. Programs identified as having challenges are invited to meet with HSA and a technical assistance provider to problem solve to improve their ability to help participants secure housing & avoid returns to homelessness.

1D-3.	Street Outreach—Scope.	
	NOFO Section V.B.1.j.	

	Describe in the field below:
1.	your CoC’s street outreach efforts, including the methods it uses to ensure all persons experiencing unsheltered homelessness are identified and engaged;
2.	whether your CoC’s Street Outreach covers 100 percent of the CoC’s geographic area;
3.	how often your CoC conducts street outreach; and
4.	how your CoC tailored its street outreach to persons experiencing homelessness who are least likely to request assistance.

(limit 2,500 characters)

(1)HSA, the CoC Lead, funds & oversees five Homeless Outreach Teams (HOT)—1 countywide team & 2 additional teams targeting areas where there are disproportionately higher numbers of unsheltered people including BIPOC. HOT conducts intensive engagement & assists clients with connecting to other services to meet their needs. HOT partners with CE to ensure that unsheltered people can participate in the CE process in the field-including diversion, referral to shelters, housing intervention assessment, document preparation assistance, & housing navigation. HOT workers create & implement a housing & services plan and use HMIS to track contacts and performance outcomes. HOT partners with/refers people to Street Medicine, Behavioral Health and Recovery Services (BHRS), safety net, homeless, & medical providers, substance use treatment programs, & law enforcement to meet people’s varied needs. The CoC has implemented a Homeless Outreach App to effectively identify homeless individuals and encampments, providing a mechanism for partners to request for HOT staff to make contact & assist in engaging new unsheltered households. The CoC has also funded a dispatch position to manage & coordinate rapid response requests, including those that come in via the app. The CoC has implemented a data tool that maps homeless encampments & unsheltered individuals throughout the CoC.

(2)HOT covers 100% of the CoC geographic area.

(3)HOT Outreach is scheduled for M-F 8am-5pm. Afterhours outreach is available M-F 4pm–10pm. There are some rapid response services by phone during the evenings, weekends, & holidays.

(4)HOT tailors outreach to those least likely to request assistance by maintaining multilingual staff, meeting with clients where they are living, & providing transportation as needed. For clients with cognitive or physical disabilities, HOT coordinates with the Street Medicine team and the PATH program to access clinical specialists. HOT provides case management for those who are assessed through CE with highest needs. To build trust and rapport with unsheltered households & meet their immediate needs, HOT repeats engagement attempts. HOT staff receive training in motivational interviewing, trauma-informed care, & other topics to best equip them to serve clients with high needs. HOT receives info from city staff & other stakeholders about new encampments/locations of unsheltered people that may be difficult to locate, then HOT conducts outreach to those location.

1D-4.	Strategies to Prevent Criminalization of Homelessness.	
	NOFO Section V.B.1.k.	

Select yes or no in the chart below to indicate strategies your CoC implemented to ensure homelessness is not criminalized and to reverse existing criminalization policies in your CoC’s geographic area:

	Your CoC's Strategies	Ensure Homelessness is not Criminalized	Reverse Existing Criminalization Policies
1.	Engaged/educated local policymakers	Yes	No
2.	Engaged/educated law enforcement	Yes	No
3.	Engaged/educated local business leaders	No	No
4.	Implemented community wide plans	Yes	No
5.	Other:(limit 500 characters)		
		No	No

1D-5.	Rapid Rehousing–RRH Beds as Reported in the Housing Inventory Count (HIC) or Longitudinal Data from HMIS.	
	NOFO Section V.B.1.I.	

		HIC Longitudinal HMIS Data	2022	2023
	Enter the total number of RRH beds available to serve all populations as reported in the HIC or the number of households served per longitudinal HMIS data, e.g., APR.	HIC	482	384

1D-6.	Mainstream Benefits–CoC Annual Training of Project Staff.	
	NOFO Section V.B.1.m.	

Indicate in the chart below whether your CoC trains program staff annually on the following mainstream benefits available for program participants within your CoC's geographic area:

	Mainstream Benefits	CoC Provides Annual Training?
1.	Food Stamps	Yes
2.	SSI–Supplemental Security Income	Yes
3.	SSDI–Social Security Disability Insurance	Yes
4.	TANF–Temporary Assistance for Needy Families	Yes
5.	Substance Use Disorder Programs	No
6.	Employment Assistance Programs	Yes
7.	Other (limit 150 characters)	
	General Assistance, Medicaid, CAPI state disability program	Yes

1D-6a.	Information and Training on Mainstream Benefits and Other Assistance.	
	NOFO Section V.B.1.m	

Describe in the field below how your CoC:

1. systemically provides up-to-date information on mainstream resources available for program participants (e.g., Food Stamps, SSI, SSDI, TANF, substance abuse programs) within your CoC's geographic area;

2.	works with project staff to collaborate with healthcare organizations, including substance abuse treatment and mental health treatment, to assist program participants with receiving healthcare services; and
3.	works with projects to promote SSI/SSDI Outreach, Access, and Recovery (SOAR) certification of program staff.

(limit 2,500 characters)

(1)HSA offers homelessness response system providers regular training on mainstream benefits, health, and employment services, including enrollment processes and application tips for program participants as well as service providers. HSA facilitated training for providers on how to enroll families in TANF at family shelters. SSA provided training that included information on both SSI and SSDI in summer 2023. HSA will also create and share a mainstream benefits training webinar in September 2023 for on-demand viewing by homeless services providers.

(2)HSA works closely with the Healthcare for the Homeless program, which is part of the County’s Health Department, to ensure people experiencing homelessness are enrolled in Medicaid (Medi-Cal) or other health insurance programs for which they are eligible. All providers of services in the homelessness response system can direct clients to HSA to assist with enrollment. HSA works hand in hand with Healthcare for the Homeless (HCH) to ensure that people experiencing homelessness are able to use their Medicaid and other health benefits. HCH operates mobile clinics and vans that bring health services to people who are unsheltered or living in shelters. The County also operates Street Medicine (providing primary care and psychiatric services) and a HEAL (mental health clinicians serving people who are unsheltered), which both serve people who are unsheltered and work closely with homeless programs. Health Department leadership and CoC staff meet on a regular basis to ensure that structures are in place for people experiencing homelessness to receive health care services, including substance abuse treatment, mental health treatment, and physical health treatment.

(3)HSA coordinates to help all homelessness response system providers to access SOAR training. HSA also receives state Housing and Disability Advocacy Program funding, which is used to provide eligible, Coordinated Entry-referred households with SSI/SSDI benefits advocacy in conjunction with housing navigation, rental subsidy, and supportive services during the benefits application process.

1D-7.	Increasing Capacity for Non-Congregate Sheltering.	
	NOFO Section V.B.1.n.	

Describe in the field below how your CoC is increasing its capacity to provide non-congregate sheltering.

(limit 2,500 characters)

The CoC has launched and increased non-congregate shelter capacity, starting from early COVID-19 and continuing through now. Prior to COVID, the community’s adult shelters were all congregate. Beginning early in COVID, the CoC and shelter providers implemented temporary non-congregate shelter programs for adults in motels, providing safe shelter, housing-focused case management and other supportive services. The programs began serving people who were at high risk for serious medical complications if they were exposed to COVID, and these programs were key to both creating safe shelter for this population and also allowing the existing congregate shelters to reduce their on-site capacity, in order to maintain social distancing. Over time, the temporary programs served additional populations, including serving as overflow for existing shelters when, for example, the congregate shelters were experiencing COVID outbreaks. More recently, there has been a specialized non-congregate shelter program to provide safe places to isolate for people who become COVID-positive while in a congregate shelter.

In addition to these temporary non-congregate shelter programs that began in early 2020, the CoC has also opened four new non-congregate ongoing shelter programs in 2021, 2022, and 2023. These new non-congregate shelters have significantly expanded the shelter resources. These non-congregate shelters serve people experiencing homelessness, providing safe, private shelter space, and supportive services, and serve many people who are experiencing unsheltered homelessness who have been hesitant to access the congregate shelters. The non-congregate shelters have proven to be a flexible resource, serving different populations, including, adult, adult couples, and families with children.

The County purchased three former motels/hotels for conversion into non-congregate shelter. Two became operational in 2021 and one opened in fall 2022: (a) Coast House, 51 units, launched in 2021; (b) Pacific Shelter, 74 units, launched in 2021; (c) El Camino House, 44 units launched in 2022; and (d) a 240-unit Navigation Center opened in May 2023 and provides non-congregate shelter and intensive services for individuals and couples.

The CoC has invested federal, state (including competitive Homekey state grants) and local funds towards non-congregate shelters.

ID-8.	Partnerships with Public Health Agencies–Collaborating to Respond to and Prevent Spread of Infectious Diseases.	
	NOFO Section V.B.1.o.	
	Describe in the field below how your CoC effectively collaborates with state and local public health agencies to:	
1.	develop CoC-wide policies and procedures to respond to infectious disease outbreaks; and	
2.	prevent infectious disease outbreaks among people experiencing homelessness.	

(limit 2,500 characters)

(1) The pandemic made it necessary for the CoC, in close collaboration with the Health Department, homeless programs and County leadership, to mobilize and sustain a highly complex and ongoing response to COVID, which is still continuing today. Responding to COVID deepened the connections and integration between HSA as the CoC lead agency and the County’s Health Department, including both Public Health/Communicable Diseases and Health Care for the Homeless programs within the Health Department. Public Health issues (and updates as needed) CDC guidance and other protocols on preventing and responding to infectious diseases within homeless programs and among the population of people experiencing homelessness, and the CoC has worked closely with Public Health and homeless programs to ensure smooth communication of the protocols and to create venues for questions and additional guidance for homeless service programs. When there was an emerging challenge, such as the shelter outbreaks driven by the Omicron surge in early 2022, the CoC and Public Health held a series of meetings with shelter providers and together created a response specifically for the shelters. The ongoing communication between CoC staff and the Health Department, including Public Health and executive Health leadership, allows for the identification and response to any new challenges related to infectious disease outbreaks. The structure of CoC and Public Health coordination was strengthened by the COVID response process and is utilized for all infectious disease response including flu, M-Pox, shingles, etc.

(2) The CoC works with Public Health to ensure that programs serving people experiencing homelessness are aware of Public Health guidance regarding infectious diseases, and have resources needed. Examples of resources that the CoC and Public Health have worked together to provide include flu vaccines, PPE and COVID tests for people experiencing homelessness and staff of programs that serve them, information on COVID vaccines and boosters, specialized clinics and resources to provide vaccines at homeless programs, and programs to provide isolation for people experiencing homelessness who become COVID-positive. Also, the Street Medicine outreach team and other Health services are able to provide additional specific services to people experiencing homelessness who are exposed to infectious diseases.

ID-8a.	Collaboration With Public Health Agencies on Infectious Diseases.	
	NOFO Section V.B.1.o.	
	Describe in the field below how your CoC:	
1.	shared information related to public health measures and homelessness, and	
2.	facilitated communication between public health agencies and homeless service providers to ensure street outreach providers and shelter and housing providers are equipped to prevent or limit infectious disease outbreaks among program participants.	

(limit 2,500 characters)

(1) Throughout the COVID-19 pandemic, the San Mateo County Human Service Agency (HSA, the CoC Lead Agency) has worked closely with the County’s Health Department (including both Public Health and Healthcare for the Homeless (HCH) programs within Health) to communicate with homeless service providers. Health developed guidance documents and emails, with input from the CoC, to transmit to homeless service providers, with a particular focus on outreach teams and emergency shelters. All materials developed incorporate guidance from the CDC, State of CA and local Public Health. The CoC ensured that the Health communication reached all relevant providers, and the CoC also functions as a liaison between homeless programs and Health, flagging when additional guidance or communication is needed and helping to bring together responses to emerging challenges.

(2) CoC staff have ongoing coordination with both Public Health and HCH regarding infectious disease prevention and response and communication to programs that serve people experiencing homelessness. The CoC, Public Health, and HCH worked together to provide COVID-19 guidance, resources (PPE and test kits), and vaccine information. The CoC has provided input to Public Health and HCH regarding best strategies for communicating to homeless programs. The CoC has also coordinated a number of meetings for Public Health, HCH, homeless programs and the CoC to discuss COVID response, infectious disease prevention, vaccine resources, and shelter protocols. Public Health has also provided vaccine resources specifically at shelter programs and to homeless outreach programs. HCH also has requested input from homeless providers to help craft COVID-19 education materials for people experiencing homelessness.

1D-9.	Centralized or Coordinated Entry System–Assessment Process.	
	NOFO Section V.B.1.p.	
	Describe in the field below how your CoC’s coordinated entry system:	
1.	covers 100 percent of your CoC’s geographic area;	
2.	uses a standardized assessment process; and	
3.	is updated regularly using feedback received from participating projects and households that participated in coordinated entry.	

(limit 2,500 characters)

(1) The CES covers 100% of CoC geographic area & all populations. Access points are any of the eight Core Service Agencies, which are geographically dispersed to cover all regions of the CoC. The Homeless Outreach Teams (HOT) conduct outreach over all regions of the CoC & are designated access points for any household living outdoors who is not able or do not wish to go to a Core Service Agency. HOT coordinates with CE staff to ensure that any unsheltered person can access CE process steps in the field.

(2) CE uses a locally designed, standardized assessment process, known as the CES assessment. The CES/Diversion specialists first attempt to provide diversion services to every individual or family who is connected to CE. If the diversion specialist determines that there are no viable diversion options available to the individual or family at that time, they provide the individual or family with the CES assessment. The questions within the CES assessment are consistent for all individuals or all families receiving the assessment. The diversion specialists also receive training on methods of administering the assessment to maintain consistency.

(3) The CoC has hosted CE system evaluations and focus groups in which participating projects and households had the opportunity to provide feedback on CE policies and practices. For the CE system evaluations, participants included Core Service Agency, shelter, CES/Diversion staff, & other staff from homeless system programs, as well as individuals and families who were unsheltered, sheltered, or recently housed. The Lived Experience Advisory Group (LEAG) is comprised of people with current or former lived experience of homelessness. LEAG reviews CoC policies & practices, including CE, & provides recommendations to HSA & to the CoC Steering Committee. The CoC will continue to request feedback and incorporate revisions to policies and practices on an ongoing, as-needed basis. The CE assessment and prioritization process is designed to be fair and non-discriminatory. The prioritization criteria are designed to be objective & focus on concrete barriers & vulnerability factors. People are not required to disclose the presence of a disability in order to be prioritized & presence of a disability by itself is not a prioritization factor. HSA has assessed the results of the tool to ensure that it does not result in disparate treatment of protected classes of people, such as race, ethnicity, age or gender.

1D-9a.	Program Participant-Centered Approach to Centralized or Coordinated Entry.	
	NOFO Section V.B.1.p.	
	Describe in the field below how your CoC's coordinated entry system:	
1.	reaches people who are least likely to apply for homeless assistance in the absence of special outreach;	
2.	prioritizes people most in need of assistance;	
3.	ensures people most in need of assistance receive permanent housing in a timely manner, consistent with their preferences; and	
4.	takes steps to reduce burdens on people using coordinated entry.	

(limit 2,500 characters)

(1)CES is widely marketed & available to people experiencing chronic homelessness, veterans, families with children, youth, survivors of DV, & people with language barriers & physical or mental disabilities. The 8 Core Service Agencies (CSA) outreach directly & through partnerships in their geographic areas to populations least likely to seek assistance. Outreach is conducted through partners such as clinics, schools, & other community-based organizations. HOT focuses on areas with high numbers of unsheltered people. HOT works with the County Health Dept. Street Medicine team to identify and serve medically vulnerable homeless individuals & connect them to shelter & housing via CE. Both CSA & HOT service all regions of the CoC.

(2)As an initial step, the CES/Diversion team has a diversion conversation with each household to determine if an immediate solution to their housing crisis can be identified. For those that cannot be diverted, the team uses a locally designed assessment tool that collects information about length of time homeless, vulnerability, & barriers to housing. Those who are high-need based on these factors are prioritized for shelter/housing programs.

(3)CES matches households to a permanent housing program (using the results of the assessment to identify people most in need of assistance), & ensures that a service provider (outreach, shelter, or Housing Voucher Navigation (HVN) case manager) is available to assist the household in connecting with the housing provider as quickly as possible. A household can be matched to HVN upon housing program match if the household is not already connected to a case manager through an outreach/shelter program.

(4)CES/Diversion team strives to reduce burdens on people accessing CE. For example, since many individuals accessing CE may have challenges staying in contact with the CES via phone, they gather as many potential points of contact as possible and make multiple attempts to contact people. They also work closely with outreach workers who go into the community to contact people. Some face challenges getting to a physical location to meet with them, so the CoC has developed a policy in which CES/Diversion staff provide assessments by phone to bring services to the individual. CES/Diversion Staff coordinate with HOT to gather information about topics that may be particularly sensitive. The assessment is as concise as possible & avoids unnecessary or potentially triggering questions .

1D-9b.	Informing Program Participant about Rights and Remedies through Centralized or Coordinated Entry–Reporting Violations.	
	NOFO Section V.B.1.p.	
	Describe in the field below how your CoC through its centralized or coordinated entry:	
1.	affirmatively markets housing and services provided within the CoC’s geographic area and ensures it reaches all persons experiencing homelessness;	
2.	informs program participants of their rights and remedies available under federal, state, and local fair housing and civil rights laws; and	
3.	reports any conditions or actions that impede fair housing choice for current or prospective program participants to the jurisdiction(s) responsible for certifying consistency with the Consolidated Plan.	

(limit 2,500 characters)

(1)The CES affirmatively markets housing & services within the CoC’s geographic area to ensure that all persons, regardless of race, color, national origin, religion, sex, gender identity, sexual orientation, age, familial status, or disability are able to access services. CE services are available to all members of the CoC. CE access points include walk-in services at the 8 Core Service Agencies that are geographically dispersed throughout the CoC to increase availability as well as direct referrals from the HOT via in the field assessments to further increase & accessibility. HSA, the CoC Lead, provides flyers for the Core Service Agencies in the County’s five most prevalent languages spoken.

(2)HSA requires all County funded housing providers affirmatively market their housing and supportive services to eligible persons regardless of race, color, national origin, religion, sex, age, familial status, or disability who are least likely to apply in the absence of special outreach & maintain records of those marketing activities. All CE participating agencies are required to comply with all applicable Federal & State civil rights, fair housing laws & requirements. Participants may request reasonable accommodations within shelter & housing programs. In 2021, HSA’s TA provider provided a 2-part tenants’ rights training for providers in order to ensure their knowledge of and compliance with fair housing laws. This is reinforced for providers through CoC compliance visits, the CoC compliance webinar available for viewing on demand, & through the CoC’s governance charter, CoC standards, & other policies & procedures. Additionally, HSA has received informational flyers on fair housing rights in shelters from the state department that oversees state fair housing laws; HSA will distribute those to shelter programs for posting on site for clients to view.

(3)If there were conditions or actions that impede fair housing choice for current or prospective participants, HSA would report those to the appropriate overseeing jurisdiction and any other appropriate entities. HSA is the agency charged with adjudicating disputes for wrongful termination of shelter stays under state law through hearings. Through this process, HSA would learn of arbitrary shelter stay terminations due to fair housing violations. HSA is in the process of putting in place a mechanism to regularly review data to check for patterns in shelter terminations consistent with discrimination.

1D-10.	Advancing Racial Equity in Homelessness—Conducting Assessment.	
	NOFO Section V.B.1.q.	

1.	Has your CoC conducted a racial disparities assessment in the last 3 years?	Yes
2.	Enter the date your CoC conducted its latest assessment for racial disparities.	08/22/2023

1D-10a.	Process for Analyzing Racial Disparities—Identified Racial Disparities in Provision or Outcomes of Homeless Assistance.	
	NOFO Section V.B.1.q.	

	Describe in the field below:
1.	your CoC's process for analyzing whether any racial disparities are present in the provision or outcomes of homeless assistance; and
2.	what racial disparities your CoC identified in the provision or outcomes of homeless assistance.

(limit 2,500 characters)

(1)HSA (CoC Lead) conducted two recent assessments to identify racial disparities in the homelessness response systems. The first racial disparities assessment was conducted as part of a planning process, conducted in Spring 2022, that informed the community's strategic plan as well as state funding application. In August 2022, HSA analyzed HMIS and PIT data as part of an initiative to better understand existing disparities, led by the CoC's Racial Equity Committee (REC). Additionally, HSA staff & consultants conduct quarterly analysis of homeless system data by race & ethnicity & present the results to the REC & the CoC Steering Committee, most recently in July & August 2023.

For the assessment informing the strategic plan, the CoC used PIT and HMIS data to identify subpopulations overrepresented in the homelessness response system. The CoC assessed for disparities and overrepresentation in rates of unsheltered homelessness, first-time homelessness, exits to permanent housing, length of time spent homeless, and proportion of people accessing programs via street outreach. The racial disparities assessment conducted for the Racial Equity Committee utilized local HMIS data and PIT data as well as census data to compare people below 125% of the FPL to those identified through the PIT and to those served by the homelessness response system. In addition to looking broadly at disparities between these sources of data, the assessment also examined disparities in exits to permanent housing. HSA will track progress toward ending racial disparities as part of its ongoing monitoring of the strategic plan goals.

(2)These racial disparity assessments identified that American Indian/Alaska Native, Black/African American, Native Hawaiian and OPI, and Hispanic/Latinx people are over-represented in the homeless population. Black households are also overrepresented (18%) among those experiencing homelessness for the first time. Hispanic/Latinx households are disproportionately represented (47%) among households experiencing unsheltered homelessness. In addition, the assessments identified that people who are Native Hawaiian or OPI have a longer time spent homeless (231 days compared to 175 days for all persons). Finally, the assessments identified that American Indian or Alaska Native individuals experience permanent housing exits at lesser rates and Native Hawaiian and OPI individuals experience exits to permanent housing at higher rates than other subpopulations.

1D-10b.	Implemented Strategies that Address Racial Disparities.	
	NOFO Section V.B.1.q.	

Select yes or no in the chart below to indicate the strategies your CoC is using to address any racial disparities.

1.	The CoC's board and decisionmaking bodies are representative of the population served in the CoC.	Yes
2.	The CoC has identified steps it will take to help the CoC board and decisionmaking bodies better reflect the population served in the CoC.	Yes
3.	The CoC is expanding outreach in geographic areas with higher concentrations of underrepresented groups.	Yes
4.	The CoC has communication, such as flyers, websites, or other materials, inclusive of underrepresented groups.	Yes
5.	The CoC is training staff working in the homeless services sector to better understand racism and the intersection of racism and homelessness.	Yes
6.	The CoC is establishing professional development opportunities to identify and invest in emerging leaders of different races and ethnicities in the homelessness sector.	No
7.	The CoC has staff, committees, or other resources charged with analyzing and addressing racial disparities related to homelessness.	Yes
8.	The CoC is educating organizations, stakeholders, boards of directors for local and national nonprofit organizations working on homelessness on the topic of creating greater racial and ethnic diversity.	Yes
9.	The CoC reviewed coordinated entry processes to understand their impact on people of different races and ethnicities experiencing homelessness.	Yes
10.	The CoC is collecting data to better understand the pattern of program use for people of different races and ethnicities in its homeless services system.	Yes
11.	The CoC is conducting additional research to understand the scope and needs of different races or ethnicities experiencing homelessness.	Yes
	Other:(limit 500 characters)	
12.		No

1D-10c.	Implemented Strategies that Address Known Disparities.	
	NOFO Section V.B.1.q.	

Describe in the field below the steps your CoC is taking to address the disparities identified in the provision or outcomes of homeless assistance.

(limit 2,500 characters)

The CoC Steering Committee & Human Services Agency (as the CoC lead) are committed to identifying a strong set of strategies to promote racial equity in the homelessness response system. HSA is working to understand the causes of racial disparities in who experiences homelessness in the County & using that analysis to advance racial equity. HSA staff & consultants have conducted multiple analyses of homeless system data by race & ethnicity & presented the results of these analyses to the Racial Equity Committee (REC) & the CoC Steering Committee, most recently in July & August 2023. HSA also developed a Racial Equity analysis tool for providers in the CoC to use to analyze their own agency-level data & the CoC's REC developed a data dashboard the includes quarterly analysis of racial & ethnic outcomes for exits to permanent housing & returns to homelessness at 6 months & 1 year.

In April 2021, the Steering Committee approved the formation of a Preliminary Planning Committee (PPC) where representatives from organizations working in the homelessness response system would review data analyses & develop initial recommendations for a CoC-level systemwide plan to advance racial equity in the San Mateo County homelessness response system. The PPC convened & held 5 meetings between May & October 2021. The group reviewed the CoC's analyses on racial equity in the homelessness response system, including available data on racial disparities in access & outcomes, discussed what additional qualitative and quantitative information would be important to gather, and developed initial recommendations for activities to include in the CoC's racial equity workplan for 2022. In 2022, the CoC began convening quarterly meetings of the Racial Equity Committee. The Racial Equity Committee is charged with overseeing the following strategies for the CoC: gathering qualitative information to better understand racial disparities; developing & releasing regular reports on racial disparities & racial equity; providing systemwide training for service providers & landlords; & enhancing representation of those with Lived Experience in CoC & agency leadership. Since implementation of the Racial Equity Committee, the committee has developed a data dashboard to regularly evaluate outcomes, engaged with the lived experience analyst at HSA & LEAG, supported with the development of a two-part training series on racial equity, provided input on CES assessment questions & data collection.

1D-10d.	Tracked Progress on Preventing or Eliminating Disparities.	
	NOFO Section V.B.1.q.	
	Describe in the field below:	
	1. the measures your CoC has in place to track progress on preventing or eliminating disparities in the provision or outcomes of homeless assistance; and	
	2. the tools your CoC uses.	

(limit 2,500 characters)

(1)The San Mateo County CoC Committee on Racial Equity meets on a regular basis, and its activities include reviewing metrics that are used to track the progress of preventing disparities in homeless assistance. The Committee has determined that one of the most impactful metrics is centered on racial and ethnic composition of people experiencing homelessness, compared with the general population. This metric specifically measures what disproportionalities exist among racial and ethnic subpopulations among all persons, those below 125% of the federal poverty level, and those experiencing homelessness as measured by the point in time count. The second measure uses the most recent point-in-time count data and the FY 2022 service access data compared to the overall population within the County/CoC as described by the census to understand the rate of those experiencing homelessness per 1,000 individuals, otherwise known as the rate of homelessness. The CoC also reviews the disparities in permanent housing outcomes that currently exist among racial/ethnic subpopulations in rates of exit to permanent housing.

(2) In addition to the CoC Committee on Racial Equity’s reviews, the CoC has created a program equity data review tool which allows providers to view the racial and ethnic composition of their clients by project, including comparisons to other projects and the general population. The CoC provides updates to the general population and CoC data in this tool for programs’ use of the built-in comparison benchmark tool for their analysis. HSA will track progress toward ending racial disparities as part of its ongoing monitoring of the strategic plan goals using reports provided by the state generated with HMIS warehouse data.

1D-11.	Involving Individuals with Lived Experience of Homelessness in Service Delivery and Decisionmaking–CoC’s Outreach Efforts.	
	NOFO Section V.B.1.r.	

Describe in the field below your CoC’s outreach efforts (e.g., social media announcements, targeted outreach) to engage those with lived experience of homelessness in leadership roles and decision making processes.

(limit 2,500 characters)

The CoC has implemented numerous ways that people with lived experience of homelessness are involved in service delivery and decision making, including focus groups, surveys, and participation in the CoC Steering Committee and other committees/boards. Examples include surveys of people who are unsheltered, identified through extensive outreach from trained outreach case managers throughout the CoC, with a special focus on areas that have higher numbers of people who are unsheltered. When the CoC participated in the planning of a large new non-congregate shelter, there were focus groups with people currently experiencing homelessness who provided feedback directly to County executives and other program managers. The focus group participants were identified through targeted outreach by shelter, safe parking and outreach programs. CoC member organizations include people with lived experience in decision making, including by seeking to hire and promote people with lived experience of homelessness as staff.

The Lived Experience Advisory Group (LEAG) launched in September 2022 as a CoC advisory committee. LEAG is comprised of people with current or past experience of homelessness. Members were identified by extensive targeted outreach to staff and leadership of homeless programs and other related systems (employment programs, re-entry programs, etc.). As of September 2023, LEAG has 10 members and is actively recruiting. A current LEAG member sits on the CoC Steering Committee. LEAG developed its charter, which states that LEAG’s purpose is to obtain lived expertise for incorporation into homeless system and program policies and funding priorities. LEAG has given input on various programs and funding opportunities. For example, in March 2023, LEAG added to proposed activities under a state Encampment Resolution Fund program proposal, suggesting skills workshops and incentives for substance use treatment for clients housed through the program.

In addition, the Lead CoC Agency has hired a Lived Experience Analyst focused on developing and implementing further strategies for incorporating lived experience into the CoC’s planning and policymaking. This staff, who has lived experience of homelessness, will review existing engagement efforts, research best practices in the field, lead the implementation of planned strategies, provide input on how policies can be more person-centered, and make recommendations to the CoC Lead Agency and to provider agencies.

1D-11a.	Active CoC Participation of Individuals with Lived Experience of Homelessness.	
	NOFO Section V.B.1.r.	

You must upload the Letter Signed by Working Group attachment to the 4B. Attachments Screen.
 Enter in the chart below the number of people with lived experience who currently participate in your CoC under the four categories listed:

	Level of Active Participation	Number of People with Lived Experience Within the Last 7 Years or Current Program Participant	Number of People with Lived Experience Coming from Unsheltered Situations
1.	Included in the decisionmaking processes related to addressing homelessness.	1	1
2.	Participate on CoC committees, subcommittees, or workgroups.	1	5

3.	Included in the development or revision of your CoC's local competition rating factors.	1	1
4.	Included in the development or revision of your CoC's coordinated entry process.	1	1

1D-11b.	Professional Development and Employment Opportunities for Individuals with Lived Experience of Homelessness. NOFO Section V.B.1.r.	
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Describe in the field below how your CoC or CoC membership organizations provide professional development and employment opportunities to individuals with lived experience of homelessness.

(limit 2,500 characters)

CoC membership agencies provide employment and professional development to individuals with lived experience in a variety of ways. Membership agencies employ people with lived experience in many roles in many projects. Examples include changes to the hiring and recruiting processes to increase diversity and representation among staff (changing language in hiring documents, paying attention to bias/racism, identifying skills and abilities that are useful but that may not be highlighted in "traditional" job interview questions). Agencies also implement strategies to support the professional development of staff who have lived experience of homelessness, including providing training and supporting people in advancing through the organization into more senior roles. Three member agencies have or are developing lived experience advisory boards consisting of people with lived experience of homelessness for the purpose of improving agency policies and procedures, but with the additional features of professional development opportunities for members.

In addition, in September 2022 the CoC Lead Agency hired a Lived Experience Analyst, who has lived experience of homelessness and works with the CoC, CoC membership organizations, and other stakeholders focused specifically on lived experience. This Analyst reviews existing engagement efforts, researches best practices in the field, and supports the CoC Lived Experience Advisory Group (LEAG), provides input on how CoC messaging can be more person-centered, and supports implementation of recommendations from LEAG to the CoC Lead Agency. The Lived Experience Analyst will also work to build the speaking skills of interested LEAG members so as to encourage professional and personal development regarding advocating. The CoC Lead Agency has provided support and training to the LEAG Chair on chair roles and encouraged his interest in joining the CoC Steering Committee; he is now a voting member. The CoC Lead Agency offers compensation LEAG members for LEAG-related activities at the rate of \$20/hour to help enable participation.

1D-11c.	Routinely Gathering Feedback and Addressing Challenges of Individuals with Lived Experience of Homelessness. NOFO Section V.B.1.r.	
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Describe in the field below:

1. how your CoC routinely gathers feedback from people experiencing homelessness;
2. how your CoC routinely gathers feedback from people who have received assistance through the CoC or ESG Programs; and

3.	the steps your CoC has taken to address challenges raised by people with lived experience of homelessness.
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(limit 2,500 characters)

(1&2)The Lived Experience Advisory Group (LEAG), comprised of people with current or past experience of homelessness, including some who have received CoC or ESG assistance, provides input on homeless system, program policies & funding priorities. CoC projects are required to describe how the project involves people with lived experience (PLE), including project participants, to share input on program planning and evaluation, development of policies & procedures, & decision-making. The CoC solicits feedback from PLE as part of various planning processes. In 2022, the CoC conducted surveys of PLE related to accessing & staying in shelters & conducted focus groups of unsheltered and sheltered people to inform the CoC’s strategic plan. The CoC is surveying households that decline RRH as part of a RRH Evaluation. This evaluation will also include interviewing RRH program participants HSA, the CoC Lead Agency, has expanded its capacity to address challenges raised by people with lived experience by hiring a Lived Experience Analyst (LEA) to help enhance how the CoC & providers incorporate the expertise of people experiencing homelessness into program, agency, & CoC decision-making. This expansion includes proactively soliciting information regarding the challenges people are raising regarding navigating the homelessness response & housing systems & working with leaders & stakeholders to address those challenges. By having the LEA position within the CoC, the CoC is able to get feedback in real time on any issues and has benefited from the unique perspectives from the LEA’s own lived experience.

(3)HSA tracks comments and suggestions received from clients of CoC, ESG, and other homeless services programs and notifies HSA staff of this input. The CoC received feedback from a current client that it would be helpful to have clearer information on how to access the homeless services system online. In turn, HSA’s Lived Experience Analyst is currently reviewing its current website through the lens of where to make access points more intuitive. Additionally, the County is developing a new website targeting households in need of services. HSA also received feedback from a client requesting easier ways for clients to provide feedback on the homeless services system on an ongoing basis. As a result, HSA is developing a client feedback online survey form and phone line.

1D-12.	Increasing Affordable Housing Supply.	
	NOFO Section V.B.1.t.	

Describe in the field below at least 2 steps your CoC has taken in the past 12 months to engage city, county, or state governments that represent your CoC’s geographic area regarding the following:

1.	reforming zoning and land use policies to permit more housing development; and
2.	reducing regulatory barriers to housing development.

(limit 2,500 characters)

(1&2) The CoC is committed to expanding the supply of affordable housing and engages with elected officials and agency staff with influence over the development process. CoC representatives of government and nonprofit service providers have, through participation in Home for All (HfA) initiative, promoted policies that support affordable housing. HfA is a collaborative initiative comprised of the County, cities/towns, school districts, community-based organizations, advocacy groups and businesses. The mission of HfA is to establish a climate in the county where a diversity of housing is produced and preserved to provide a culturally, generationally, and economically diverse community with housing for all. It is supported and funded by the County. The County also funds TA to jurisdictions updating their Housing Elements to improve their quality, including as it relates to equity and fair housing.

In October 2022, the CoC collaborated with County partners to host a Working Together to End Homelessness (WTEH) convening of stakeholders to engage the community around solutions to homelessness, including around affordable housing. Following the convening, HfA launched a task force to develop a comprehensive WTEH plan for the county. The plan in development includes the priority of engaging municipal jurisdictions to develop affordable housing, identifying additional funding for affordable housing, and streamlining approvals of affordable housing project. HfA also offers local municipalities a toolkit that identifies recommendations and best practices related to zoning and housing policies. The toolkit includes information on inclusionary zoning and using public land for housing as ways to increase affordable housing stock. Also included are policy reform ideas for reducing regulatory obstacles to building housing, such as reducing parking requirements. Together, these tools and this effort may help to build public support for affordable housing development. HfA updated County and city elected officials, staff, and CoC stakeholders on the plan and next steps for the WTEH collaboration at the August 2023 Housing Our People Effectively Interagency Council Meeting.

1E. Project Capacity, Review, and Ranking–Local Competition

HUD publishes resources on the HUD.gov website at CoC Program Competition to assist you in completing the CoC Application. Resources include:

- Notice of Funding Opportunity (NOFO) for Fiscal Year (FY) 2023 Continuum of Care Competition and Noncompetitive Award of Youth Homeless Demonstration Program Renewal and Replacement Grants;
- 24 CFR part 578;
- FY 2023 CoC Application Navigational Guide;
- Section 3 Resources;
- PHA Crosswalk; and
- Frequently Asked Questions

1E-1.	Web Posting of Your CoC’s Local Competition Deadline–Advance Public Notice. NOFO Section V.B.2.a. and 2.g. You must upload the Web Posting of Local Competition Deadline attachment to the 4B. Attachments Screen.	
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1.	Enter your CoC’s local competition submission deadline date for New Project applicants to submit their project applications to your CoC—meaning the date your CoC published the deadline.	08/21/2023
2.	Enter the date your CoC published the deadline for Renewal Project applicants to submit their project applications to your CoC’s local competition—meaning the date your CoC published the deadline.	07/21/2023

1E-2.	Project Review and Ranking Process Your CoC Used in Its Local Competition. We use the response to this question and the response in Question 1E-2a along with the required attachments from both questions as a factor when determining your CoC’s eligibility for bonus funds and for other NOFO criteria below. NOFO Section V.B.2.a., 2.b., 2.c., 2.d., and 2.e. You must upload the Local Competition Scoring Tool attachment to the 4B. Attachments Screen. Select yes or no in the chart below to indicate how your CoC ranked and selected project applications during your local competition:	
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1.	Established total points available for each project application type.	Yes
2.	At least 33 percent of the total points were based on objective criteria for the project application (e.g., cost effectiveness, timely draws, utilization rate, match, leverage), performance data, type of population served (e.g., DV, youth, Veterans, chronic homelessness), or type of housing proposed (e.g., PSH, RRH).	Yes
3.	At least 20 percent of the total points were based on system performance criteria for the project application (e.g., exits to permanent housing destinations, retention of permanent housing, length of time homeless, returns to homelessness).	Yes
4.	Provided points for projects that addressed specific severe barriers to housing and services.	Yes

5.	Used data from comparable databases to score projects submitted by victim service providers.	Yes
6.	Provided points for projects based on the degree the projects identified any barriers to participation (e.g., lack of outreach) faced by persons of different races and ethnicities, particularly those over-represented in the local homelessness population, and has taken or will take steps to eliminate the identified barriers.	Yes

1E-2a.	Scored Project Forms for One Project from Your CoC's Local Competition. We use the response to this question and Question 1E-2. along with the required attachments from both questions as a factor when determining your CoC's eligibility for bonus funds and for other NOFO criteria below.	
	NOFO Section V.B.2.a., 2.b., 2.c., and 2.d.	

You must upload the Scored Forms for One Project attachment to the 4B. Attachments Screen.
 Complete the chart below to provide details of your CoC's local competition:

1.	What were the maximum number of points available for the renewal project form(s)?	100
2.	How many renewal projects did your CoC submit?	11
3.	What renewal project type did most applicants use?	PH-PSH

1E-2b.	Addressing Severe Barriers in the Local Project Review and Ranking Process.	
	NOFO Section V.B.2.d.	

Describe in the field below:

1.	how your CoC analyzed data regarding each project that has successfully housed program participants in permanent housing;
2.	how your CoC analyzed data regarding how long it takes to house people in permanent housing;
3.	how your CoC considered the specific severity of needs and vulnerabilities experienced by program participants preventing rapid placement in permanent housing or the ability to maintain permanent housing when your CoC ranked and selected projects; and
4.	considerations your CoC gave to projects that provide housing and services to the hardest to serve populations that could result in lower performance levels but are projects your CoC needs in its geographic area.

(limit 2,500 characters)

(1)The CoC relies on Annual Performance Report (APR) data to score renewal project applications. Renewal projects are informed of the time period for which APR data (this year May 2022 through April 2023) will be analyzed and informed of the specific date the HMIS Lead will pull APR data from HMIS to inform the competition process. Housing project applications are scored on exits to permanent housing and/or retained permanent housing. The CoC establishes minimum standards for these and other performance measures, and renewal projects are scored based on whether they met the minimum CoC standard. Data on returns to homelessness from renewal projects are similarly used to score renewal projects.

(2)The CoC scores the TH renewal on the length of stay of program participants. Data for this measure come from the APR, using the process outlined above.

(3)The CoC’s Coordinated Entry (CE) system uses an assessment tool and process that prioritizes households with the highest needs, as measured by their length of time homeless, barriers to housing, and vulnerability. CoC-funded projects are expected to have low barriers (only funder-mandated eligibility requirements are permitted) and to accept all referrals from CE that meet their criteria. Projects are evaluated in the rating process based on whether they have a policy to accept all CE referrals and to document any reason for a rejection. These requirements ensure that projects are serving the highest need households. Further, the CoC Steering Committee has continued a scoring policy by which PSH projects earn the most points on the scoring factor of project type due to the high need for PSH among CES-assessed households.

Additionally, the project ranking process considers whether the project ensures that participants are not screened out, and not terminated from programs, based on having low/no income, current/past substance abuse, criminal histories, experience of domestic violence, or lack of participation in supportive services. This scoring factor is applied to renewal and new projects. Projects that do not have these barriers, and that document that in their policies, receive higher scores.

(4) Projects serving high-need, vulnerable populations are rated as indicated above. The high-need scoring factor and the factors related to housing first and low/no barriers to participation allow the CoC to assess applicants for actual use by, and prospective accessibility to, high-need populations.

1E-3.	Advancing Racial Equity through Participation of Over-Represented Populations in the Local Competition Review and Ranking Process.	
	NOFO Section V.B.2.e.	
	Describe in the field below:	
1.	how your CoC used the input from persons of different races and ethnicities, particularly those over-represented in the local homelessness population, to determine the rating factors used to review project applications;	
2.	how your CoC included persons of different races and ethnicities, particularly those over-represented in the local homelessness population in the review, selection, and ranking process; and	

3.	how your CoC rated and ranked projects based on the degree to which their project has identified any barriers to participation (e.g., lack of outreach) faced by persons of different races and ethnicities, particularly those over-represented in the local homelessness population, and has taken or will take steps to eliminate the identified barriers.
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(limit 2,500 characters)

(1) The 2023 Project Review and Ranking Process was developed with input from and approval by the CoC Steering Committee, which includes representation of people of races and ethnicities as well as organizations that work with groups that are over-represented in the population of people experiencing homelessness, such as Project WeHOPE (predominantly serves an area of the community with a large community of Black and Latinx households) and Coastside Hope (predominantly serves Latinx households and agricultural workers living in coastal San Mateo County).

(2) The CoC Steering Committee is responsible for reviewing and approving the rating factors used to score project applications. The Steering Committee met to review the rating factors, providing an opportunity to have any questions answered and offer suggestions for modifying proposed rating factors. No proposed modifications were made, and the rating factors for the 2023 competition were approved unanimously.

(3) The Review Panel for the 2023 competition included individuals who are participating in the CoC’s Racial Equity Planning Committee, which is working on developing processes and completing activities to advance racial equity in the homelessness response system. Several of these panel members are staff of organizations that serve communities where there is an over-representation of people experiencing homelessness.

(4) In 2021 the CoC added rating factors for renewal projects considering the degree to which the projects had identified barriers to participation by people of different races and ethnicities particularly those over-represented in the homelessness population and steps the projects have taken or will take to address identified barrier. These rating factors remained for the 2022 and 2023 competition. New projects are evaluated on their proposed processes and strategies to identify and address barriers. These factors were taken into consideration by the Review Panel in determining the final rank order of projects on the Priority List. In 2023, the CoC provided additional guidance for project applicants to respond to questions regarding barriers to participation, including examining and responding to barriers to accessing the program, barriers due to disparities in the experience of participating in the program, and barriers in program outcomes.

1E-4.	Reallocation—Reviewing Performance of Existing Projects.	
	NOFO Section V.B.2.f.	

Describe in the field below:

1.	your CoC’s reallocation process, including how your CoC determined which projects are candidates for reallocation because they are low performing or less needed;
2.	whether your CoC identified any low performing or less needed projects through the process described in element 1 of this question during your CoC’s local competition this year;
3.	whether your CoC reallocated any low performing or less needed projects during its local competition this year; and

4.	why your CoC did not reallocate low performing or less needed projects during its local competition this year, if applicable.
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(limit 2,500 characters)

(1) As indicated in the CoC’s written Project Review and Ranking Process (PRRP), the CoC Review Panel actively reviews performance of all renewal projects through the project ranking process. All projects are scored using objective performance criteria, as outlined in the PRRP. Projects falling into Tier 2 based on their score are candidates for reallocation. Any grants with significant underspending are also candidates for reallocation.

(2) No projects were identified as candidates for reallocation in the FY 2023 competition.

(3) No projects were reallocated.

(4) The Review Panel assessed that the lower ranked projects were still performing at a high enough level and filled critical needs in the community for rapid rehousing and permanent supportive housing. Re-allocating permanent housing units to create different permanent housing units would not create any positive system level impacts on the numbers of people experiencing homelessness.

1E-4a.	Reallocation Between FY 2018 and FY 2023.	
	NOFO Section V.B.2.f.	

	Did your CoC cumulatively reallocate at least 20 percent of its ARD between FY 2018 and FY 2023?	No
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1E-5.	Projects Rejected/Reduced–Notification Outside of e-snaps.	
	NOFO Section V.B.2.g.	
	You must upload the Notification of Projects Rejected-Reduced attachment to the 4B. Attachments Screen.	

1.	Did your CoC reject any project application(s) submitted for funding during its local competition?	Yes
2.	Did your CoC reduce funding for any project application(s) submitted for funding during its local competition?	No
3.	Did your CoC inform applicants why your CoC rejected or reduced their project application(s) submitted for funding during its local competition?	Yes
4.	If you selected Yes for element 1 or element 2 of this question, enter the date your CoC notified applicants that their project applications were being rejected or reduced, in writing, outside of e-snaps. If you notified applicants on various dates, enter the latest date of any notification. For example, if you notified applicants on 06/26/2023, 06/27/2023, and 06/28/2023, then you must enter 06/28/2023.	09/08/2023

1E-5a.	Projects Accepted–Notification Outside of e-snaps.	
	NOFO Section V.B.2.g.	
	You must upload the Notification of Projects Accepted attachment to the 4B. Attachments Screen.	

	Enter the date your CoC notified project applicants that their project applications were accepted and ranked on the New and Renewal Priority Listings in writing, outside of e-snaps. If you notified applicants on various dates, enter the latest date of any notification. For example, if you notified applicants on 06/26/2023, 06/27/2023, and 06/28/2023, then you must enter 06/28/2023.	09/08/2023
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1E-5b.	Local Competition Selection Results for All Projects.	
	NOFO Section V.B.2.g.	
	You must upload the Local Competition Selection Results attachment to the 4B. Attachments Screen.	

	Does your attachment include: 1. Project Names; 2. Project Scores; 3. Project accepted or rejected status; 4. Project Rank–if accepted; 5. Requested Funding Amounts; and 6. Reallocated funds.	Yes
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1E-5c.	Web Posting of CoC-Approved Consolidated Application 2 Days Before CoC Program Competition Application Submission Deadline.	
	NOFO Section V.B.2.g. and 24 CFR 578.95.	
	You must upload the Web Posting–CoC-Approved Consolidated Application attachment to the 4B. Attachments Screen.	

	Enter the date your CoC posted the CoC-approved Consolidated Application on the CoC’s website or partner’s website–which included: 1. the CoC Application; and 2. Priority Listings for Reallocation forms and all New, Renewal, and Replacement Project Listings.	
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You must enter a date in question 1E-5c.

1E-5d.	Notification to Community Members and Key Stakeholders that the CoC-Approved Consolidated Application is Posted on Website.	
	NOFO Section V.B.2.g.	
	You must upload the Notification of CoC-Approved Consolidated Application attachment to the 4B. Attachments Screen.	

	Enter the date your CoC notified community members and key stakeholders that the CoC-approved Consolidated Application was posted on your CoC’s website or partner’s website.	
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You must enter a date in question 1E-5d.

2A. Homeless Management Information System (HMIS) Implementation

HUD publishes resources on the HUD.gov website at CoC Program Competition to assist you in completing the CoC Application. Resources include:

- Notice of Funding Opportunity (NOFO) for Fiscal Year (FY) 2023 Continuum of Care Competition and Noncompetitive Award of Youth Homeless Demonstration Program Renewal and Replacement Grants;
- 24 CFR part 578;
- FY 2023 CoC Application Navigational Guide;
- Section 3 Resources;
- PHA Crosswalk; and
- Frequently Asked Questions

2A-1.	HMIS Vendor.	
	Not Scored–For Information Only	

	Enter the name of the HMIS Vendor your CoC is currently using.	Bitfocus
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2A-2.	HMIS Implementation Coverage Area.	
	Not Scored–For Information Only	

	Select from dropdown menu your CoC’s HMIS coverage area.	Single CoC
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2A-3.	HIC Data Submission in HDX.	
	NOFO Section V.B.3.a.	

	Enter the date your CoC submitted its 2023 HIC data into HDX.	04/28/2023
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2A-4.	Comparable Database for DV Providers–CoC and HMIS Lead Supporting Data Collection and Data Submission by Victim Service Providers.	
	NOFO Section V.B.3.b.	

	In the field below:	
1.	describe actions your CoC and HMIS Lead have taken to ensure DV housing and service providers in your CoC collect data in HMIS comparable databases;	
2.	state whether DV housing and service providers in your CoC are using a HUD-compliant comparable database–compliant with the FY 2022 HMIS Data Standards; and	

3. state whether your CoC's HMIS is compliant with the FY 2022 HMIS Data Standards.

(limit 2,500 characters)

(1) There is only one DV housing and service provider in San Mateo County – Community Overcoming Relationship Abuse (CORA). CORA’s data is entered into and managed through Apricot by Social Solutions, an HMIS-compliant database. The San Mateo County Human Services Agency (HSA), which is the HMIS Lead, includes CORA in HMIS User group meetings and communications. Through these meetings, HSA provides information and guidance regarding data collection best practices and upcoming HMIS Data Standards changes. HSA also provides resources to the HMIS User group, including sample data collection materials, data entry guide featuring data item definitions, and links to applicable HUD resources. HSA also met with CORA in September 2022 to review data quality best practices and to offer resources and support. CORA is transitioning database in order to have more ready access to data analysis tools. HSA provided consultation with CORA during the planning process for this transition.

(2) HSA has invited CORA to attend HMIS System Admin webinars, which CORA has, and HSA has shared applicable resources from HUD for their review. As part of its data quality monitoring as the HMIS Lead, HSA has met with CORA and confirmed that they are collecting the required data elements and are able to report on them using Apricot.

(3) The San Mateo County CoC is compliant with the 2022 HMIS Data Standards in both the HMIS and HMIS-comparable database in the CoC. Apricot collects the same data elements required in the 2022 HMIS data standards.

2A-5.	Bed Coverage Rate—Using HIC, HMIS Data—CoC Merger Bonus Points.	
	NOFO Section V.B.3.c. and V.B.7.	

Enter 2023 HIC and HMIS data in the chart below by project type:

Project Type	Total Year-Round Beds in 2023 HIC	Total Year-Round Beds in HIC Operated by Victim Service Providers	Total Year-Round Beds in HMIS	HMIS Year-Round Bed Coverage Rate
1. Emergency Shelter (ES) beds	707	23	667	97.51%
2. Safe Haven (SH) beds	0	0	0	
3. Transitional Housing (TH) beds	158	0	158	100.00%
4. Rapid Re-Housing (RRH) beds	384	48	336	100.00%
5. Permanent Supportive Housing (PSH) beds	1,137	0	966	84.96%
6. Other Permanent Housing (OPH) beds	772	9	763	100.00%

2A-5a.	Partial Credit for Bed Coverage Rates at or Below 84.99 for Any Project Type in Question 2A-5.	
	NOFO Section V.B.3.c.	
	For each project type with a bed coverage rate that is at or below 84.99 percent in question 2A-5, describe:	
	1. steps your CoC will take over the next 12 months to increase the bed coverage rate to at least 85 percent for that project type; and	
	2. how your CoC will implement the steps described to increase bed coverage to at least 85 percent.	

(limit 2,500 characters)

(1&2) While in the 2023 HIC, the PSH bed coverage rate was just shy of 85%, since January 2023, the CoC has already improved upon its HMIS coverage rate through the addition of additional PSH beds into HMIS for state-funded programs required to participate in HMIS by July 2023. Through this requirement, two new HMIS-participating agencies have been added to HMIS. One of these agencies operates other PSH units within the CoC; HSA (HMIS Lead Agency) will work encourage them to enter their data into HMIS.

The CoC does not charge participating agencies for licenses in an attempt to remove barriers to HMIS participation. The CoC also offers free on-demand and live trainings for providers, and free custom data reports to participating HMIS agencies regarding their agency and program data.

2A-6.	Longitudinal System Analysis (LSA) Submission in HDX 2.0.	
	NOFO Section V.B.3.d.	
	You must upload your CoC's FY 2023 HDX Competition Report to the 4B. Attachments Screen.	

Did your CoC submit at least two usable LSA data files to HUD in HDX 2.0 by February 28, 2023, 8 p.m. EST?	Yes
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2B. Continuum of Care (CoC) Point-in-Time (PIT) Count

HUD publishes resources on the HUD.gov website at CoC Program Competition to assist you in completing the CoC Application. Resources include:

- Notice of Funding Opportunity (NOFO) for Fiscal Year (FY) 2023 Continuum of Care Competition and Noncompetitive Award of Youth Homeless Demonstration Program Renewal and Replacement Grants;
- 24 CFR part 578;
- FY 2023 CoC Application Navigational Guide;
- Section 3 Resources;
- PHA Crosswalk; and
- Frequently Asked Questions

2B-1.	PIT Count Date.	
	NOFO Section V.B.4.a	

	Enter the date your CoC conducted its 2023 PIT count.	04/28/2023
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2B-2.	PIT Count Data–HDX Submission Date.	
	NOFO Section V.B.4.a	

	Enter the date your CoC submitted its 2023 PIT count data in HDX.	04/28/2023
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2B-3.	PIT Count–Effectively Counting Youth in Your CoC’s Most Recent Unsheltered PIT Count.	
	NOFO Section V.B.4.b.	

	Describe in the field below how your CoC:	
	1. engaged unaccompanied youth and youth serving organizations in your CoC’s most recent PIT count planning process;	
	2. worked with unaccompanied youth and youth serving organizations to select locations where homeless youth are most likely to be identified during your CoC’s most recent PIT count planning process; and	
	3. included youth experiencing homelessness as counters during your CoC’s most recent unsheltered PIT count.	

(limit 2,500 characters)

(1) San Mateo County Human Services Agency (HSA, the CoC Lead Agency) implemented specific measures to effectively count youth experiencing homelessness during the 2022 PIT count, which is the most recent unsheltered PIT count. StarVista is a non-profit that provides services to youth experiencing homelessness in San Mateo County and receives funding for shelter, RRH, and other youth services through the County. StarVista is the only provider of youth-specific shelter or transitional beds and was responsible for reporting complete data for the sheltered PIT. In preparation for the 2022 unsheltered count, HSA worked with StarVista to plan for counting unsheltered youth. As in the prior unsheltered PIT count, HSA and StarVista determined that the most effective strategies for the CoC were to include youth-specific questions in the PIT survey to get more information about youth identified during the count. HSA worked closely with StarVista program managers to get feedback on the youth-specific questions in the unsheltered survey to ensure that the questions were youth-friendly, and that youth would understand the intent of the questions. HSA also incorporated learnings from the 2019 PIT count efforts, in which StarVista also provided input on the training materials that were provided to each PIT volunteer, with a focus on ensuring volunteers understood best practices for counting and surveying youth.

(2) San Mateo County has traditionally identified only a small number of youth to be experiencing homelessness in our community, both during the PIT counts and through service provider outreach and Coordinated Entry access, and therefore did not actively involve youth in the actual count.

(3) San Mateo County’s PIT count method involves a count of the full geographic area by census tract. StarVista was involved in the outreach and recruitment process for enumerators for the day of the count. Additionally, HSA gathered information from StarVista program managers on known locations and hotspots where unsheltered homeless youth reside and provided this information to the enumerators covering those census tracts to ensure an accurate count. HSA also did targeted outreach to safe parking programs that serve individuals and families with children to obtain their program’s PIT count data.

2B-4.	PIT Count–Methodology Change–CoC Merger Bonus Points.	
	NOFO Section V.B.5.a and V.B.7.c.	
	In the field below:	
	1. describe any changes your CoC made to your sheltered PIT count implementation, including methodology or data quality changes between 2022 and 2023, if applicable;	
	2. describe any changes your CoC made to your unsheltered PIT count implementation, including methodology or data quality changes between 2022 and 2023, if applicable; and	
	3. describe how the changes affected your CoC’s PIT count results; or	
	4. state “Not Applicable” if there were no changes or if you did not conduct an unsheltered PIT count in 2023.	

(limit 2,500 characters)

(1) The sheltered PIT count methodology for 2023 remained the same as in 2022 and data quality was comparable, with the 86% data coming from HMIS across both counts.

(2) Not applicable

(3) Not applicable.

(4) Not applicable.

2C. System Performance

HUD publishes resources on the HUD.gov website at CoC Program Competition to assist you in completing the CoC Application. Resources include:

- Notice of Funding Opportunity (NOFO) for Fiscal Year (FY) 2023 Continuum of Care Competition and Noncompetitive Award of Youth Homeless Demonstration Program Renewal and Replacement Grants;
- 24 CFR part 578;
- FY 2023 CoC Application Navigational Guide;
- Section 3 Resources;
- PHA Crosswalk; and
- Frequently Asked Questions

2C-1.	Reduction in the Number of First Time Homeless–Risk Factors Your CoC Uses.	
	NOFO Section V.B.5.b.	
	In the field below:	
	1. describe how your CoC determined the risk factors to identify persons experiencing homelessness for the first time;	
	2. describe your CoC’s strategies to address individuals and families at risk of becoming homeless; and	
	3. provide the name of the organization or position title that is responsible for overseeing your CoC’s strategy to reduce the number of individuals and families experiencing homelessness for the first time	

(limit 2,500 characters)

(1)HSA analyzes data from the 8 Core Service Agencies (CSA) & the HOT, to determine factors predictive of homelessness. The CSAs assess households seeking services (food, clinic, legal, tax preparation, or financial assistance regarding a range of needs) & can identify those households behind on rent or utility bills who are more likely to be at risk of homelessness. The Performance Measurement Committee has also reviewed HMIS first-time homelessness data to identify other prevention strategies and saw a decrease in first-time homelessness correlated with the pandemic-era increase in available rental assistance & marketing thereof, & with the eviction moratoria.

(2)HSA provides funding to safety net & homelessness prevention services to help at-risk residents maintain their housing, & for shelter diversion as part of CES. In Fiscal Year 22-23, our partner agency contacted 122 households who were given financial assistance 6 months after they received aid. Of the 122 households contacted, all households were still housed. The CoC is actively working to maintain system capacity to provide emergency financial assistance (EfA) to help households maintain housing. HSA also facilitates a monthly workgroup with system partners (foster care, hospital, mental health system, jail) on system alignment & housing for individuals and families at risk of homelessness. HSA shares information about housing resources and best practices to enhance discharge planning, supporting family reunification, & provide diversion training. HSA, in partnership with the jail and public hospitals, started a new program for institutional diversion to connect people to housing prior to exiting the County jail or the County hospital. HSA continues to work with these partners to refine strategies to prevent discharge from institutions to homelessness. In light of the end of COVID-era funding in the face of ongoing need, the CSAs and HSA are currently working with a TA provider to develop a prioritization tool to identify & prioritize EfA for households to prevent homelessness. HSA's TA provider is conducting a literature review in order to assist with this process. The CoC expects to pilot this tool later this year.

(3)HSA's Center on Homelessness Manager and Analyst.

2C-1a.	Impact of Displaced Persons on Number of First Time Homeless.	
	NOFO Section V.B.5.b	

Was your CoC's Number of First Time Homeless [metric 5.2] affected by the number of persons seeking short-term shelter or housing assistance displaced due to:
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1.	natural disasters?	Yes
2.	having recently arrived in your CoCs' geographic area?	Yes

(limit 2,500 characters)

(1) The CoC’s geographic area (San Mateo County) experienced an unprecedented amount of rain through the end of 2022 and into 2023 which resulted in roadway failures and flooding. California Governor Gavin Newsom requested an Expedited Major Disaster Declaration from the President. On January 14, 2023, U.S. President Joseph R. Biden approved the Major Disaster Declaration, which included San Mateo County. Evacuation orders were issued during the Winter Storm, and the County partnered with local municipalities and community organizations to set up evacuation points and emergency shelter. 238 residents were temporarily housed in hotels due to being displaced due to flooding, 72 individuals were served at temporary evacuation points, 160 unhoused residents were enrolled in the Inclement Weather Program which expands shelter capacity, and several residents were provided shelter at various emergency shelters throughout the County.

(2) Yes. The Core Service Agencies, a network of nonprofit community organizations that form San Mateo County’s primary social safety net, have reported that they have seen an increase in asylum seekers requesting services such as housing. These families are relatively new to the area and turn to our Core Agencies for help.

2C-2.	Length of Time Homeless—CoC’s Strategy to Reduce.	
	NOFO Section V.B.5.c.	
	In the field below:	
1.	describe your CoC’s strategy to reduce the length of time individuals and persons in families remain homeless;	
2.	describe how your CoC identifies and houses individuals and persons in families with the longest lengths of time homeless; and	
3.	provide the name of the organization or position title that is responsible for overseeing your CoC’s strategy to reduce the length of time individuals and families remain homeless.	

(limit 2,500 characters)

(1) HSA, the CoC Lead Agency, prioritizes available PSH and other housing programs for those with the highest housing barriers and needs, including consideration of the longest length of time homeless (LOTH). HSA also invests local funds in Homeless Outreach Teams that develop housing plans for unsheltered individuals, targeting those who have long LOTH. HSA prioritizes Veterans with the longest LOTH and the highest needs for housing resources using the CoC’s by-name Master List of Veterans for referrals to SSVF RRH and HUD-VASH. HSA facilitates a monthly case conference to discuss Veterans whom they have had difficulty connecting to services or housing, including Veterans with the longest LOTH. In addition to prioritizing those with longest LOTH through CES, HSA works to reduce LOTH by funding a variety of services within shelters, housing programs, and outreach programs that assist people with moving into housing. HSA funds housing-focused case managers at all shelters and works with shelters on strategies to support residents to move into permanent housing as quickly as possible. HSA and the PHA fund housing locator staff that support households experiencing homelessness who are matched to a housing voucher, to help them find a rental unit in the competitive rental market. HSA has also used state HHAP funds for additional housing location services embedded in shelters. HSA works with partners to expand the housing resources available through CE, including prioritizing EHV’s and a portion of MTW-SS vouchers for CE-referred households and maximizing the number of units in affordable housing programs set aside for people experiencing homelessness. In summer 2023 the CoC started convening regular Multi-Disciplinary Team (MDT) meetings to case conference households with long LOS in shelters with the goal of reducing LOS & increasing exits to PH situations. HSA also convened meetings with homeless services, health programs, and others to discuss individuals that are unhoused and have significant needs (many of whom have long LOTH) and how homeless programs and partner programs can enhance the ways that they are served and assisted with housing.

(2) The CoC’s locally designed assessment tool gathers information on LOTH and includes that as a scored factor. The total CE assessment score is then used to prioritize households for referral to available housing interventions as quickly as possible.

(3) The HSA Center on Homelessness Management Analyst.

2C-3.	Exits to Permanent Housing Destinations/Retention of Permanent Housing—CoC’s Strategy NOFO Section V.B.5.d.	
	In the field below:	
1.	describe your CoC’s strategy to increase the rate that individuals and persons in families residing in emergency shelter, safe havens, transitional housing, and rapid rehousing exit to permanent housing destinations;	
2.	describe your CoC’s strategy to increase the rate that individuals and persons in families residing in permanent housing projects retain their permanent housing or exit to permanent housing destinations; and	
3.	provide the name of the organization or position title that is responsible for overseeing your CoC’s strategy to increase the rate that individuals and families exit to or retain permanent housing.	

(limit 2,500 characters)

(1)HSA, the CoC Lead, requires that all programs, including shelters, offer housing-focused case management & implement housing first practices. ESG-CV funds have been used to target people in non-congregate shelter for RRH assistance & housing location supports. HSA has provided CoC-wide training on housing-focused case management, building effective landlord partnerships, & motivational interviewing. Providers receive annual, individualized TA to help improve housing outcomes. The CoC has also invested local resources & increased the inventory of RRH, PSH, & housing locator services. The CoC has also paired locally funded supportive services with utilized EHV's to house CES-referred households & has utilized over 95% of the EHV's. The CoC & PHA plan to do the same with Stability Vouchers. Using state Project Homekey funding, 5 hotels/motels were acquired, including 2 for PSH for households experiencing homeless. A robust CES for all populations is in place to connect households to shelter & housing, such as RRH and PSH, & utilizes the CES assessment to connect households with the highest need to appropriate services to help them re-enter housing. In summer 2023 the CoC started convening regular Multi-Disciplinary Team (MDT) meetings to case conference households with long LOS in shelters with the goal of reducing LOS & increasing exits to PH situations. The MDT includes homeless service, Human Services, & Health partners, including Behavioral Health & Aging & Adult Services. HSA recently implemented a process to increase referrals to benefits programs such as TANF, Medicaid, & SNAP. CE provides a direct referral to ESS with a 1 business day follow-up window, to ensure that households apply for & receive benefits they are eligible for.

(2)HSA works with PH projects to maintain & improve high housing retention outcomes. The CoC provides training on tenants' rights & mainstream benefits to PH programs. HSA also assists programs with connecting with other systems, such as medical care, mental health services, & employment services, to help them maintain housing stability. HSA implemented an employment program for people experiencing homelessness, & RRH & PSH participants. HSA hosts bimonthly RRH workgroups where the CoC's 5 RRH providers convene to share resources & successful practices, & invites outside speakers to share information on supportive services resources of interest to RRH providers.

(3)The HSA Center on Homelessness Management Analyst

2C-4.	Returns to Homelessness—CoC's Strategy to Reduce Rate.	
	NOFO Section V.B.5.e.	
	In the field below:	
1.	describe your CoC's strategy to identify individuals and families who return to homelessness;	
2.	describe your CoC's strategy to reduce the rate of additional returns to homelessness; and	
3.	provide the name of the organization or position title that is responsible for overseeing your CoC's strategy to reduce the rate individuals and persons in families return to homelessness.	

(limit 2,500 characters)

(1) The CoC identifies common factors of households that return to homelessness by reviewing HMIS data, including via the HUD Stella Performance tool, regarding clients who return to homelessness compared to clients who do not return. This comparison data allows the CoC to identify trends in returns to homelessness, such as the trend that adult & child households have the highest rate of returns to homelessness. The CoC reviews additional data from providers who conduct follow-up outreach to clients after they leave programs.

(2) The CoC implements multiple strategies to prevent returns to homelessness. The CoC provides training to housing programs on mainstream benefits & services, including mental health services, employment services, & public benefits (such as SNAP and Medicaid) to help clients to stabilize in housing. Coordinated Entry prioritizes the available capacity of intensive housing programs, such as PSH for households with longest length of homelessness & highest needs, so they avoid returning to homelessness. HSA funds HOME, an employment program providing intensive vocational & employment services to individuals experiencing homelessness & those in RRH or PSH who have recently re-entered housing, to increase housing stability. The CoC Performance Measurement Committee identified key strategies to reduce returns to homelessness: increasing the number of dedicated staff in homeless programs to support clients with linking households to mainstream services to ensure housing stability & introducing peer navigation resources to support with the transition into permanent housing. The CoC has convened meetings with leadership from the behavioral health system, as well as RRH and PSH providers, to discuss best practices to support clients with behavioral health challenges. HSA is planning to develop a shallow subsidy program to support households assisted with disability benefits assistance through the State Housing and Disability Advocacy Program. HSA hosts bimonthly RRH workgroups where the CoC's five RRH providers convene to share resources and successful practices, & where outside speakers are invited to share information on resources that program participants may continue to access after the end of the RRH program. The CoC has seen successive decreases in rates of return to homelessness in recent years among families with adults and children.

(3) The HSA Center on Homelessness Management Analyst.

2C-5.	Increasing Employment Cash Income—CoC's Strategy.	
	NOFO Section V.B.5.f.	
	In the field below:	
1.	describe your CoC's strategy to access employment cash sources;	
2.	describe how your CoC works with mainstream employment organizations to help individuals and families experiencing homelessness increase their employment cash income; and	
3.	provide the organization name or position title that is responsible for overseeing your CoC's strategy to increase income from employment.	

(limit 2,500 characters)

(1) The San Mateo County Human Services Agency (HSA, the CoC Lead Agency) implements a number of strategies to increase employment income as part of its work to increase exits to housing and housing stability among program participants. The CoC Performance Measurement Committee actively monitors systemwide performance, including increases in employment income. Among its performance standards, the CoC measures increased employment income when evaluating CoC-funded projects for renewal or reallocation. Additionally, HSA provides resources to service providers for boosting participant income. The CoC trains provider agencies on the benefits available to TANF recipients, which includes cash income as well as employment services, job training, assistance covering educational costs and employment materials, transportation, and childcare. HSA also operates employment resource centers which include access to technology to search for and apply for jobs.

(2) HSA operates HOME, a locally funded employment program providing intensive vocational and employment services to individuals experiencing homelessness and those in RRH or PSH who have recently re-entered housing, with the goal of increasing employment income and housing stability. Outreach, shelter, RRH, and PSH programs can refer clients. The HOME program offers a paid, on-the-job training program with flexible schedules to engage participants with barriers to employment. To assist participants entering mainstream employment, the HOME program also offers individualized job placement and job coaching services. HSA also provides information to homeless services providers on additional subsidized childcare resources available in the community. HSA helps people connect to community-based agencies for additional individualized employment services, including WIOA-funded services. In July 2023, WIOA grantee NOVAWorks presented to the CoC Steering Committee on services available through their federally funded non-profit job centers which offer career advising, skills training services, customer-led, one-on-one support, employer connections, job search workshops, and computer access.

(3) The HSA Center on Homelessness Manager II is responsible for overseeing these strategies.

2C-5a.	Increasing Non-employment Cash Income—CoC's Strategy	
	NOFO Section V.B.5.f.	
	In the field below:	
	1. describe your CoC's strategy to access non-employment cash income; and	
	2. provide the organization name or position title that is responsible for overseeing your CoC's strategy to increase non-employment cash income.	

(limit 2,500 characters)

(1) The San Mateo County Human Services Agency (HSA, the CoC Lead Agency) implements various strategies to increase non-employment income to promote exits to housing and housing stability among program participants. The CoC Performance Measurement Committee actively monitors systemwide performance, including increases in non-employment and overall income. The CoC includes among its performance standards a measure of increased non-employment income when evaluating CoC-funded projects for renewal or reallocation. The CoC provides resources to service providers for boosting participant income. The CoC provides training and support to homeless services and housing programs on accessing mainstream benefits, including General Assistance, TANF, SSI and SSDI, employment services, SNAP, and Medicaid. In September 2023, HSA will record and share a webinar on accessing these benefits programs for on-demand viewing by homeless services providers. The CoC also provided a training to homeless services and housing programs related to accessing child support benefits. In addition to training, HSA funds and oversees direct services for connecting individuals to additional income sources. HSA funds eight (8) Core Services Agencies, located throughout the CoC to ensure access in all geographic regions, to provide safety net services, which include providing free tax return filing assistance annually to ensure that low-income community members receive all refundable tax credits for which they are eligible. The Core Service Agencies also assist people with applying for mainstream benefits, including unemployment, SNAP, Medicaid, etc. HSA also administers the Housing and Disability Advocacy Program, a state-funded program designed to provide SSI-eligible or SSDI-eligible individuals experiencing homelessness with disability benefits advocacy (including intensive SSI/SSDI application support), housing-focused case management, and housing location services. The CoC has also implemented a strategy providing information sessions for family homeless shelters and other homeless service programs for staff regarding the TANF benefits eligibility process and application process so the staff can assist clients with accessing services.

(2) The HSA Center on Homelessness Manager II is responsible for overseeing these strategies.

3A. Coordination with Housing and Healthcare

HUD publishes resources on the HUD.gov website at CoC Program Competition to assist you in completing the CoC Application. Resources include:

- Notice of Funding Opportunity (NOFO) for Fiscal Year (FY) 2023 Continuum of Care Competition and Noncompetitive Award of Youth Homeless Demonstration Program Renewal and Replacement Grants;
- 24 CFR part 578;
- FY 2023 CoC Application Navigational Guide;
- Section 3 Resources;
- PHA Crosswalk; and
- Frequently Asked Questions

3A-1.	New PH-PSH/PH-RRH Project–Leveraging Housing Resources.	
	NOFO Section V.B.6.a.	
	You must upload the Housing Leveraging Commitment attachment to the 4B. Attachments Screen.	

	Is your CoC applying for a new PH-PSH or PH-RRH project that uses housing subsidies or subsidized housing units which are not funded through the CoC or ESG Programs to help individuals and families experiencing homelessness?	No
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3A-2.	New PH-PSH/PH-RRH Project–Leveraging Healthcare Resources.	
	NOFO Section V.B.6.b.	
	You must upload the Healthcare Formal Agreements attachment to the 4B. Attachments Screen.	

	Is your CoC applying for a new PH-PSH or PH-RRH project that uses healthcare resources to help individuals and families experiencing homelessness?	Yes
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3A-3.	Leveraging Housing/Healthcare Resources–List of Projects.	
	NOFO Sections V.B.6.a. and V.B.6.b.	

If you selected yes to questions 3A-1. or 3A-2., use the list feature icon to enter information about each project application you intend for HUD to evaluate to determine if they meet the criteria.

Project Name	Project Type	Rank Number	Leverage Type
DVRRH Expansion F...	PH-RRH	14	Healthcare

3A-3. List of Projects.

1. What is the name of the new project? DVRRH Expansion FY2023

2. Enter the Unique Entity Identifier (UEI): S7AJH436N326

3. Select the new project type: PH-RRH

4. Enter the rank number of the project on your CoC's Priority Listing: 14

5. Select the type of leverage: Healthcare

3B. New Projects With Rehabilitation/New Construction Costs

HUD publishes resources on the HUD.gov website at CoC Program Competition to assist you in completing the CoC Application. Resources include:

- Notice of Funding Opportunity (NOFO) for Fiscal Year (FY) 2023 Continuum of Care Competition and Noncompetitive Award of Youth Homeless Demonstration Program Renewal and Replacement Grants;
- 24 CFR part 578;
- FY 2023 CoC Application Navigational Guide;
- Section 3 Resources;
- PHA Crosswalk; and
- Frequently Asked Questions

3B-1.	Rehabilitation/New Construction Costs–New Projects.	
	NOFO Section V.B.1.s.	

Is your CoC requesting funding for any new project application requesting \$200,000 or more in funding for housing rehabilitation or new construction?	No
--	----

3B-2.	Rehabilitation/New Construction Costs–New Projects.	
	NOFO Section V.B.1.s.	

If you answered yes to question 3B-1, describe in the field below actions CoC Program-funded project applicants will take to comply with:

1.	Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u); and
2.	HUD’s implementing rules at 24 CFR part 75 to provide employment and training opportunities for low- and very-low-income persons, as well as contracting and other economic opportunities for businesses that provide economic opportunities to low- and very-low-income persons.

(limit 2,500 characters)

Not applicable

3C. Serving Persons Experiencing Homelessness as Defined by Other Federal Statutes

HUD publishes resources on the HUD.gov website at CoC Program Competition to assist you in completing the CoC Application. Resources include:

- Notice of Funding Opportunity (NOFO) for Fiscal Year (FY) 2023 Continuum of Care Competition and Noncompetitive Award of Youth Homeless Demonstration Program Renewal and Replacement Grants;
- 24 CFR part 578;
- FY 2023 CoC Application Navigational Guide;
- Section 3 Resources;
- PHA Crosswalk; and
- Frequently Asked Questions

3C-1.	Designating SSO/TH/Joint TH and PH-RRH Component Projects to Serving Persons Experiencing Homelessness as Defined by Other Federal Statutes.	
	NOFO Section V.F.	

	Is your CoC requesting to designate one or more of its SSO, TH, or Joint TH and PH-RRH component projects to serve families with children or youth experiencing homelessness as defined by other Federal statutes?	No
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3C-2.	Serving Persons Experiencing Homelessness as Defined by Other Federal Statutes.	
	NOFO Section V.F.	

You must upload the Project List for Other Federal Statutes attachment to the 4B. Attachments Screen.

If you answered yes to question 3C-1, describe in the field below:

1.	how serving this population is of equal or greater priority, which means that it is equally or more cost effective in meeting the overall goals and objectives of the plan submitted under Section 427(b)(1)(B) of the Act, especially with respect to children and unaccompanied youth than serving the homeless as defined in paragraphs (1), (2), and (4) of the definition of homeless in 24 CFR 578.3; and
2.	how your CoC will meet requirements described in Section 427(b)(1)(F) of the Act.

(limit 2,500 characters)

Not Applicable

4A. DV Bonus Project Applicants for New DV Bonus Funding

HUD publishes resources on the HUD.gov website at CoC Program Competition to assist you in completing the CoC Application. Resources include:

- Notice of Funding Opportunity (NOFO) for Fiscal Year (FY) 2023 Continuum of Care Competition and Noncompetitive Award of Youth Homeless Demonstration Program Renewal and Replacement Grants;
- 24 CFR part 578;
- FY 2023 CoC Application Navigational Guide;
- Section 3 Resources;
- PHA Crosswalk; and
- Frequently Asked Questions

4A-1.	New DV Bonus Project Applications.	
	NOFO Section I.B.3.I.	

Did your CoC submit one or more new project applications for DV Bonus Funding?	Yes
--	-----

4A-1a.	DV Bonus Project Types.	
	NOFO Section I.B.3.I.	

Select yes or no in the chart below to indicate the type(s) of new DV Bonus project(s) your CoC included in its FY 2023 Priority Listing.

	Project Type	
1.	SSO Coordinated Entry	No
2.	PH-RRH or Joint TH and PH-RRH Component	Yes

You must click "Save" after selecting Yes for element 1 SSO Coordinated Entry to view questions 4A-2, 4A-2a. and 4A-2b.

4A-3.	Assessing Need for New PH-RRH and Joint TH and PH-RRH Component DV Bonus Projects in Your CoC's Geographic Area.	
	NOFO Section I.B.3.I.(1)(c)	

1.	Enter the number of survivors that need housing or services:	379
2.	Enter the number of survivors your CoC is currently serving:	274
3.	Unmet Need:	105

4A-3a.	How Your CoC Calculated Local Need for New PH-RRH and Joint TH and PH-RRH Component DV Bonus Projects.	
NOFO Section I.B.3.I.(1)(c)		
Describe in the field below:		
1.	how your CoC calculated the number of DV survivors needing housing or services in question 4A-3 element 1 and element 2; and	
2.	the data source (e.g., comparable databases, other administrative data, external data source, HMIS for non-DV projects); or	
3.	if your CoC is unable to meet the needs of all survivors please explain in your response all barriers to meeting those needs.	

(limit 2,500 characters)

- (1) The number of DV survivors needing housing or services was calculated by summing the following data points for the period from July 1, 2022, through June 30, 2023: (i) total people staying in shelter or permanent housing beds designated for DV survivors or connected to other housing programs; (ii) people who were added to the waiting list for emergency shelter or permanent housing programs for DV survivors during this period and were still on the waiting list after June 30, 2023; and (iii) people who were not able to access our community’s shelter or permanent housing for DV survivors and were referred to other organizations for interim or permanent housing. The number of survivors currently being served is based on the total number of individuals staying in shelter or permanent housing beds designated for DV survivors or connected to other housing programs during the same time period.
- (2) The data source for these numbers is data extracted by CORA, San Mateo County’s victim services organization and operator of DV shelter, from Apricot, their HMIS-comparable database, which includes custom fields for data collection beyond the HMIS-required fields.
- (3) The CoC does not yet have sufficient capacity to provide rapid rehousing or other forms of affordable housing for survivors of DV who experience homelessness. The primary barrier to creating sufficient housing is availability of resources. Our CoC is submitting an application for a DV RRH bonus project expansion to serve additional households to fill a portion of the identified gap.

4A-3b.	Information About Unique Project Applicants and Their Experience in Housing Placement and Housing Retention for Applicants Requesting New PH-RRH and Joint TH and PH-RRH Component DV Bonus Projects.	
NOFO Section I.B.3.I.(1)		
Use the list feature icon to enter information on each unique project applicant applying for New PH-RRH and Joint TH and PH-RRH Component DV Bonus projects—only enter project applicant information once, regardless of how many DV Bonus projects that applicant is applying for.		

Applicant Name
CORA

Project Applicants Applying for New PH-RRH and Joint TH and PH-RRH DV Bonus Projects

4A-3b.	Information About Unique Project Applicants and Their Experience in Housing Placement and Housing Retention for Applicants Requesting New PH-RRH and Joint TH and PH-RRH Component DV Bonus Projects.	
	NOFO Section II.B.11.e.(1)(d)	

Enter information in the chart below on the project applicant applying for one or more New PH-RRH and Joint TH and PH-RRH Component DV Bonus Projects included on your CoC's FY 2023 Priority Listing for New Projects:

1.	Applicant Name	CORA
2.	Project Name	Renewal DVRRH CORA FY2023 expansion
3.	Project Rank on the Priority Listing	14
4.	Unique Entity Identifier (UEI)	S7AJH436N326
5.	Amount Requested	\$356,688
6.	Rate of Housing Placement of DV Survivors–Percentage	100%
7.	Rate of Housing Retention of DV Survivors–Percentage	86%

4A-3b.1.	Applicant Experience in Housing Placement and Retention for Applicants Requesting New PH-RRH and Joint TH and PH-RRH Component DV Bonus Projects.	
	NOFO Section I.B.3.I.(1)(d)	

For the rate of housing placement and rate of housing retention of DV survivors reported in question 4B-3b., describe in the field below:

1.	how the project applicant calculated both rates;	
2.	whether the rates accounts for exits to safe housing destinations; and	
3.	the data source (e.g., comparable databases, other administrative data, external data source, HMIS for non-DV projects).	

(limit 1,500 characters)

(1) Rate of housing placement was calculated by looking at all clients of CORA (the community's sole DV services provider) who were active in any of CORA's permanent housing programs between July 1, 2021, and June 30, 2022, and calculating the percent that had moved into permanent housing during the program (or at exit, if exited before move-in). Rate of housing retention was calculated by looking at all individuals exiting permanent housing projects between July 1, 2021, and June 30, 2022, and calculating the percentage that exited to permanent housing.

(2) Temporary safe houses were excluded from the rate calculations; safe and permanent housing destinations were included.

(3) The data source used was Apricot, CORA's HMIS-comparable database.

4A-3c.	Applicant Experience in Providing Housing to DV Survivor for Applicants Requesting New PH-RRH and Joint TH and PH-RRH Component DV Bonus Projects.	
	NOFO Section I.B.3.I.(1)(d)	
	Describe in the field below how the project applicant:	
1.	ensured DV survivors experiencing homelessness were quickly moved into safe affordable housing;	
2.	prioritized survivors—you must address the process the project applicant used, e.g., Coordinated Entry, prioritization list, CoC's emergency transfer plan, etc.;	
3.	determined which supportive services survivors needed;	
4.	connected survivors to supportive services; and	
5.	moved clients from assisted housing to housing they could sustain—address housing stability after the housing subsidy ends.	

(limit 2,500 characters)

(1) CORA has extensive experience in operating shelter and housing programs for DV survivors. CORA staff provide housing location services as needed to ensure clients are able to quickly secure safe and affordable housing of their choosing. CORA's housing advocates use a client-centered approach that encourages and empowers clients to identify where they want to live and the type of housing best fitting their unique needs.

(2) CORA's programs only serve survivors. Survivors call CORA's 24-hour hotline to access assistance, including housing and emergency shelter. CORA also accepts referrals from all partner agencies in San Mateo County for survivors eligible for available housing programs, including referrals from the Coordinated Entry (CE) System. For all referred households, CORA assesses for safety concerns and conducts housing assessments to identify the barriers they face in pursuing housing stability. The assessment helps the client and staff determine what housing program is best for them, from among CORA's programs and the CE system's programs, for which households are referred to into the CE if not already assessed.

(3&4) CORA provides survivors of intimate partner abuse with effective supportive services during this difficult period in their lives. Participants in CORA safe houses and housing programs receive survivor-driven advocacy services from skilled advocates, as well as connections to a range of services and supports including 24-hour crisis, legal, and law enforcement referral hotlines; legal services; mental health support; children's programming; community advocacy; and community education. Clients work with advocates on an individualized service plan. It is in this plan that the clients and advocates identify which supportive services are needed so the client can obtain and sustain housing.

(5) CORA's housing programs all have high rates of successful exit to PH, including a rate of 100% for the existing CoC RRH. A primary objective of all programs is ensuring households secure income so that they may sustain their housing when the rental subsidy ends. Each client is paired with a family advocate who helps with connecting to resources, helping clients with understanding their lease and building relationships with their landlords, and providing services on and off site. Off-site services are provided by community partners committed to helping CORA clients. Supportive services continue for up to six months after the subsidy ends.

4A-3d.	Applicant Experience in Ensuring DV Survivor Safety for Applicants Requesting New PH-RRH and Joint TH and PH-RRH Component DV Bonus Projects.	
	NOFO Section I.B.3.I.(1)(d)	
	Describe in the field below examples of how the project applicant ensured the safety and confidentiality of DV survivors experiencing homelessness by:	
1.	taking steps to ensure privacy/confidentiality during the intake and interview process to minimize potential coercion of survivors;	
2.	making determinations and placements into safe housing;	
3.	keeping information and locations confidential;	
4.	training staff on safety and confidentiality policies and practices; and	
5.	taking security measures for units (congregate or scattered site), that support survivors' physical safety and location confidentiality.	

(limit 2,500 characters)

- (1) Confidential space is offered at CORA's main office. When intakes are completed virtually (i.e., via teleconferencing or by phone), advocates are trained to help the client determine if the space they are in is confidential/private before the intake/interview begins.
- (2) The CORA housing team explores a variety of questions with clients in an effort to help them think through what is safe for them when it comes to where they will live. Included in the issues explored are geographic location, connecting with family, reasonable accommodations, security measures, finding jobs and housing in low-crime areas.
- (3) At intake, staff discuss the importance of confidentiality concerning the people at the safe house and its location. Disclosure of information to family, friends, law enforcement, other organizations/agencies or inquiring individuals is prohibited. When the client arrives at the safe house, they receive introductions, a clarification on the length of stay available, information about who to call in an emergency, and an explanation of procedures and confidentiality.
- (4) All staff, interns and volunteers are provided initial and ongoing training on safety planning by managers and collaborative partners as well as training from professionals in the field, including the California Partnership to End Domestic Violence, the National Network to End Domestic Violence, and the Department of Justice. Topics include how to coach clients on remaining safe during a violent incident, safety with a protection order, safety on the job or volunteer setting and in public, and others.
- (5) For clients who live in housing subsidy programs, CORA has built into its housing contracts flex funds which, among other things, cover the costs of changing locks and security systems to ensure support survivors' physical safety. In addition, to contribute to location confidentiality, during the intake/interview process, the advocates talk to the clients about the importance of limiting who knows the location of their new home and discusses the importance of sharing only on a "need-to-know" basis. The advocate also partners with the clients to help ensure the client's children are also aware it is important to keep the location of their home confidential. CORA staff have been trained about tech safety and, as such, they communicate to clients the different ways they can protect their location from being disclosed by their technological devices.

4A-3d.1.	Applicant Experience in Evaluating Their Ability to Ensure DV Survivor Safety for Applicants Requesting New PH-RRH and Joint TH and PH-RRH Component DV Bonus Projects.	
	NOFO Section I.B.3.I.(1)(d)	

Describe in the field below how the project has evaluated its ability to ensure the safety of DV survivors the project served in the project, including any areas identified for improvement during the course of the proposed project.

(limit 2,500 characters)

CORA continuously assesses its work with clients. As client safety is critical, the housing team regularly tracks/reviews:

- Confirming upon intakes that clients have a safety plan. If clients have not already created a safety plan with a crisis counselor from the hotline, the housing advocate will create one with the client. The advocate and client revisit the safety plan as needed to make changes over time as needed to reflect current situations.
- Reviewing at intake the cities that are safe for the clients (e.g., those that are likely to be unknown to an abusive partner.)
- Whether clients are placed in units where they can reasonably be expected to afford the rent after their time in the program so that they are self-sufficient.
- Whether they are continuing to explore different housing options with clients, including looking at relocation if available/comfortable, placing clients in safe cities unknown to abusive partners.
- Advocates meet weekly as a team for case consultation. Whether there are challenges or successes in serving clients, advocates share with each other to learn and problem-solve.

In addition to the above, quantitative evaluation of RRH efforts to ensure the safety of clients include:

- Percentage of clients that secure permanent housing while in the program.
- Percentage of clients reporting they are stably housed in permanent housing one year after exit from the program.
- Percentage of clients who had to relocate due to safety issues.

4A-3e.	Applicant Experience in Trauma-Informed, Victim-Centered Approaches for Applicants Requesting New PH-RRH and Joint TH and PH-RRH Component DV Bonus Projects.	
	NOFO Section I.B.3.I.(1)(d)	

Describe in the field below examples of the project applicant's experience using trauma-informed, victim-centered approaches to meet needs of DV survivors by:

1.	prioritizing placement and stabilization in permanent housing consistent with the program participants' wishes and stated needs;
2.	establishing and maintaining an environment of agency and mutual respect, e.g., the project does not use punitive interventions, ensures program participant staff interactions are based on equality and minimize power differentials;
3.	providing program participants access to information on trauma, e.g., training staff on providing program participants with information on the effects of trauma;
4.	emphasizing program participants' strengths, e.g., strength-based coaching, questionnaires and assessment tools include strength-based measures, case plans worked towards survivor-defined goals and aspirations;

5.	centering on cultural responsiveness and inclusivity, e.g., training on equal access, cultural competence, nondiscrimination, language access, improving services to be culturally responsive, accessible, and trauma-informed;
6.	providing a variety of opportunities for connection for program participants, e.g., groups, mentorships, peer-to-peer, spiritual needs; and
7.	offering support for survivor parenting, e.g., trauma-informed parenting classes, childcare, connections to legal services.

(limit 5,000 characters)

(1) CORA’s housing programs strive to support participants to secure and stabilize in permanent housing as rapidly as possible. Staff use a client-centered approach that encourages and empowers clients to identify where they want to live and the type of housing that best meets their self-identified needs. All participants receive survivor-driven client advocacy by CORA’s trained and experienced client advocates. A client advocate is assigned to each client and their family. The advocate and survivor work together to ensure that the family can maintain permanent housing after the financial assistance and supportive services of their program end. Participants also receive support to secure employment so that they have income to sustain housing. They can also receive mental health services provided by a clinician so that they can address issues that might be posing barriers to housing stability.

(2) CORA’s survivor-driven advocacy model is trauma-informed and client-led and does not resort to punitive methods. Client advocates meet regularly with each family to develop and implement an individual care plan that builds upon the client’s self-identified goals for attaining safe, independent housing and financial self-sufficiency. Service participation is voluntary, and advocates are trained in and use motivational interviewing and other techniques to engage clients and support clients in taking steps to achieve their goals. Advocates encourage participation in services and workshops offered by CORA and community partners. To increase participation in wrap-around services, CORA provides on-site child watch services.

(3) All of CORA’s client advocate staff are certified domestic violence counselors with experience and skill in providing trauma-informed care. As part of their work with clients, advocates provide accessible information about how past or recent trauma plays out in a person’s reactions and responses, relationships, decisions, and other areas. This framing informs all the work between the advocate and client. Staff continually build on their skills with on-going trainings both on-site at CORA and off-site with partner agencies, so they are equipped with the most current trauma informed best practices.

(4) CORA’s values, which guide all their work, include being client-centered; committed to serving the unique needs of each individual, family and community; and valuing each other. Each client works with a skilled advocate to develop a strengths-based care plan. This plan guides the work done collaboratively between the advocate and client. Consistent with that frame, advocates emphasize clients’ strengths – asking them about their talents, skills, knowledge and experience so they are able to view themselves through a positive lens, developing case plans that focus on client-defined goals and aspirations.

(5) CORA is a multicultural agency. As such, 65% of the staff, 55% of the Board of Directors and nearly 85% of clients identify as a person of color. CORA is committed to serving survivors regardless of age, ethnicity/race, financial status, language, sexual orientation, immigration status, class, religion, gender, mental or physical ability. CORA provides free and confidential emergency, intervention and prevention services, including the county’s only emergency shelter for survivors with all services provided in Spanish and English. CORA hires staff with bilingual capacities in the two primary languages clients speak, Spanish and English. Currently, 45% of staff are bilingual and three additional languages outside of English are spoken by CORA staff. In August 2021, CORA rolled out staff trainings and “conscious” and “courageous conversations” about race and equity throughout the organization. The agency hired the Courageous Conversation Academy, which uses an award-winning protocol for effectively engaging, sustaining and deepening interracial dialogue.

(6) CORA’s client advocates help clients access a range of programs and

services to support connection – including support groups, volunteer and mentorship opportunities, and information on activities and services offered by faith congregations. Workshops and mental health/support workshops are provided by CORA staff and community partners on topics such as: goal setting, job interviewing skills, resume building, parenting, communication, conflict resolution, safety planning, stress management, healthy cooking, exercise, tenant rights and responsibilities, budgeting, tax filing tips, credit consultation, developing a housing resume, financial services, and other topics as needed.

(7) As noted above, CORA’s service options for participants include workshops on parenting and legal services. CORA provides child watch as needed so parents can participate in service offerings.

4A-3f.	Applicant Experience in Meeting Service Needs of DV Survivors for Applicants Requesting New PH-RRH and Joint TH and PH-RRH Component DV Bonus Projects.	
	NOFO Section I.B.3.I.(1)(d)	

Describe in the field below examples of supportive services the project provided to domestic violence survivors while quickly moving them into permanent housing and addressing their safety needs.

(limit 5,000 characters)

All of CORA's services are tailored to the needs of victims (e.g., those who are currently in an abusive relationship) and survivors (i.e., those who have fled an abusive partner) of domestic violence (also called intimate partner abuse). CORA's services are tied to an evidence-based theory of change developed by the Domestic Violence (DV) Evidence Project. This initiative, from the National Resource Center on Domestic Violence, combines what is known from research, evaluation, practice and theory to inform critical decision-making by intimate partner abuse programs and allies. Based on the DV Evidence Project's findings, there are several indicators that can predict well-being and are focal points for CORA's work. Key among these indicators are: (1) Self-sufficiency, (2) Social connectedness and positive relationships; (3) Economic stability; (4) Safety; and (5) Positive physical, emotional and spiritual behaviors.

During funding year 2022, CORA staff provided the following supportive services to DV survivors:

- Legal Services - CORA's legal department assisted DV survivors to secure restraining orders, which also included "move-out orders"; custody, visitation, child support orders; and help with keeping survivors' pets. In addition, the legal services included court accompaniment so clients would have a support person present when facing their abuser in court.
- Credit Repair - CORA connected clients in need credit of repair services to Consumer Credit Counseling Services (CCCS) of San Francisco. CCCS is a non-profit service and a member of the Association of Independent Consumer Credit Counseling Agencies (AICCCA). They are certified by the United States Department of Housing and Urban Development (HUD) to provide comprehensive housing counseling services. Due to financial abuse, many clients need this assistance in order to obtain affordable housing.
- Financial Literacy and Assistance - CORA advocates work with clients to review their financial situation and guide them through helpful resources and budget planning. The advocate helps clients to understand their bills and expenses. The advocate also helps clients create a plan for financial success, making sure they understand their budget so it becomes a tool for clients to figure out how to spend their money and not run out. Advocates also connect clients to money-saving resources and offer information about how to stretch their dollars.
- Housing Search and Counseling - CORA's housing team helps clients with finding local apartments and establishing a connection with landlords who are willing to work with clients whose financial profile is not as competitive as others in San Mateo County.
- Crisis DV Services - CORA staffs a 24/7 DV crisis hotline with trained advocates who ensure clients are provided with access to services they need in a timely fashion. The advocates provide trauma-informed support, including safety planning and helping clients to understand the next steps to keep them and their children safe.
- Long-term housing stability safety planning - CORA works with clients to develop long-term housing and safety plans, individual service plans; tenant education; and build self-advocacy skills. In addition, advocates provide ongoing services, including financial counseling and access to flex funds.
- Mental Health Services - CORA provides a broad array of mental health services, including groups (e.g., parenting, school age, DBT, DV psycho-ed, Tween Boys, Tween Girls, Teen, poetry & art therapy, adult expressive arts, men's DV101), LGBTQ-specific counseling, eye movement desensitization and reprocessing (EMDR) therapy, support groups, and individual counseling.
- Safety Net Resources - CORA is also able to connect clients to the array of

social services throughout San Mateo County. Some of these many services include: food, clothing, medical, dental (Samaritan House), food (Second Harvest), child care services (Child Care Coordinating Council), health services (County of San Mateo Health Department).

- Employment Services - In response to client input, beginning next program year CORA will begin offering in-house job training, development and support.

4A-3g.	Plan for Trauma-Informed, Victim-Centered Practices for New PH-RRH and Joint TH and PH-RRH Component DV Bonus Projects.	
	NOFO Section I.B.3.I.(1)(e)	

Describe in the field below examples of how the new project(s) will:

1.	prioritize placement and stabilization in permanent housing consistent with the program participants' wishes and stated needs;
2.	establish and maintaining an environment of agency and mutual respect, e.g., the project does not use punitive interventions, ensures program participant staff interactions are based on equality and minimize power differentials;
3.	provide program participants access to information on trauma, e.g., training staff on providing program participants with information on the effects of trauma;
4.	emphasize program participants' strengths—for example, strength-based coaching, questionnaires and assessment tools include strength-based measures, case plans work towards survivor-defined goals and aspirations;
5.	center on cultural responsiveness and inclusivity, e.g., training on equal access, cultural competence, nondiscrimination, language access, improving services to be culturally responsive, accessible, and trauma-informed;
6.	provide a variety of opportunities for connection for program participants, e.g., groups, mentorships, peer-to-peer, spiritual needs; and
7.	offer support for survivor parenting, e.g., trauma-informed parenting classes, childcare, connections to legal services.

(limit 5,000 characters)

The new proposed DV RRH program is an expansion of CORA’s existing RRH program, and so the services, approaches and models will be very similar to what is currently in place.

(1) Participants in the new project will be assisted in their search for safe and affordable housing of their choosing, with the goal of securing and stabilizing in housing as rapidly as possible. Program staff will use a client-centered approach that encourages and empowers clients to identify where they want to live and the type of housing that best meets their self-identified needs. All participants will receive survivor-driven client advocacy by CORA’s well-trained and experienced client advocates. A client advocate will be assigned to each client and their family. The advocate and survivor will work together to ensure the family can maintain permanent housing after the financial assistance and supportive services of their program end. Participants will also receive support to secure employment so that they have income to sustain housing. Clients will also have access to mental health services provided by CORA mental health staff so they can address issues that might be posing barriers to housing stability.

(2) CORA’s survivor-driven advocacy model is trauma-informed and client-led and does not resort to punitive methods. Client advocates in the proposed program will meet regularly with each family to develop and implement an individual care plan that builds upon the client’s self-identified goals and objectives for attaining safe, independent housing and financial self-sufficiency. Service participation is voluntary, and advocates use motivational interviewing and other techniques to engage clients and support them to take steps to achieve their goals.

(3) Staff in the proposed program are certified domestic violence counselors with experience and skill in providing trauma-informed care. As part of their work with clients, advocates provide accessible information about how past or recent trauma plays out in a person’s reactions and responses, relationships, decisions, and other areas. This framing informs all the work between the advocate and client. Staff will continually build on their skills with on-going trainings both on-site at CORA and off-site with partner agencies, so they are equipped with the most current trauma informed best practices to ensure optimal service delivery.

(4) CORA’s values are infused in all its programs; paramount among the agency’s values is client-centered, trauma-informed services. As such, program staff focus on serving the unique needs of each client. Each participant benefits from a strengths-based care plan they jointly work on with their advocate. Advocates are taught active listening skills, and one primary use of these skills is to help clients to identify their strengths and resources.

(5) CORA has recently put in motion a renewed agency-wide effort to promote racial equity in CORA’s operations and services, which will have a significant impact on the proposed new program. This effort began in August 2021 when CORA rolled out staff trainings and “conscious” and “courageous conversations” about race and equity throughout the organization. The agency hired the Courageous Conversation Academy, which uses an award-winning protocol for effectively engaging, sustaining and deepening interracial dialogue. Their work helps individuals and organizations to address persistent racial disparities intentionally, explicitly, and comprehensively. Out of these trainings and

conversations, staff representing all levels of the agency and board members have gone to work in operationalizing what was learned in these courageous conversations and trainings, including forming a team specifically concerned with issues of racial equity at CORA. Some of the anticipated deliverables to be produced include enhanced staff/board trainings, development of tools/resources around hiring and promotion and program-specific strategies to promote equity.

(6) CORA’s client advocates help clients access a range of programs and services to support connection – including support groups, volunteer and mentorship opportunities, and information on activities and services offered by faith congregations. Workshops and mental health/support workshops will be provided by CORA staff or others from the community on topics such as: goal setting, job interviewing skills, resume building, parenting, communication, conflict resolution, safety planning, stress management, healthy cooking, exercise, tenant rights and responsibilities, budgeting, tax filing tips, credit consultation, developing a housing resume, financial services, and other topics as needed.

(7) CORA’s service options for participants include workshops on parenting. In addition, legal services are provided for clients as previously noted. To ensure clients can participate in these services, CORA provides on-site child watch services as needed.

4A-3h.	Involving Survivors in Policy and Program Development, Operations, and Evaluation of New PH-RRH and Joint TH and PH-RRH Component DV Bonus Projects.	
	NOFO Section I.B.3.I.(1)(f)	
	Describe in the field below how the new project will involve survivors:	
1.	with a range of lived expertise; and	
2.	in policy and program development throughout the project’s operation.	

(limit 2,500 characters)

CORA, the DV Bonus project applicant, involves people with lived experience of homelessness at several levels of operations. Some of the many ways CORA involves this population in the agency at all levels includes:

- Working as program staff at the shelter, housing program, and the agency's 24-hour hotline staff (who are often the first contact for clients seeking services.) These staff are multilingual, multiracial, LGBTQIQ and with lived experience.
- Surveying/keeping an open line of communication with clients, hearing what works and what doesn't in receiving/participating in services. Programs and protocols are adapted as needed to meet the evolving needs of clients.
- Providing a vehicle for volunteerism among those who have lived experience and want to "give back," including those who serve on CORA's board. Volunteer members will be increasing this coming year as CORA has hired a Volunteer Manager who is able to better recruit, support and cultivate such volunteers in service of CORA's clients.
- Proactively soliciting input about program services from clients currently in CORA programs either through 1:1 meetings or evaluations/surveys.

In policy and program development, CORA has started participating in Listen 4 Good, a program that teaches nonprofits how to solicit and put to use meaningful input from clients. This work is starting at CORA's safe houses. As described by Listen4Good, "Listen4Good provides resources, coaching, and know-how for direct-service organizations to gain the skills they need to hear from and respond to their clients – and do it in a way that's well-defined, equitable, and systematic." The insights gleaned from this effort will be used to further develop all of CORA's programs.

Informal feedback is also accepted on an ongoing basis and throughout the course of services. When CORA identifies barriers or challenges faced by clients, the agency adjusts programmatic policies and procedures accordingly in consultation with its stakeholders, including funders.

4B. Attachments Screen For All Application Questions

We have provided the following guidance to help you successfully upload attachments and get maximum points:

1. You must include a Document Description for each attachment you upload; if you do not, the Submission Summary screen will display a red X indicating the submission is incomplete.
2. You must upload an attachment for each document listed where 'Required?' is 'Yes'.
3. We prefer that you use PDF files, though other file types are supported—please only use zip files if necessary. Converting electronic files to PDF, rather than printing documents and scanning them, often produces higher quality images. Many systems allow you to create PDF files as a Print option. If you are unfamiliar with this process, you should consult your IT Support or search for information on Google or YouTube.
4. Attachments must match the questions they are associated with.
5. Only upload documents responsive to the questions posed—including other material slows down the review process, which ultimately slows down the funding process.
6. If you cannot read the attachment, it is likely we cannot read it either.
 - . We must be able to read the date and time on attachments requiring system-generated dates and times, (e.g., a screenshot displaying the time and date of the public posting using your desktop calendar; screenshot of a webpage that indicates date and time).
 - . We must be able to read everything you want us to consider in any attachment.
7. After you upload each attachment, use the Download feature to access and check the attachment to ensure it matches the required Document Type and to ensure it contains all pages you intend to include.
8. Only use the "Other" attachment option to meet an attachment requirement that is not otherwise listed in these detailed instructions.

Document Type	Required?	Document Description	Date Attached
1C-7. PHA Homeless Preference	No	PHA Homeless Pref...	09/16/2023
1C-7. PHA Moving On Preference	No	PHA Moving On Pre...	09/16/2023
1D-11a. Letter Signed by Working Group	Yes	Letter Signed by ...	09/23/2023
1D-2a. Housing First Evaluation	Yes	Housing First Eva...	09/25/2023
1E-1. Web Posting of Local Competition Deadline	Yes	Web Posting of Lo...	09/16/2023
1E-2. Local Competition Scoring Tool	Yes	Local Competition...	09/16/2023
1E-2a. Scored Forms for One Project	Yes	Scored Forms for ...	09/16/2023
1E-5. Notification of Projects Rejected-Reduced	Yes	Notification of P...	09/16/2023
1E-5a. Notification of Projects Accepted	Yes	Notification of P...	09/16/2023
1E-5b. Local Competition Selection Results	Yes	Local Competition...	09/16/2023
1E-5c. Web Posting—CoC-Approved Consolidated Application	Yes		

1E-5d. Notification of CoC-Approved Consolidated Application	Yes		
2A-6. HUD's Homeless Data Exchange (HDX) Competition Report	Yes	HUD's Homeless Da...	09/16/2023
3A-1a. Housing Leveraging Commitments	No		
3A-2a. Healthcare Formal Agreements	No	Healthcare Formal...	09/23/2023
3C-2. Project List for Other Federal Statutes	No		
Other	No		

Attachment Details

Document Description: PHA Homeless Preference

Attachment Details

Document Description: PHA Moving On Preference

Attachment Details

Document Description: Letter Signed by Working Group

Attachment Details

Document Description: Housing First Evaluation

Attachment Details

Document Description: Web Posting of Local Competition Deadline

Attachment Details

Document Description: Local Competition Scoring Tool

Attachment Details

Document Description: Scored Forms for One Project

Attachment Details

Document Description: Notification of Projects Rejected-Reduced

Attachment Details

Document Description: Notification of Projects Accepted

Attachment Details

Document Description: Local Competition Selection Results

Attachment Details

Document Description:

Attachment Details

Document Description:

Attachment Details

Document Description: HUD's Homeless Data Exchange (HDX)
Competition Report

Attachment Details

Document Description:

Attachment Details

Document Description: Healthcare Formal Agreements

Attachment Details

Document Description:

Attachment Details

Document Description:

Submission Summary

Ensure that the Project Priority List is complete prior to submitting.

Page	Last Updated
1A. CoC Identification	09/13/2023
1B. Inclusive Structure	09/25/2023
1C. Coordination and Engagement	09/25/2023
1D. Coordination and Engagement Cont'd	09/25/2023
1E. Project Review/Ranking	Please Complete
2A. HMIS Implementation	09/25/2023
2B. Point-in-Time (PIT) Count	09/14/2023
2C. System Performance	09/25/2023
3A. Coordination with Housing and Healthcare	09/23/2023
3B. Rehabilitation/New Construction Costs	09/14/2023
3C. Serving Homeless Under Other Federal Statutes	09/14/2023

4A. DV Bonus Project Applicants	09/25/2023
4B. Attachments Screen	Please Complete
Submission Summary	No Input Required

1C-7. PHA HOMELESS PREFERENCE

Per HUD's Detailed Instructions, this attachment is our PHA Administrative Plan - Homeless Preference (Chapter 18 – Housing Readiness Program). The highlighted sections document the Homeless Preference.

**HOUSING AUTHORITY
OF THE COUNTY OF SAN MATEO**

PERMANENT SUPPORTIVE HOUSING PROGRAM

POLICY AND PROCEDURE MANUAL



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I. GENERAL INFORMATION

A. Purpose of This Manual

The purpose of this manual is to describe Housing Authority of the County of San Mateo's (HACSM) policies and procedures for operating the Permanent Supportive Housing (PSH) Program. The aim is to provide standard concepts, definitions and procedures to enable staff to understand and effectively administer the program. This manual is designed to be used as a tool to train new staff and also as a reference and resource for existing staff. It is also a public document and will be made available upon request to partner agencies, funders, participants, and others who wish to read the HACSM's policies and procedures relating to the program.

To the extent an issue is not otherwise explained in this manual, HACSM will follow the appropriate provisions of the U.S. Department of Housing and Urban Development (HUD) regulations, interim rules, notices, and other guidance on PSH.

This manual will be updated on a regular basis to reflect both changes in HACSM's policies and procedures as well as new HUD regulations, notices and other guidance.

B. Adapting Housing Choice Voucher Policies

Because there are some similarities and shared requirements (for example, Fair Housing laws, Housing Quality Standards, Informal Hearings) between the PSH Program and the Housing Choice Voucher (HCV) Program, HACSM may adopt the existing HCV Administrative Plan for policies and processes that are not described in this manual, including any waivers and flexibilities granted by HUD during emergency and pandemic such as COVID-19. In cases where HACSM elects to use its HCV Administrative as a guide, careful consideration will be given whether the rules and requirements HACSM is imposing are necessary, appropriate for the PSH target population, and consistent with HUD's PSH regulations.

C. Program Overview

PSH is a HUD program funded through the McKinney-Vento Homeless Assistance Act and administered by the HACSM. The funding is allocated through the San Mateo County Continuum of Care and distributed to the various member agencies in the County.

The PSH Program assists homeless people with disabilities to gain entry to affordable housing and to achieve residential, economic, and emotional stability. This goal is accomplished by providing safe, secure permanent housing and a broad range of supportive services. Program participants pay 30% of household monthly adjusted income or \$50.00 minimum rent, minus applicable utility allowance, for rent. The PSH subsidy covers the balance of the rent payable to the landlord.

D. Program Goals and Objectives

The PSH program is primarily designed for people who have lived in places not ordinarily meant for human habitation or in emergency shelters. The program's goals are to help disabled homeless persons (defined as those who have mental illness and/or chronic substance abuse and/or HIV) maintain stable housing, achieve greater self-determination, and increase self-sufficiency. The program's outcome measures these participants in terms of whether they maintained stable housing and increased income/skills.

E. Administrative Structure

HACSM is a governmental or public body, created and authorized by state law to develop and operate housing and housing programs for low-income families. It is governed by the San Mateo County Board of Supervisors where its members are selected by voters of San Mateo County. The Board is also supported by the San Mateo Continuum of Care and Homeless Operation Policy Committee where their members include formerly homeless residents.

HACSM is the grantee for PSH funds and is responsible for the overall management of the PSH Program. Specifically, HACSM is responsible for: (1) developing and implementing PSH policies and procedures in accordance with HUD's regulations and guidance; (2) managing all aspects of the participants' rental assistance, including conducting eligibility determinations, annual recertification's, inspections, ensuring rent reasonableness; calculating tenant rent and Housing Assistance Payments (HAP); and paying landlords; (3) managing PSH grant funds, including conducting monthly draws through HUD's LOCCS system; (4) maintaining participants' case file and relevant data; (5) maintaining relevant data in HMIS; (6) submitting Annual Progress Reports (APR) for each grant; and (7) coordinating with service provider agencies that provide services to PSH participants.

HACSM partners with a network of service provider agencies. These agencies are responsible for: (1) referring potential participants to the program; and (2) providing ongoing support services to participants who are accepted into the program.

F. Fair Housing and Equal Opportunity

See 24 CFR 578.93 and HACSM's HCV Administrative Plan for details

G. Program Components

1. Tenant-Based Rental Assistance (TRA)

Under the TRA component, HACSM provides rental assistance on behalf of program participants who choose their own housing units. Each program participant must have a Lease Agreement with the landlord, and the landlord must have a HAP Contract with HACSM. If a participant decides to move, he or she may take their rental assistance to the new housing unit within San Mateo County.

2. Sponsor-Based Rental Assistance (SRA)

Under the SRA component, HACSM provides rental assistance on behalf of program participants who are placed in the sponsor's housing units. A sponsor may be a private, nonprofit organization or a community mental health agency established as a public nonprofit organization. Participants reside in housing that is owned or leased by the sponsor. A Lease or an Occupancy Agreement is required between the program participant and the sponsor organization. A HAP Contract is executed between HACSM and the sponsor organization. To ensure long-term affordability, HACSM may execute a HAP Contract with the sponsor organization for a term longer than one year.

Sponsor organizations are responsible for providing ongoing support services to participants who are accepted into the SRA units.

SRA rental assistance is tied to specific sponsor organizations. However, on a case by case basis and for the benefit and well-being of the program participant, HACSM may provide other forms of rental assistance, including TRA, to the participant who may be more appropriately served under a different program or unit.

3. Project-Based Rental Assistance (PRA)

Under the PRA component, HACSM provides rental assistance through a long-term contract (five to fifteen years) with the property owner. The property owner must agree to accept eligible PSH participants for the entire contract term. A Lease or an Occupancy Agreement is required between the program participant and the project owner.

Owners of Project-based properties are responsible for providing ongoing support services to participants who are accepted into the PRA units.

PRA rental assistance is tied to specific Project-based units. However, on a case by case basis and for the benefit and well-being of the program participant, HACSM may provide other forms of subsidy, including TRA, to the participant who may be more appropriately served under a different program or unit.

II. OUTREACH

HACSM will make its best effort to ensure that eligible hard-to-reach homeless persons are served by the PSH Program. HACSM has partnered with the San Mateo County Homeless Outreach Team (HOT) and other homeless service providers to provide outreach to perspective eligible persons who have a nighttime residence that is an emergency shelter or a space that is not typically designed as a regular sleeping accommodation for humans (e.g. persons living in cars, streets, and parks). Ongoing outreach and engagement procedures have been established through partner agencies for the purpose of engaging with eligible persons so that they may be brought into the program.

The Core Services Agency Network of San Mateo County (CORE) consists of a network of providers that help individuals meet basic needs while providing a collaborative organizational structure for safety net providers. These CORE may serve as access points for homeless individuals and families not reached by HOT. There are eight CORE agencies throughout San Mateo County that can be easily accessible to homeless individuals and families.

If the procedures that HACSM intends to use to make known the availability of the program are unlikely to reach persons of any particular race, color, religion, sex, age, national origin, familial status, or handicap, HACSM will establish additional procedures that will ensure interested persons can obtain information concerning assistance.

HACSM staff will make presentations and hold informational trainings about the PSH Program at relevant venues and upon request.

III. PRIORITIZATION

The San Mateo County CoC has implemented a system for coordinated outreach, intake, assessment, and prioritization of people for PSH in compliance with CPD Notice 16-11. Outreach and assessment are conducted by San Mateo County Homeless Outreach Teams (HOT) which enter clients into HMIS and complete an assessment using tools such as the Coordinated Entry System (CES). The assessment is used to determine a household's level of vulnerability. The HOT and other referring agencies use this information to make referrals to HACSM for PSH through a centralized priority list which also resides in HMIS. When there are vacancies available, HACSM selects applicants from the list based on their assessment score and the prioritization ranking listed below. Applicants are then preliminarily matched to PSH based on the spaces available (HACSM notifies CoC when there are vacancies) and applicants' prioritization at that exact point in time when the match is being made.

All available PSH units will be prioritized for use by chronically homeless applicants first. "Chronically homeless" is defined as:

- A person who has been continuously homeless for at least one year in a place not meant for human habitation or emergency shelter immediately prior to the PSH referral, or
- A person who has experienced four episodes of homelessness that total twelve months with the past three years immediately prior to the PSH referral.

HACSM will further prioritize applicants with the greatest housing barriers and needs in the following order:

- First Priority: Chronically homeless individuals and families with the longest history of homelessness and with the Most Severe Service Needs;
- Second priority: Chronically homeless individuals and families with the longest history of homelessness;
- Third priority: Chronically homeless individuals and families with the most severe service needs;
- Fourth priority: All other chronically homeless individuals and families; and
- Fifth priority: All other PSH-eligible households.

IV. APPLYING FOR ADMISSION

HACSM is responsible for ensuring that every individual and family admitted to the PSH program meets all program eligibility requirements.

There is no waiting list for the PSH Program. Referrals are accepted only when there are spaces available in the program or projections that spaces will be available in the upcoming 3 months. The referring agency must agree to provide assistance to the applicant in the application process and in some cases, serve as the case management agency. Referring agencies must be willing and able to document service costs which will be used by HACSM as verification to the match and leverage requirements. Additionally, all referrals must have been prioritized by the San Mateo County's Continuum's Coordinated Entry system and data entered into the San Mateo County's HMIS.

To be eligible for the HACSM PSH Program, applicants must be homeless and disabled as defined below and meet the following eligibility criteria:

A. Homelessness

The applicant must meet the definition of Category 1 or 4 of homeless definition established by HUD for the PSH program and the specific homeless requirements stated in the CoC NOFAs. An individual is considered homeless if he or she is:

1. Literally Homeless:
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. They are also expected to exit into homelessness once their residency ends at that institution;
2. Fleeing/Attempting to flee DV:
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.

B. Chronically Homelessness

In addition to the above mentioned criteria several of HACSM's grants require that applicants be chronically homeless defined as:

1. An individual who:
 - (i) Is homeless and lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; **and**
 - (ii) Has been homeless and living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter continuously for at least one year or on at least four separate occasions in the last 3 years, where each homeless occasion was more than 7 days; **and**
 - (iii) Can be diagnosed with one or more of the following conditions: substance use disorder, serious mental illness, developmental disability (as defined in section 102 of the Developmental Disabilities Assistance Bill of Rights Act of 2000 (42 U.S.C. 15002)), post-traumatic stress disorder, cognitive impairments resulting from brain injury, or chronic physical illness or disability;
2. An individual who has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all of the criteria in paragraph (1) of this definition, before entering that facility; or
3. A family with an adult head of household (or if there is no adult in the family, a minor head of household) who meets all of the criteria in paragraph (1) of this definition, including a family whose composition has fluctuated while the head of household has been homeless.

C. Disability

An applicant must have one or more of the following three targeted disabilities:

1. Serious Mental Illness
2. Chronic alcohol and/or drug abuse;
3. AIDS or related diseases

Additionally, the applicant must be disabled according to the following HUD definition [The McKinney-Vento Homeless Assistance Act As amended by HEARTH Act of 2009]:

1. (i) Is expected to be long-continuing or of indefinite duration;

- (ii) Substantially impedes the individual's ability to live independently;
 - (iii) Could be improved by the provision of more suitable housing conditions; **and**
 - (iv) Is a physical, mental, or emotional impairment, including an impairment caused by alcohol or drug abuse, post-traumatic stress disorder, or brain injury;
2. Is a developmental disability, as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002); or
 3. Is the disease of acquired immunodeficiency syndrome or any condition arising from the etiologic agency for acquired immunodeficiency syndrome.

In the case of a homeless household with more than one member, at least one adult member of the households must meet the disability criteria.

In accordance with HUD regulation 24 CFR 582.330(a) HACSM will not exclude other eligible disabled persons (i.e. those who do not have mental illness, substance abuse or HIV/AIDS). However, individuals with other disabilities will not be considered for admission to the program when there is sufficient demand by the three identified target populations and the other disabled homeless persons would not benefit from the services provided.

D. Income

To be eligible for assistance, the household's total gross annual income must not exceed 50% of the area median income for the jurisdiction as determined by HUD.

E. Eligible Households

The following households are eligible to participate in the HACSM PSH Program:

1. Family Households: *Family* includes, but is not limited to, the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:
 - (i) A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or
 - (ii) A group of persons residing together, and such group includes, but is not limited to:
 - (a) A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);
 - (b) An elderly family;
 - (c) A near-elderly family;
 - (d) A disabled family;
 - (e) A displaced family; and
 - (f) The remaining member of a tenant family.

2. Households with a live in Aid [24 CFR 5.403]: *Live-in aide* means a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who:
 - (i) Is determined to be essential to the care and well-being of the persons;
 - (ii) Is not obligated for the support of the persons; and
 - (iii) Would not be living in the unit except to provide the necessary supportive services.

Verification must be provided by a medical professional who is familiar with the applicant's medical and healthcare needs, certifying that the participant requires an attendant to live with them in order to safely manage such needs.

3. Applicants who have previously been terminated by the PSH Program may reapply for the program. An applicant's past history with the program will be taken into consideration in making an eligibility determination, but will not be the sole determining factor for acceptance.

F. Other Eligibility Requirements

- No household member, including the head of house, has ever been convicted of manufacture of methamphetamine on the premises of federally assisted housing.
- No household member, including the head of house, is subject to a lifetime registration requirement under a state sex offender registration program.
- At least one household member has citizenship or eligible immigration status. The amount of rental assistance will be prorated based on the number of citizens or number with eligible immigration status and the number of ineligible immigration status members in the household.

G. Denial of Assistance

An applicant that does not meet the eligibility criteria discussed in this section must be denied assistance.

The written notice of denial must contain a statement that the applicant has a right to an Informal Review of the decision, in which the applicant is given the opportunity to present written or oral objections and may be represented by a third party advocate. To request an Informal Review, the participant must do so in writing within fourteen (14) days of the date of the denial letter. An applicant who fails to request an informal review waives this right, and the decision to deny the applicant from the program becomes final.

H. Record Keeping

HACSM will maintain sufficient records to ensure that HUD eligibility requirements are being met and all records pertaining to Continuum of Care funds will be retained for the greater of 5 years or the period specified in accordance with CoC Interim Rule 24 CFR 578.103. Acceptable evidence of eligibility criteria are as follows:

1. Homeless Status:

Verification/documentation hierarchy:

- (i) Third-party documentation
- (ii) Intake worker observations
- (iii) Certification from the person seeking assistance.

The priority for obtaining the above mentioned evidence is third-party documentation is first, intake worker observations second, and certification from the person seeking assistance third. Any self-certification from the person seeking assistance may only be used to document 1/3 of the time homeless.

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.

Literally Homeless

- (i) If the individual or family qualifies as Literally Homeless, 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.
- (ii) If the individual qualifies as homeless and is exiting an institution where he or she resided for 90 days or less, acceptable evidence includes one of the following:
 - (a) 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**
 - (b) Where the evidence is not obtainable, a written record of the intake worker's due diligence in attempting to obtain the evidence **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.

Fleeing/Attempting to Flee Domestic Violence:

- (i) 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.

2. Disability:

- (i) Written verification of the disability from a professional licensed by the state to diagnose and treat the disability and his or her certification that the disability is expected to be long-continuing or of indefinite duration and substantially impedes the individual's ability to live independently;
- (ii) Written verification from the Social Security Administration;
- (iii) The receipt of a disability check (e.g., Social Security Disability Insurance check or Veteran Disability Compensation);
- (iv) Intake staff-recorded observation of disability that, no later than 45 days of the application for assistance, is confirmed and accompanied by evidence in paragraph (c)(i), (ii), (iii), or (iv) of this section; or
- (v) Other documentation approved by HUD.

V. APPLICATION PROCESS AND VERIFICATION OF ELIGIBILITY

In order for a referral to be accepted, the Homeless Outreach Team or other providers must use the designated assessment tool provided by the Continuum, have entered all the prudent information and upload the following documents into the San Mateo County HMIS:

- Referral Form
- Homeless Certification Form plus supporting documents
- Disability Certification Form plus supporting documents

HACSM will select applicants who have been scored as having the highest need for eligibility determination first. For Sponsor-based and Project-based units, through consultation with the referring agency, HACSM may take into account the appropriateness of the services provided by the sponsor or project owner when selecting applicants.

A. Eligibility Determination

Once the PSH Specialist determines the referral package is complete and PSH rental assistance is available, he/she will schedule an eligibility interview appointment for the applicant. The applicant's case manager is expected to provide assistance throughout the application process. Final eligibility will be determined only when all the prudent eligibility information is verified.

Eligibility information for all household members may include:

- Personal identification
- Social Security numbers
- Citizenship or immigration status
- Sex offender status verification
- Income
- Assets

Applicants and all adult household members are required to sign:

- Application form
- Declaration of citizenship form
- Certification form
- HUD authorization for release of information
- HACSM release form
- HMIS consent form

Based on the completed and verified application packet, the PSH Specialist will make one of the following determinations:

1. File is complete and applicant is eligible. The PSH Specialist will calculate the tenant rent portion, determine which PSH project is best fit for the applicant (i.e. specific support and

services the applicant may need) and has available rental assistance funding. Once the project is identified, the PSH Specialist will re-confirm the applicant's homeless status with the applicant's case manager the day before completing a briefing appointment and enrolling the applicant into the project.

At the briefing appointment, the PSH Specialist will:

- Review the PSH policies and program requirements, including participant obligations
 - Explain what the applicant's portion of the rent will be and how it was calculated
 - Explain the process for securing a housing unit and any housing locator services HACSM may offer
 - Review all other necessary paperwork, such as the Request for Tenancy Approval form, with the applicant
2. File is incomplete. If eligibility cannot be determined, the PSH Specialist will notify the applicant and case manager that additional information is needed. If the requested information is not supplied within 30 days, the applicant will be determined to be ineligible.
 3. Applicant is ineligible. The application will be denied and the reasons given in writing to the applicant and case manager. All denials must be reviewed by the PSH Supervisor/Manager. The applicant may appeal the denial of eligibility by following the informal review process as outlined in Section IV (H) above and the HACSM's HCV Administrative Plan.

B. Rent Calculations

Once the eligibility determination process is complete, the PSH Specialist will determine the Total Tenant Payment (TTP).

TTP shall be the highest of:

- 30 percent of monthly adjusted income
- 10 percent of monthly gross income;
- \$50.00 minimum rent, or
- If receiving payments for welfare assistance from a public agency and a part of such payments, adjusted in accordance with actual housing costs, is specifically designated by such agency to meet housing costs, the portion of such payments which is so designated.

The income of a HACSM-approved Live-In Aide shall not be included for the purpose of calculating the participant's rent.

The actual family portion of rent will be the difference between TTP minus the applicable utility allowance for the unit.

Hardship Waiver of Minimum Rent

HACSM will grant an exemption from the minimum rent if a family is unable to pay the minimum rent because of financial hardship. The financial hardship exemption applies only to families required to pay the minimum rent. If a family's TTP is higher than the minimum rent,

the family is not eligible for a hardship exemption. If HACSM determines that a hardship exists, the family share is the highest of the remaining components of the family's calculated TTP.

C. Education of Children

Homeless families with school-age children face many obstacles to ensuring their children receive the education they need. To address these issues, HACSM will designate a staff person responsible for ensuring that children are enrolled in school and connected to the appropriate services within the community, including early childhood education programs such as Head Start, Part C of the Individuals with Disabilities Education Act, and McKinney-Vento education services. The designated staff person will stay informed about resources and information relevant to children enrolled in school. At initial intakes and subsequent recertifications, the designated staff will collect school enrollment information from the family. For young children, the designated staff will identify Head Start or other early education programs and assist parents in accessing those services, as appropriate and available.

VI. LEASING PROCESS AND HOUSING QUALITY STANDARDS

A. Allowable Rents

In accordance with 24 CFR 582.305(b), HUD will only provide assistance for a unit for which the rent is reasonable. HACSM will determine whether a rent is reasonable by comparing the rent being charged for the unit receiving rental assistance to rents being charged for comparable unassisted units. The comparison also takes into account the location, size, type, quality, amenities, facilities and management and maintenance of each unit, as well as not in excess of rents currently being charged by the same owner for comparable unassisted units. This comparison is documented using the HACSM Rent Reasonableness Form.

B. Occupancy and Subsidy Standards

See HACSM's HCV Administrative Plan

C. Housing Inspection

All housing units are inspected by HACSM or its designated contractors. The inspection must take place before the applicant moves into the unit and must meet HUD's Housing Quality Standards (HQS) prior to move in.

See HACSM's Administrative Plan for further details

D. Leasing Process

Participants must enter into an initial lease agreement of at least twelve (12) months and it must be automatically renewable upon expiration, except on prior notice by either party.

On a case-by-case basis and when funding is available, HACSM may use PSH funds to cover security deposits not to exceed two month's contract rent. Security deposits will be paid to the landlord directly.

Once the unit passed HQS inspection, HACSM will prepare the Housing Assistance Payment (HAP) Contract for the landlord's signature. Both the lease and HAP Contract must be executed and on file before any check may be issued to the landlord.

VII. CONTINUED ELIGIBILITY

A. Participant Obligations

By signing the PSH Program Statement of Family Responsibility, the participant agrees to comply with the following obligations:

The participant shall:

1. Attend scheduled appointments or inspections with Housing Authority personnel;
2. Provide Family income information and records as may be required in the administration of the Program;
3. Promptly notify the Housing Authority in writing of any income change;
4. Promptly notify the Housing Authority in writing when the family is away from the unit for an extended period of time;
5. Allow the Housing Authority to inspect the unit at reasonable times and after reasonable notice;
6. Notify the Housing Authority and the owner/sponsor in writing before moving out of the unit or terminating the lease;
7. Use the assisted unit for residence by the family. The unit must be the family's only residence;
8. Request Housing Authority written approval to add any other family member as an occupant of the unit;
9. Promptly notify the Housing Authority in writing if any family member no longer lives in the unit;
10. Give the PHA a copy of any owner/sponsor eviction notice;
11. Pay utility bills and provide and maintain any appliances that the owner is not required to provide under the lease;

The participant shall not:

1. Commit any serious or repeated violation of the lease;
2. Commit fraud, bribery or any other corrupt or criminal act in connection with the program;
3. Engage in drug-related criminal activity or violent criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises;
4. Engage in abuse of alcohol in a way that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises;
5. Sublease or let the unit or assign the lease or transfer the unit;
6. Have guests stay more than 14 consecutive days or a total of 60 cumulative calendar days during any 12 month period;
7. Damage the unit or premises (other than damage from ordinary wear and tear) or permit any guest to damage the unit or premises;
8. Be threatening, abusive or violent toward Housing Authority personnel;

B. Support Services

1. Service Participation Requirements

HACSM's PSH Program offers participants a wide array of services to assist them to maintain housing stability, increase their skills and/or income, and to increase self-determination. These services may be newly created or already in operation. They may be provided or funded by federal, state, local, and private programs.

The PSH Program strongly encourages participants to avail themselves of the services offered, and case managers will conduct outreach and engagement to attempt to persuade participants to use needed services. However, participation in services is not required as a condition of receiving PSH rental assistance. Failure to meet service participation requirements is not grounds for termination from the PSH Program.

2. Services Provided

All PSH participants will have access to the supportive services they need to assist them to remain housed, increase their skills and/or income; and increase their self-determination. These services may include:

- Case management
- Life skills or independent living skills training
- Mental health services
- Alcohol and/or drug services
- Primary health services
- HIV/AIDS-related services
- Education
- Employment and training
- Child care
- Transportation assistance
- Legal assistance
- Benefits advocacy
- Housing search assistance
- Other services as needed

C. Annual Review and Interim Changes

1. Annual Recertification

In accordance with HUD requirements, on an annual basis HACSM will:

- Reexamine the income and household composition of all PSH participants
- Make adjustments to the tenant rent based on the reexamination
- Conduct HQS inspection of the PSH unit

2. Income Changes

An interim reexamination will be conducted or processed when:

- There is a change in the income that results in a decrease in total family income. The decrease must be expected to last at least 30 days or longer.
- Verification for pending benefits is unavailable and HASCM processed a rent calculation without including the pending benefit as income. In such case, HASCM will adjust the family portion of rent once the verification of benefit is received.
- There is a change in family composition.
- The family reported zero income on the family's last housing application (including income calculated based on HASCM's Income and Expense Statement). HASCM will conduct interim redeterminations every 120 days for zero income families.
- The family's rent was decreased due to a loss in earnings from self or seasonal employment, or employment from temporary agencies, HASCM will conduct an interim redetermination when the family member returns to work. An exception to this interim rent adjustment is when HASCM has a historical record showing annual pattern of employment, for example, teachers who do not have employment income during the summer months, and HASCM had annualize the income during the most current reexamine.

3. Changes in Family Composition

See HASCM's HCV Administrative Plan

Remaining Family Members

In the case the qualifying member of the household has died, or has been incarcerated or institutionalized for less than 90 days, the household may remain on the program. If the qualifying member of the household has died or has been incarcerated or institutionalized for more than 90 days, the rental assistance will be terminated at the expiration date of the lease. If the lease is on a month-to-month term, HASCM will give a minimum of 30 days' notice to the participant and the landlord.

VIII. TRANSFER

A. Moves

PSH participants may move with continued assistance to another unit within San Mateo County. The PSH program does not allow for moves with continued assistance outside of San Mateo County.

A participant must give notice to his/her landlord according to the terms of the lease agreement. A copy of the same notice must be submitted to HACSM at the same time. When the participant locates a new unit, he or she must submit a new Request for Tenancy Approval. The leasing process will be managed in accordance with the policies and procedures set forth in this Plan.

Restrictions on moves:

- Participants may not break a lease in order to move. If the participant wishes to break a lease, he or she must obtain permission from their landlord.
- Participants may not move if they are not complying with PSH program obligations.

B. Transferring Between Grants

During the course of their participation in the PSH program, the source of a participant's rental assistance may change. This transfer from one funding source to another may or may not be associated with a physical move. The policies governing grant transfers and intra-program transfers are detailed below.

1. Transfers at the Request of Support Service Provider

A transfer from TRA to SRA may be requested in situations where:

- A participant is experiencing difficulty in complying with the terms of the lease and;
- The case manager or other support service provider believes the participant would be more successful in a sponsor-based unit where a non-profit organization is the landlord.

A transfer from SRA to TRA may be requested in situations where:

- A participant has had a stable tenancy in an SRA unit and wishes to increase his or her self-determination by moving to a unit owned by a private landlord; and
- The case manager or other support service provider supports the participant's move to a TRA unit.

The case manager must make the request for transfer in writing, stating the reasons for the request. HACSM will grant the request on the condition whether the type of subsidy requested is available.

2. Transfers by the HACSM

The HACSM may elect to transfer participants from one TRA to another TRA grant if HACSM determines such transfer is necessary for grant management reasons (e.g. funding for a given

grant is not sufficient to cover the rental assistance costs). Such transfers do not involve a physical move by the participant.

HACSM will document all transfers and the reason for the transfer in the participant's file and HMIS.

IX. ENDING PROGRAM PARTICIPATION

A. Termination by Participant

Participants may elect to leave the PSH Program at any time and may do so by informing their landlord, case manager and HACSM. If the participant is a TRA participant, he or she may stay in the unit under an unassisted lease agreement and pay 100% of the rent. If the participant is a SRA or PRA participant, the sponsor or the project owner is expected and responsible to end tenancy in accordance with the State and local laws.

B. Termination by HACSM

The PSH Program is designed to serve disabled people who are homeless and have had poor access to housing and support services. In order to preserve the participant's rental assistance, HACSM will exercise judgment and examine all extenuating circumstances in determining when violations are serious enough to warrant termination. HACSM will do as much as possible to ensure the adequacy of support services so that a participant's assistance is terminated only in the most severe cases. Whenever possible the program will give participants written warning prior to termination so that they have an opportunity to take appropriate action to resolve the problems and thus continue their participation in the program.

Returning to the PSH Program Following Termination

After termination, the participant may be given the opportunity to be re-referred unless the individual no longer meets the eligibility criteria of the PSH program. HACSM will follow the referral and prioritization process stated in this Plan.

1. Grounds for Termination

Assistance may be terminated if the participant violates the following program requirements or conditions of occupancy:

- i. Repeated violation of Family Obligations stated in PSH Statement of Family Responsibility.
- ii. Violation of the Lease Agreement that resulted in eviction.
- iii. Serious HQS violations caused by the participant.
- iv. Vacating the unit without notice to HACSM.

2. Termination Process

Termination is a formal process that recognizes the rights of individuals receiving assistance to due process of law. The termination process is as follows:

- i. The PSH Housing Specialist will meet informally with the participant, preferably with the case manager present to address the problem. The PSH Housing Specialist documents such effort in the participant file.

- ii. If the behavior cannot be corrected informally, the PSH Housing Specialist will send the participant written notice specifying the reasons his or her participation in the program may be in jeopardy, and that if the issues are not resolved, the next step may be terminate their housing assistance. Copies of the letter will be sent to the case manager.
- iii. If the participant disagrees with the warning notice, s/he may request a meeting with the supervisor of the PSH Housing Specialist to review the matter.
- iv. If the participant does not fulfill the terms of the written warning, the PSH Housing Specialist will proceed with a written notice of termination. The effective date of the termination shall be end of the month following the month the termination notice was sent. The termination notice must contain a statement that the participant has a right to an Informal Hearing for a review of the decision, and the procedure on how to request such hearing.
- v. HACSM will inform the landlord its intent to terminate the participant's eligibility to participate in the PSH Program. To protect the participant's privacy, the notice will not state the specific reason(s) for the termination.

See HACSM's Administrative Plan for further details on the Informal Hearing procedures.

3. Termination of Tenancy by Landlord/Sponsor

All PSH program participants have the same tenancy rights as any tenant. If the landlord decides to evict a tenant in a PSH subsidized unit, they must follow the legal requirements governing the eviction of tenants under California law, as well as any applicable local laws governing the landlord-tenant relationship.

As grantee for the PSH funds, HACSM is ultimately responsible for determining whether a participant continues to receive PSH assistance and for termination of assistance in cases where it is warranted. A decision by the landlord to evict the participant from his or her unit does not necessarily mean that the participant will be terminated from the PSH program. Depending on the circumstances, HACSM may elect to continue PSH program participation and offer the participant alternative housing and/or services.

4. Vacancy Payment

Landlords may keep the rental assistance payment for the month in which the PSH participant vacated the unit. Additionally, HACSM may make a vacancy payment of up to one month's contract rent after the month the PSH participant left the unit if the unit remains vacate.

5. Property Damage

HACSM will not use grant funds to pay for any damage to housing due to the action of a program participant.

X. ADMINISTRATION

A. Data Management

1. Homeless Management Information System

The HMIS is a computerized data collection application that facilitates the collection of information on homeless individuals and families using residential or other homeless assistance service agencies, and stores that data in a centralized database for analysis. HACSM is one of many organizations that participate in the HMIS.

Data on PSH participants is entered into the HMIS system at the following times:

- When a participant first enters the program
- When a participants moves with continued assistance
- When a participant has a re-examination
- When a participant reports changes in household composition
- When a participant exits the program

2. Service Match Documentation

HUD requires that HACSM obtain a 25% service match of total PSH award amount provided by the grant. On a yearly basis and two weeks after the grant period ended, the PSH Specialist will request service match reports from different service agencies that work with the PSH clients. The request will include the name of the PSH participants. The service agency will submit the report that lists the value of all services provided during the APR period. The PSH Specialist will review the report to ensure that the services listed on the report are eligible service match per regulations.

3. Participant File

Data related to the participant household must be inputted into the HACSM housing management system. Data includes but is not limited to: Name, date of birth, social security number, race, ethnicity, disability status, income, allowable deductions of all household members. Data related to the assisted unit such as unit address, unit inspection, rent amount, landlord's name, address, and tax ID must also be entered into the system.

The supporting documents for the participant file will be scanned into the HACSM electric content management system.

B. Reporting

HUD requires HACSM to submit an Annual Progress Report for the PSH program on an annual basis. The report is due 90 days after the end of the program operating year. The PSH Specialist is responsible for compiling the APR using data from the following sources:

- HMIS
- Service match report from partner organizations
- Participant files

C. FINANCIAL AND GRANT MANAGEMENT

As grantee for the PSH funds, HACSM is responsible for financial management. The PSH program staff is responsible for determining eligibility, collecting and verifying income and calculating rental assistance based on that income. The PSH staff together with the Rental Programs Manager is responsible for grant application and renewals. The Leasing Team is responsible to conduct unit inspection, negotiate rent, and prepare the HAP Contract. The accounting staff is responsible to issue rental assistance payments to landlords, track and document grant expenditure, draw down PSH funds from HUD's eLOCCS system, and produce financial reports. Both the Rental Programs Manager and Finance Manager are responsible to monitor grant expenditures and make the adjustments necessary to ensure that the maximum number of clients are served without going over budget.

HACSM may use up to the administrative budget awarded for administrative costs in accordance to 24 CFR 578.59. Certain costs may be shared with other grants or programs. In such case, HACSM will pro rate the cost based on the number of households served by each grant or program.

Administrative cost does not include staff and overhead costs directly related to carrying out activities eligible under 24 CFR 578.43 through 578.57 because those costs are eligible costs for those activities.

Appendix A MONITORING SUPPORTIVE SERVICES

As a recipient of Federal funds for the Permanent Supportive Housing program, HACSM oversees program development, implementation, policies and procedures, participant eligibility and on-going grant management in collaboration with the San Mateo County Continuum of Care and its lead agency, the San Mateo County Human Services Department. Following are the methods through which HACSM determines on-going compliance in the use of Permanent Supportive Housing funds.

A. Type of Services

Listed below are examples of services provided by HACSM partners, see CFR 578.53 for further details:

- Annual assessment of service needs
- Assistance with on-time moving costs
- Case management
- Child care
- Education services
- Employment assistance and job training
- Food
- Housing search and counseling
- Legal services
- Life skills training
- Mental health services
- Outpatient health services
- Substance abuse treatment
- Transportation
- Utility deposits
- Direct provision of services

HACSM may reimburse some of the service costs to providers, provided that the project is awarded with a supportive service budget. Absent of a service budget, the service agency is expected to provide the services as in-kind supports to assist program participants maintain stable housing, increase self-determination and self-sufficiency. In most cases, the referring agency will act as the lead agency to assess service needs, coordinate services, and interact with the landlord for the participant. For projects that are awarded a supportive service budget, HACSM may contract with County departments or other non-profit partners to case-manage the participant. When HACSM contracts services with County departments or other non-profit partners for a fee, HACSM will select contractor(s) in accordance with its agency's procurement policies and procedures and will enter into an Agreement with the selected contractor(s). HACSM will ensure that the services provided for a fee by the contractor(s) are not part of the in-kind match contribution.

B. Responsibilities of Service Provider Agencies

On a case-by-case basis, multiple agencies may be connected to meet the client's needs. Regardless of whether the service costs are reimbursed by the grant funds, the service providers are expected to perform the following as appropriate:

1. Assist clients to complete the referral and initial application process, as well as the annual recertification requirements.
2. Assist clients in obtaining eligible benefits/services.
3. Assist clients in their housing search to find a unit where they can use their PSH certificate.
4. Provide the property manager of the client's unit with contact information so that the case manager can be informed in the event that concerns or problems arise.
5. Provide ongoing case management and service coordination, including regular home visits, at least once monthly initially, to ensure the participant may live independently and maintain stable housing.
6. Intervene in the event that a client's behavior is jeopardizing their housing, or if critical concerns arise regarding their health or safety.
7. Conduct assessment of service needs at least annually.
8. Notify HACSM if there are changes in the client's case manager.
9. Notify HACSM in a timely manner when a client is at risk of being discharged from the provider's services due to non-participation or program violations.
10. Notify HACSM if the provider determines that a client no longer requires intensive services and plans to discharge the client. The Provider will develop a discharge plan in consultation with HACSM to assure that the client remains connected with adequate supportive services while continuing to receive PSH subsidy.
11. Hold joint meeting between the participant, the service provider, and HACSM as needed.
12. Maintain up-to-date service notes in the client's file or in HMIS database (Clarity)
13. Submit service match reports to HACSM annually, 45 days prior to the APR due date.

C. Monitoring Service Performance

HACSM will conduct on-going supportive services compliance reviews by:

1. Reviewing of participant-level documentation in the San Mateo County HMIS database (Clarity).

2. Following up with supportive service agency for clarification, if needed, regarding specific services provided.
3. Participating in the monthly regional-based multi-disciplinary team meetings. Team members include but are not limited to: CORE Services Agencies, Human Services Agency, Street Medicine Team, Homeless Outreach Team, Mental Health Association, Behavioral Health and Recovery, local law enforcement, and shelter operators. Participants' on-going and emergent service needs are discussed and addressed.
4. Holding individual meetings with the service providers for more complex cases.

Appendix B SUBRECIPIENT AND CONTRACTOR MONITORING

The Housing Authority of the County of San Mateo (HACSM) receives funding from the U.S. Department of Housing and Urban Development (HUD) Continuum of Care (CoC) Program to operate projects serving homeless individuals and families in San Mateo County, California. HACSM's policy is to monitor all subrecipients and contractors of CoC funds annually to ensure compliance with HUD and local regulations and to assess program performance and effectiveness. HACSM may monitor subrecipients and contractors more frequently if conditions warrant it. Monitoring is an ongoing process and is intended to improve program effectiveness and management efficiency. Annual monitoring of subrecipients and contractors is required under 24 CFR §578.23(c)(8).

Monitoring of Rental Assistance paid to subrecipients and contractors will be a part of the HACSM's annual audit and is performed by contracted auditing firms. HACSM's Direct Referral team is responsible for monitoring supportive service payments made to subrecipients and contractors in coordination with appropriate managers.

A. Subrecipient and Contractor Monitoring Procedures

Annual monitoring may take the form of a monitoring visit or an offsite desk review. Onsite monitoring visits will take place at least triennially. Monitoring visits and desk reviews may be scheduled at any time during the year to fit within the annual work flow of HACSM and its subrecipients and contractors. One monitoring visit or desk review conducted within each fiscal year will be considered to meet the requirement of annual monitoring regardless of whether the visit/review is within 365 days of the last visit/review.

HACSM maintains a Monitoring Checklist that includes a comprehensive list of items to be reviewed in a monitoring visit or desk review. However, in order to make visits and reviews efficient and focus more time on challenging or potentially risky areas, a subset of items will be selected for review each year. The Checklist highlights individual items that should be reviewed annually. The remaining items should be rotated through so that each item is reviewed at least once every three years. In addition, prior to the monitoring visit or desk review, the HACSM monitor may review programmatic and financial reports to identify any additional items that should be included in the visit or review. In particular, any areas that raised concerns or required corrective action during the prior visit or review will be included.

B. Monitoring Visit

Before the visit, HACSM monitor will review the subrecipient and contractor contract, invoices, reports, and any previous monitoring results. Based on this review and knowledge of the current state of the program, consider whether any additional areas should be assessed during the monitoring in addition to the standard Monitoring Checklist or remove any questions that will not be asked at the visit. Not every question needs to be answered at each monitoring visit or desk review and not every question will be relevant for all subrecipients and contractors.

Subrecipients and contractors will be notified of monitoring visits at least 30 days prior to the scheduled visit and informed of the scope of the visit and any advance preparation that is necessary. HACSM may include a list of clients and a copy of the Monitoring Checklist that the subrecipient and contractor can review in preparation for the visit. During the visit, HACSM monitor may review the client files, agency policies and procedures, financial reports and associated backup documentation, and any other documents necessary to verify contract compliance.

HACSM will complete the monitoring report within 30 days after the visit. For each key concern that is identified, identify the requirement that is not being met, including the citation in HUD regulations, if possible, and include a description of the corrective action that needs to be taken. Request a response from the subrecipient and contractor within 30 days that outlines how the subrecipient and contractor will take corrective action to resolve the concern.

C. Desk Review

When conducting a desk review, HACSM will first complete the same preparation as for a monitoring visit. HACSM will prepare a monitoring letter, including the following information:

- Purpose of the desk review
- Request for the organization being monitored to fill out and return the Monitoring Checklist
- Request for the organization to submit any additional attachments needed to review with the Checklist.
- Any additional questions based on the initial review of contracts, invoices, and reports.

HACSM will grant the organization being monitored at least 30 days to complete the Checklist and submit all requested documentation. HACSM will review the submittal and prepare a monitoring report within 30 days.

D. Retention of Records;

- (a) Subrecipient and contractor shall maintain all required records relating to services provided five (5) years after HACSM makes final payment and all other pending matters are closed, and subrecipient and contractor shall be subject to the examination and/or audit by HACSM, a Federal grantor agency, and the State of California.
- (b) Subrecipient and contractor shall comply with all program and fiscal reporting requirements set forth by applicable Federal, State, and local agencies and as required by HACSM.
- (c) Subrecipient and contractor agree upon reasonable notice to provide to HACSM, to any Federal or State department having monitoring or review authority, to HACSM's authorized representative, and/or to any of their respective audit agencies access to and the right to examine all records and documents necessary to determine compliance with

relevant Federal, State, and local statutes, rules, and regulations, to determine compliance with the program, and to evaluate the quality, appropriateness, and timeliness of services performed.

Appendix C MOVING-ON PROGRAM

The Moving-On Program is the result of a partnership between the Housing Authority of the County of San Mateo (HACSM) and the San Mateo County Continuum of Care (CoC). The Moving-On Program provides housing subsidy through the HACSM's Housing Voucher or other programs to current Permanent Supportive Rental Assistance (PSH) Program participants who meet the Moving-On Program eligibility criteria. Housing subsidy under this program is subject to the availability of HACSM's Moving-to Work funding.

A. Eligibility Criteria

1. The PSH household that:

- Is currently participating in the Permanent Supportive Rental Assistance Program; and
- Has maintained stable housing for a minimum of five years; and
- Is able to continuously maintain stable housing with minimal or no supportive services; and
- Has history of compliance with all lease terms and Program requirements.

2. The qualifying member of the household has died or has been incarcerated or institutionalized for more than 90 days, and there are remaining family members.

HACSM will consider offering other forms of rental assistance to the remaining family members if:

- The household is at imminent risk of homelessness; and
- The remaining family member(s) are listed on the most current approved HACSM interim or recertification housing application; and
- If all remaining household members are elderly (62 or older) and/or disabled, the family will be eligible for the Moving-On program and will be offered a Section 8 Voucher with no term limit; or
- If all or some remaining family members are not elderly (62 or older) and/or are not disabled, the household will be eligible for the Moving-On program and will be offered a time-limited Voucher through the Housing Readiness Program.

3. The qualifying member of the household is approved by HACSM to relocate outside of San Mateo County due to medical needs. In such case, the PSH household will be offered a Section 8 Voucher as reasonable accommodation. The PSH rental assistance will be terminated upon relocation.

B. Program Size

Notwithstanding the PSH household may qualify for the Moving-On Program, the program size will be limited by the number of PSH Moving-On preference slots stated in the HACSM's

Housing Voucher Administrative Plan, subject to availability of housing Vouchers, and whether moving PSH participants to other housing programs will negatively affect the PSH program utilization.

C. Identification and Assessment

To identify potential program participants for criteria #1, HACSM will outreach to current PSH program participants who may meet the aforementioned eligibility criteria. HACSM's case worker will meet with the program participant to explain the Moving-On Program, the differences and similarities between the PSH and Section 8 Programs, and the pros and cons of transferring. For program participants that are interested in and eligible for the Moving-On Program after the meeting, HACSM will consult with the service provider before a final decision will be made.

1C-7. MOVING ON PREFERENCE

Per HUD's Detailed Instructions, this attachment is our PHA Administration Plan - Moving On Preference (Chapter 4 – Applications, Waiting List and Tenant Selection). The highlighted section documents the Moving On Preference.

Housing Authority of the County of San Mateo

ADMINISTRATIVE PLAN
FOR
HOUSING VOUCHER AND
MOVING TO WORK PROGRAMS

July 1, 2021

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Chapter 1

PROGRAM OVERVIEW

I. INTRODUCTION

The Housing Authority of the County of San Mateo (HACSM) was created in March 1941 to provide housing assistance to low and very low-income families. The San Mateo County Board of Supervisors, in a separate legal capacity, serves as the Housing Authority's Board of Commissioners.

HACSM receives its funding for the Housing Voucher program from the Department of Housing and Urban Development (HUD). HACSM is not a federal department or agency. It is a governmental or public body, created and authorized by state law to develop and operate housing and housing programs for low-income families.

HACSM has been a participant in HUD's Moving To Work (MTW) demonstration program since the execution of its MTW Agreement in May 2000. Under the original agreement with HUD, HACSM was authorized to design and carry out a demonstration program for 300 families receiving tenant-based assistance. The demonstration exempted HACSM from many of the regulatory requirements that would otherwise apply to these families.

In April 2008, HUD signed a 10-year Moving-to-Work Agreement with HACSM to expand its MTW Program. Under the new MTW Agreement, HACSM is given the authorization to develop policies that are outside the limitations of certain HUD regulations and provisions of the Housing Act of 1937. This expansion applies to the original MTW demonstration program in addition to the other Voucher programs administered by HACSM. The MTW Agreement does *not* cover Permanent Supportive Housing (formerly Shelter Plus Care and Supportive Housing) programs.

The three primary goals of the MTW program are to increase cost effectiveness, promote self-sufficiency, and expand housing opportunities for program participants. The additional flexibility offered by MTW will allow HACSM to more successfully achieve its mission and program goals, as well as enhance its ability to serve the needs of low-income households and communities in the County of San Mateo.

This Administrative Plan addresses the policies and procedures for HACSM's Voucher Programs, which includes Family Unification/Foster Youth (FUP/FUPY), Family Self-Sufficiency, SC8 Homeownership, Project-Based Assistance, and Veterans Affairs Supportive Housing (VASH); in addition, the Administrative Plan addresses policies and procedures for the MTW Self-Sufficiency and Housing Readiness programs.

II. HACSM MISSION

The mission of HACSM is to:

1. Preserve and increase the availability of decent, safe and affordable housing;
 2. Ensure equal opportunity in housing for all;
 3. Promote self-sufficiency and asset development of families and individuals;
- and

4. Improve community quality of life and economic viability.

HACSM is also a component of the San Mateo County Department of Housing (DOH) whose mission is to serve as a catalyst for increasing access to affordable housing, increasing the supply of workforce housing, and supporting related community development so that housing permanently exists for people of all income levels and generations in San Mateo County.

III. HACSM COMMITMENT TO ETHICS AND SERVICE

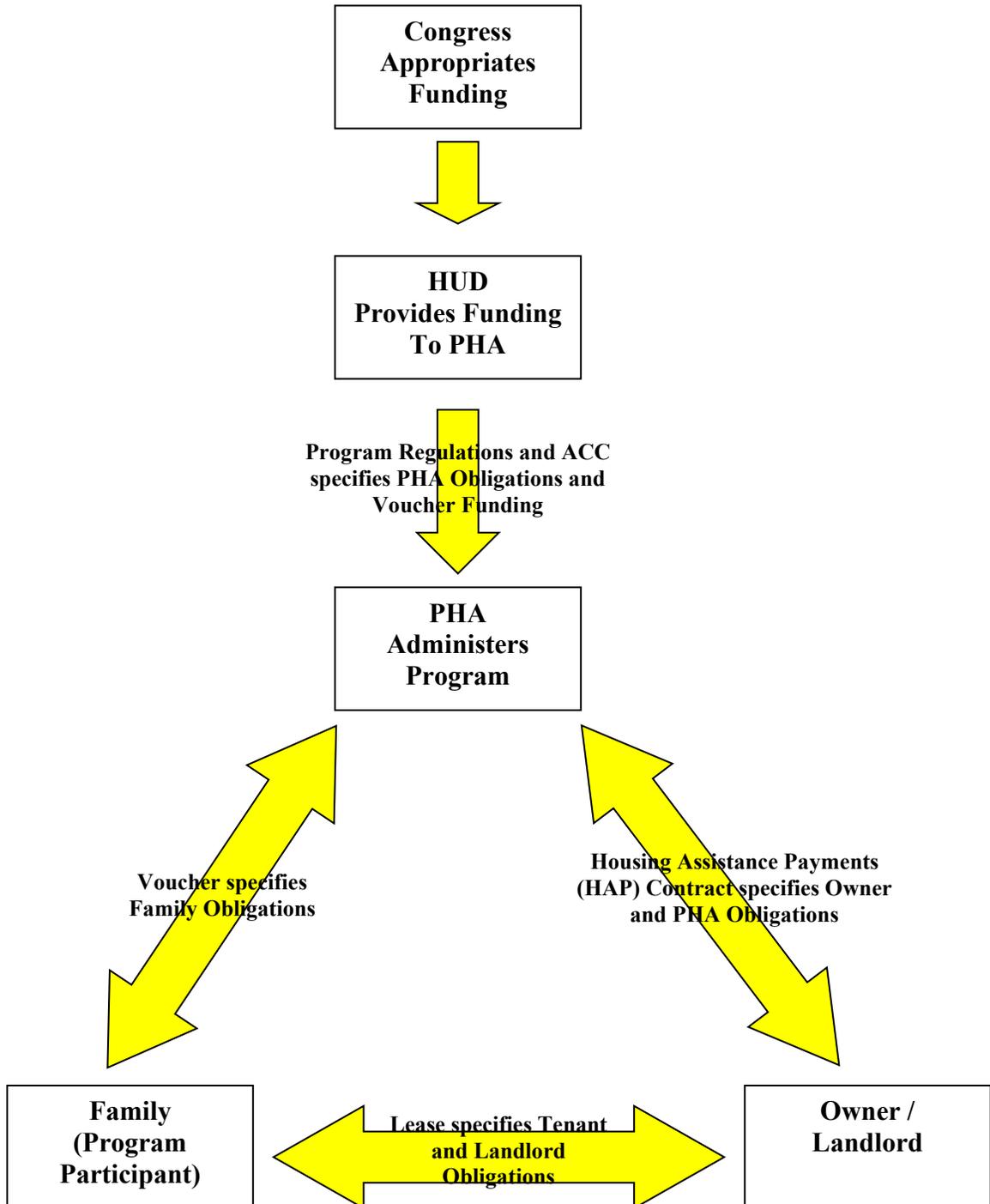
As a public service agency, HACSM is committed to providing excellent service to all program participants, owners, and to the community. HACSM standards include:

- Administer applicable federal and state laws and regulations to maintain efficiency in program operation to ensure fair and consistent treatment of clients served.
- Provide decent, safe, and sanitary housing for very low-income families while ensuring that family rents are fair, reasonable, and affordable.
- Encourage self-sufficiency of participant families and assist in the expansion of family opportunities which address educational, socio-economic, recreational and other human services needs.
- Promote fair housing and the equal opportunity for very low-income families of all ethnic backgrounds to experience freedom of housing choice.
- Promote a housing program which maintains quality service and integrity while providing an incentive to private property owners to rent to very low-income families.
- Promote a market-driven housing program that will help qualified low-income families be successful in obtaining affordable housing and increase the supply of housing choices for such families.
- Create positive public awareness and expand the level of family, owner, and community support in accomplishing HACSM's mission.
- Attain and maintain a high level of standards and professionalism in day-to-day management of all program components.
- Administer an efficient, high-performing agency through continuous improvement of HACSM's support systems and a high level of commitment to its employees and their development.

HACSM will make every effort to keep program participants informed of program rules and regulations, and to advise participants of how the program rules affect them.

IV. HACSM AND HUD PARTNERSHIPS:

To administer the housing voucher programs, HACSM enters into a contractual relationship with HUD (Consolidated Annual Contributions Contract). HACSM also enters into a contractual relationship with the assisted family and the owner or landlord of the housing unit. For the programs to work and be successful, all parties involved—HUD, HACSM, owners, and families—have important roles to play. The following chart illustrates key aspects of these relationships.



V. HUD RESPONSIBILITIES

HUD has the following major responsibilities:

- Develop regulations, requirements, handbooks, notices and other guidance to implement housing program legislation passed by Congress;
- Allocate program funds to PHAs;
- Provide technical assistance to PHAs on interpreting and applying program requirements;
- Monitor PHA compliance with program requirements and PHA performance in program administration.

VI. HACSM RESPONSIBILITIES

HACSM administers the housing voucher programs under contract with HUD and has the following major responsibilities:

- Establish local policies to administer the program;
- Review applications from interested applicants to determine whether they are eligible for the program;
- Maintain a waiting list and select families for admission;
- Issue vouchers to eligible families and provide information on how to lease a unit;
- Conduct outreach to owners, with special attention to owners outside areas of poverty or minority concentration;
- Approve the rental unit (including assuring compliance with housing quality standards and rent reasonableness), the owner, and the tenancy;
- Make housing assistance payments to the owner in a timely manner;
- Recertify families for continued eligibility under the program;
- Ensure that owners and families comply with their contractual obligations;
- Provide families and owners with prompt, professional service;
- Comply with all fair housing and equal opportunity requirements, HUD regulations and requirements, the Annual Contributions Contract, HUD-approved applications for funding, HACSM's Administrative Plan, and other applicable federal, state and local laws.

VII. OWNER RESPONSIBILITIES

The owner has the following major responsibilities:

- Screen families who apply for tenancy, to determine suitability as renters.

- HACSM can provide some information to the owner, but the primary responsibility for tenant screening rests with the owner.
- The owner should consider family background factors such as rent and bill-paying history, history of caring for property, respecting the rights of others to peaceful enjoyment of the property, compliance with essential conditions of tenancy, whether the family is engaging in drug-related criminal activity or other criminal activity that might threaten others.
- Comply with the terms of the Housing Assistance Payments contract, executed with HACSM;
- Comply with all applicable fair housing laws and do not discriminate against anyone;
- Maintain the housing unit in accordance with Housing Quality Standards (HQS) and make necessary repairs in a timely manner;
- Collect rent due from the assisted family and otherwise comply with and enforce provisions of the dwelling lease.

VIII. FAMILY RESPONSIBILITIES

The family has the following responsibilities:

- Provide HACSM with complete and accurate information as determined by HACSM to be necessary for administration of the program;
 - The family must supply any information that HACSM or HUD determines is necessary in the administration of the program, including submission of required evidence of citizenship or eligible immigration status. Information includes any requested certification, release or other documentation.
- Make their best and most timely efforts to locate qualified and suitable housing;
- Attend all appointments scheduled by HACSM;
- Allow HACSM to inspect the unit at reasonable times and after reasonable notice (at least 24 hours notice, except in case of an emergency);
- Take responsibility for care of the housing unit, including any violations of housing quality standards caused by the family or its guests;
- Comply with the terms of the lease with the owner;
- Comply with the family obligations of the voucher;
- Not commit serious or repeated violations of the lease;
- Not engage in drug-related or violent criminal activity;
 - The members of the family must not abuse alcohol in a way that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises.

- Notify HACSM and the owner in writing before moving out of the unit or terminating the lease;
 - The family must promptly give HACSM a copy of any owner eviction notice it receives.
- Use the assisted unit only for residence and as the sole residence of the family. Not sublet the unit, assign the lease, own, or have any interest in the unit;
- Promptly notify HACSM of any changes in family composition;
 - HACSM must approve the composition of the assisted family residing in the unit. The family must promptly inform HACSM of the birth, adoption or court-awarded custody of a child. The family must request approval from HACSM to add any other family member as an occupant of the unit. Approval must be granted prior to the person(s) moving into the unit. No other person, i.e., no one but members of the assisted family, may reside in the unit, except for a foster child/foster adult or live-in aide, in accordance with policies within this Plan.
- Not commit fraud, bribery, or any other corrupt or criminal act in connection with any housing programs;
- Members of the household may engage in legal profit-making activities in the unit, but only if such activities are incidental to primary use of the unit for residence by members of the family. Any business uses of the unit must comply with zoning requirements and the affected household member must obtain all appropriate licenses and permission from the landlord;
- The family must supply any information or certification requested by HACSM to verify that the family is living in the unit, or relating to family absence from the unit, including any HACSM requested information or certification on the purposes of family absences. The family must cooperate with HACSM for this purpose. The family must promptly notify HACSM of its absence from the unit. Absence means that no approved member of the family is residing in the unit;
- An assisted family, or members of the family, may not receive Section 8 tenant-based assistance while receiving another housing subsidy, for the same unit or for a different unit, under any duplicative (as determined by HUD or in accordance with HUD requirements) federal, state or local housing-assistance program.

Chapter 2

FAIR HOUSING AND EQUAL OPPORTUNITY

I. INTRODUCTION

Federal laws require PHAs to treat all applicants and participants equally, providing the same opportunity to access services, regardless of family characteristics and background. Federal law prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, age, familial status, and disability. In addition, HUD regulations provide for additional protections regarding sexual orientation, gender identity, and marital status. HACSM will comply fully with all federal, state, and local nondiscrimination laws, and with rules and regulations governing fair housing and equal opportunity in housing and employment, including:

- Title VI of the Civil Rights Act of 1964
- Title VIII of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974 and the Fair Housing Amendments Act of 1988)
- Executive Orders 11063 and 13988
- Section 504 of the Rehabilitation Act of 1973
- The Age Discrimination Act of 1975
- Title II of the Americans with Disabilities Act (to the extent that it applies, otherwise Section 504 and the Fair Housing Amendments govern)
- The Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity Final Rule, published in the *Federal Register* February 3, 2012 and further clarified in Notice PIH 2014-20
- Violence Against Women Reauthorization Act of 2013 (VAWA)

When more than one civil rights law applies to a situation, the laws will be read and applied together.

Any applicable state laws or local ordinances and any legislation protecting individual rights of tenants, applicants, or staff that may subsequently be enacted will also apply.

II. NONDISCRIMINATION

Federal regulations prohibit discrimination against certain protected classes and other groups of people. State and local requirements, as well as PHA policies, can prohibit discrimination based on other factors.

The PHA shall not discriminate because of race, color, sex, religion, familial status, age, disability or national origin (called “protected classes”)

Familial status includes children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18.

The PHA will not discriminate on the basis of marital status, gender identity, or sexual orientation [FR Notice 02/03/12; Executive Order 13988].

HACSM will not use any of these factors to:

- Deny to any family the opportunity to apply for housing, nor deny to any qualified applicant the opportunity to participate in the housing voucher program
- Provide housing that is different from that provided to others
- Subject anyone to segregation or disparate treatment
- Subject anyone to sexual harassment
- Restrict anyone's access to any benefit enjoyed by others in connection with the housing program
- Treat a person differently in determining eligibility or other requirements for admission
- Steer an applicant or participant toward or away from a particular area based on any of these factors
- Deny anyone access to the same level of services
- Deny anyone the opportunity to participate in a planning or advisory group that is an integral part of the housing program
- Discriminate in the provision of residential real estate transactions
- Discriminate against someone because they are related to or associated with a member of a protected class
- Publish or cause to be published an advertisement or notice indicating the availability of housing that prefers or excludes persons who are members of a protected class.

Providing Information to Families and Owners

HACSM will take steps to ensure that families and owners are fully aware of all applicable civil rights laws. As part of the briefing process, HACSM will provide information to applicant families about civil rights requirements and the opportunity to rent in a broad range of neighborhoods. The Housing Assistance Payments (HAP) contract informs owners of the requirement not to discriminate against any person because of race, color, religion, sex, national origin, age, familial status, or disability in connection with the contract.

Discrimination Complaints

If an applicant or participant believes that any family member has been discriminated against by the PHA or an owner, the family should advise the PHA. The PHA should make every reasonable attempt to determine whether the applicant's or participant's

assertions have merit and take any warranted corrective action. In addition, the PHA is required to provide the applicant or participant with information about how to file a discrimination complaint [24 CFR 982.304].

Upon receipt of a housing discrimination complaint, the PHA is required to:

- Provide written notice of the complaint to those alleged and inform the complainant that such notice was made
- Investigate the allegations and provide the complainant and those alleged with findings and either a proposed corrective action or an explanation of why corrective action is not warranted
- Keep records of all complaints, investigations, notices, and corrective actions [Notice PIH 2014-20]

III. REASONABLE ACCOMMODATION

A reasonable accommodation is an adjustment made to a rule, policy, practice, or service that allows a person with a disability to have equal access to the Voucher program.

Federal regulations stipulate that requests for accommodations will be considered reasonable if they do not create an 'undue financial and administrative burden' for the PHA or result in a 'fundamental alteration' in the nature of the program or service offered. A fundamental alteration is a modification that alters the essential nature of a provider's operations.

When needed, HACSM will modify normal procedures to accommodate the needs of a person with disabilities. Examples include:

- Permitting applications and reexaminations to be completed by mail
- Conducting home visits
- Using higher payment standards (either within the acceptable range or with HUD approval of a payment standard outside the PHA range) if the PHA determines this is necessary to enable a person with disabilities to obtain a suitable housing unit
- Providing time extensions for locating a unit when necessary because of lack of availability of accessible units or special challenges of the family in seeking a unit
- Permitting an authorized designee or advocate to participate in the application or certification process and any other meetings with HACSM

Request for an Accommodation

If an applicant or participant indicates that an exception, change, or adjustment to a rule, policy, practice, or service is needed because of a disability, HUD requires that the PHA (HACSM) treat the information as a request for a reasonable accommodation, even if no formal request is made [Joint Statement of the Departments of HUD and Justice:

Reasonable Accommodations under the Fair Housing Act].

The family must explain what type of accommodation is needed to provide the person with the disability full access to HACSM's programs and services.

If the need for the accommodation is not readily apparent or known to HACSM, the family must explain the relationship between the requested accommodation and the disability. There must be an identifiable connection, or nexus, between the requested accommodation and the individual's disability.

HACSM will encourage the family to make its request in writing using a reasonable accommodation request form. However, HACSM will consider the accommodation any time the family indicates that an accommodation is needed whether or not a formal written request is submitted.

IV. VERIFICATION OF DISABILITY

The regulatory civil rights definition for persons with disabilities is

A person with a disability, as defined under federal civil rights laws, is any person who:

- Has a physical or mental impairment that substantially limits one or more of the major life activities of an individual, or
- Has a record of such impairment, or
- Is regarded as having such impairment

The phrase "physical or mental impairment" includes:

- Any physiological disorder or condition, cosmetic or disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or
- Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term "physical or mental impairment" includes but is not limited to: such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.

"Major life activities" includes, but is not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, breathing, learning, and/or working.

"Has a record of such impairment" means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

"Is regarded as having an impairment" is defined as having a physical or mental impairment that does not substantially limit one or more major life activities but is treated by a public entity (such as the PHA) as constituting such a limitation; has none of the impairments defined in this section but is treated by a public entity as having

such an impairment; or has a physical or mental impairment that substantially limits one or more major life activities, only as a result of the attitudes of others toward that impairment.

The definition of a person with disabilities does not include:

- Current illegal drug users
- People whose alcohol use interferes with the rights of others
- Persons who objectively pose a direct threat or substantial risk of harm to others that cannot be controlled with a reasonable accommodation under the HCV program

The above definition of disability determines whether an applicant or participant is entitled to any of the protections of federal disability civil rights laws. Thus, a person who does not meet this disability is not entitled to a reasonable accommodation under federal civil rights and fair housing laws and regulations.

The HUD definition of a person with a disability is much narrower than the civil rights definition of disability. The HUD definition of a person with a disability is used for purposes of receiving the disabled family preference, the \$400 elderly/disabled household deduction, the \$480 dependent deduction, the allowance for medical expenses, or the allowance for disability assistance expenses.

The definition of a person with a disability for purposes of granting a reasonable accommodation request is much broader than the HUD definition of disability. Many people will not qualify as a disabled person under the HCV program, yet an accommodation is needed to provide equal opportunity.

The definition of a person with a disability for the purpose of obtaining a reasonable accommodation is much broader than the HUD definition of disability which is used for waiting list preferences and income allowances. Before providing an accommodation, HACSM will determine that the person meets the definition of a person with a disability and that the accommodation will enhance the family's access to HACSM's programs and services.

If a person's disability is obvious or otherwise known to HACSM, and if the need for the requested accommodation is also readily apparent or known, no further verification will be required [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations under the Fair Housing Act].

If a family indicates that an accommodation is required for a disability that is not obvious or otherwise known to HACSM, HACSM will verify that the person meets the definition of a person with a disability, and that the limitations imposed by the disability require the requested accommodation.

All information related to a person's disability will be treated in accordance with confidentiality policies provided in this plan. In addition to the general requirements that govern all verification efforts, the following requirements apply when verifying a disability:

- Third-party verification must be obtained from an individual identified by the family who is competent to make the determination. A doctor or other medical professional, a peer support group, a non-medical service agency, or a reliable third party who is in a position to know about the individual's disability may provide verification of a

disability [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations under the Fair Housing Act]

- HACSM will request only information that is necessary to evaluate the disability-related need for the accommodation. HACSM will not inquire about the nature or extent of any disability.
- Medical records will not be accepted or retained in the participant file.
- In the event that HACSM does receive confidential information about a person's specific diagnosis, treatment, or the nature or severity of the disability, HACSM will dispose of it. In place of the information, HACSM will note in the file that the disability and other requested information have been verified, the date the verification was received, and the name and address of the knowledgeable professional who sent the information [Notice PIH 2010-26].

V. APPROVAL/DENIAL OF A REQUESTED ACCOMMODATION

HACSM must approve a request for an accommodation if the following three conditions are met:

- The request was made by or on behalf of a person with a disability.
- There is a disability-related need for the accommodation.
- The requested accommodation is reasonable, meaning it would not impose an undue financial and administrative burden on HACSM, or fundamentally alter the nature of HACSM's program operations (including the obligation to comply with HUD requirements and regulations).

Requests for accommodations must be assessed on a case-by-case basis, taking into account factors such as the overall size of HACSM's program with respect to the number of employees, type of facilities and size of budget, type of operation including composition and structure of workforce, the nature and cost of the requested accommodation, and the availability of alternative accommodations that would effectively meet the family's disability-related needs.

Before making a determination whether to approve the request, HACSM may enter into discussion and negotiation with the family, request more information from the family, or may require the family to sign a consent form so that HACSM may verify the need for the requested accommodation.

After a request for accommodation is presented, HACSM will respond to the family, in writing, within 10 business days.

If HACSM denies a request for an accommodation because there is no relationship, or nexus, found between the disability and the requested accommodation, the notice will inform the family of the right to appeal the PHA's decision through an informal review.

If HACSM denies a request for an accommodation because it is not reasonable (i.e. it would impose an undue financial or administrative burden or fundamentally alter the nature of HACSM's operations), HACSM will discuss with the family whether an alternative accommodation could effectively address the family's disability-related needs

without a fundamental alteration to the Voucher program and without imposing undue financial and administrative burden.

If HACSM believes the family has failed to identify a reasonable alternative accommodation after interactive discussion and negotiation, HACSM will notify the family, in writing, of its determination within 10 business days from the date of the most recent discussion or communication with the family.

Program Accessibility for Persons with Hearing or Vision Impairments

HUD regulations require PHAs to ensure that persons with disabilities related to hearing and vision have reasonable access to the PHA's programs and services [24 CFR 8.6].

To meet the needs of persons with hearing impairments, TTD/TTY communication is available.

To meet the needs of persons with vision impairments, large-print versions of key program documents can be made available upon request.

Additional examples of alternative forms of communication are sign language interpretation, having material explained orally by staff or having a third-party representative (friend, relative, or advocate named by the applicant) to receive, interpret and explain housing materials and be present at all meetings.

Physical Accessibility

PHAs must comply with a variety of regulations pertaining to physical accessibility, including the following:

- Notice PIH 2010-26
- Section 504 of the Rehabilitation Act of 1973
- The Americans with Disabilities Act of 1990
- The Architectural Barriers Act of 1968
- The Fair Housing Act of 1988

PHA policies concerning physical accessibility must be readily available to applicants and participants. They can be found in three key documents:

- This plan describes the key policies that govern the PHA's responsibilities regarding physical accessibility.
- Notice PIH 2010-26 summarizes information about pertinent laws and implementing regulations related to nondiscrimination and accessibility in federally-funded housing programs.
- The PHA Plan provides information about self-evaluation, needs assessment, and transition plans, if applicable.

The design, construction, or alteration of PHA facilities must conform to the Uniform Federal Accessibility Standards (UFAS). Newly-constructed facilities must be designed to be readily accessible to and usable by persons with disabilities. Alterations to existing facilities must be accessible to the maximum extent feasible, defined as not imposing an undue financial and administrative burden on the operations of the HCV program.

In general, owners must permit the family to make reasonable modifications to the unit. However, the owner is not required to pay for the modification and may require that the unit be restored to its original state at the family's expense when the family moves.

Denial or Termination of Assistance

A PHA's decision to deny or terminate assistance of a family that includes a person with disabilities is subject to consideration of reasonable accommodation.

When applicants with disabilities are denied assistance, the notice of denial will inform them of the HACSM's informal review process and their right to request a review. In addition, the notice must inform applicants with disabilities of their right to request reasonable accommodations to participate in the informal review process.

When a participant family's assistance is terminated, the notice of termination will inform them of HACSM's informal hearing process and their right to request a hearing and reasonable accommodation.

When reviewing reasonable accommodation requests, HACSM will consider whether any mitigating circumstances can be verified to explain and overcome the problem that led to HACSM's decision to deny or terminate assistance. If a reasonable accommodation will allow the family to meet the requirements, HACSM must make the accommodation.

VI. IMPROVING ACCESS TO SERVICES FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

Language for Limited English Proficiency (LEP) persons can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by the HCV program. In certain circumstances, failure to ensure that LEP persons can effectively participate in or benefit from federally-assisted programs and activities may violate the prohibition under Title VI against discrimination on the basis of national origin. This part incorporates the Notice of Guidance to Federal Assistance Recipients Regarding Title VI Prohibition Affecting Limited English Proficient Persons, published December 19, 2003 in the *Federal Register*.

HACSM will take affirmative steps to communicate with people who need services or information in a language other than English. These persons will be referred to as persons with Limited English Proficiency (LEP).

LEP is defined as persons who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English. For the purposes of this administrative plan, LEP persons are HCV applicants and participants, and parents and family members of applicants and participants.

In order to determine the level of access needed by LEP persons, HACSM will balance the following four factors: (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by the Housing Choice Voucher program; (2) the frequency with which LEP persons come into contact with the program; (3) the nature and importance of the program, activity, or service provided by the program to people's lives; and (4) the resources available to the HACSM and costs. Balancing these four factors will ensure meaningful access by LEP persons to critical services while not imposing undue

burdens on the HACSM.

Implementation Plan

HACSM is committed to ensuring the accessibility of its programs and activities to all eligible applicants and program participants including LEP individuals. HACSM staff shall ensure responsible steps are taken to provide high quality customer service and meaningful access to its programs and services to all eligible LEP individuals by implementing the following activities:

1. When adult family members are LEP, staff can show them the *Language Identification Flashcard*, created by the Census Bureau, so that the family can identify what language they speak.

HACSM has identified staff members who speak Spanish, Russian, and Tagalog to assist in serving families. For other languages, an interpreter will be called to assist the staff person in serving the family.

2. All LEP families will be identified as to their primary language so that appropriate resources can be identified in advance of the family's needing assistance with an appointment.
3. When the number of families speaking a non-English language exceeds five percent (5%) of the number of persons eligible to be served or likely to be affected or encountered, HACSM will actively recruit staff that speak, read and write this language. HACSM has identified Spanish as a non-English language exceeding five percent (5%) of the number of persons eligible to be served or likely to be affected or encountered.
4. HACSM will post signs in public places in languages known to be spoken by LEP applicants and participants to inform them help is available in their own language.
5. HACSM will provide training to current and new staff about the resources available for LEP families and how to utilize these resources for participating families.

Chapter 3 ELIGIBILITY

MTW Waiver: *The Agency is authorized to determine income qualifications for participation in the rental assistance program that differ from the currently mandated program requirements in the 1937 Act and its implementing regulations, as long as the requirements that i) at least 75 percent of those assisted under the demonstration are “very low income” as defined in section 3(b)(2) of the 1937 Act, ii) substantially the same number of low-income persons are assisted under the demonstration as would be without the MTW authorizations contained herein, and iii) a comparable mix of families are assisted under the Agreement as would have been otherwise in Section I.C. of the MTW Agreement are met. This authorization waives certain provisions of Section 16(b) and 8(o)(4) of the 1937 Act and 24 CFR 5.603, 5.609, 5.611, 5.628, and 982.201 as necessary to implement the Agency’s Annual MTW Plan.*

I. INTRODUCTION

HACSM is responsible for ensuring that every individual and family admitted to the Voucher program meets all program eligibility requirements. This includes any individual approved to join the family after the family has been admitted to the program. The family must provide any information needed by HACSM to confirm eligibility and determine the level of the family’s assistance.

To be eligible for the Voucher program:

- The applicant family must:
 - Qualify as a family as defined by HUD and HACSM.
 - Have income at or below HUD-specified income limits.
 - Qualify on the basis of citizenship or the eligible immigrant status of family members.
 - Provide social security number information for household members as required.
 - Consent to HACSM’s collection and use of family information as provided for in HACSM-provided consent forms.
 - Not currently be receiving a duplicative subsidy.
- HACSM will determine that the current or past behavior of household members does not include activities that are prohibited by HUD or the HACSM.

II. FAMILY AND HOUSEHOLD [24 CFR 982.201(c); FR Notice 02/03/12; Notice PIH 2014-20]

The terms *family* and *household* have different meanings in the Voucher program.

Family

To be eligible for assistance, an applicant must qualify as a family. *Family* as defined by HUD includes, but is not limited to the following, regardless actual or perceived sexual orientation, gender identity, or marital status, a single person, who may be an elderly person, disabled person, or any other single person; or a group of persons residing together. Such group includes but is not limited to a family with or without children, an elderly family, a disabled family, a displaced family, or the remaining member of a tenant family. HACSM has the discretion to determine if any other group of persons qualifies as a family.

Gender identity means actual or perceived gender characteristics.

Sexual orientation means homosexuality, heterosexuality, or bisexuality.

Each family must identify the individuals to be included in the family at the time of application and must notify HACSM if the family's composition changes.

Household

Household is a broader term that includes additional people who, with HACSM's permission, live in an assisted unit, such as live-in aides, foster children, and foster adults.

Head of Household (HOH)

The adult member of the family who is considered the head for purposes of determining income eligibility and rent. The HOH is responsible for ensuring the family fulfills all of its responsibilities under the program, alone or in conjunction with a co-head or spouse. The head of household must be have the legal capacity to enter into a lease under state and local law. A minor who is emancipated under state law may be designated as head of household.

Changes in HOH

If a change in HOH is reported, the following criteria must be met:

1. The individual becoming the new HOH must be in the household for at least the previous 12 consecutive months; **and**
2. At the time of the HOH change, the household will join the time-limited MTW Self-Sufficiency program. However, if the household is already enrolled in the time-limited MTW Self-Sufficiency program, the remaining household members would only be eligible for the remaining term, not an additional term.

The following exceptions may apply to the automatic enrollment in HACSM's MTW Self-Sufficiency program:

1. If the newly designated HOH is elderly/disabled, they will have the ability to “opt out” of the time-limited MTW Self-Sufficiency program;
2. If the change in HOH is the result of domestic violence;
3. If the new HOH is an original household member (as verified by HACSM data);
4. When the change in HOH is the result of a temporary guardian becoming the permanent guardian of existing minors on the housing application;

Co-Head

An individual in the household who is equally responsible with the head of household for ensuring the family fulfills all of its responsibilities under the program, but who is not a spouse. A family may have a co-head or spouse but not both. A family can have only one co-head. A co-head never qualifies as a dependent. The co-head must have legal capacity to enter into a lease.

Spouse

The marriage partner of the head of household. The term *spouse* does not apply to friends, roommates, or significant others who are not marriage partners. A minor who is emancipated under state law may be designated as a spouse.

Other Adult

A family member, other than the head, spouse, or co-head, who is 18 years of age or older. Foster adults and live-in aides are not considered other adults.

Dependent

A family member who is under 18 years of age or a person of any age who is a person with a disability, a full-time student under 24 years of age, and foster children/foster adults. The following persons can never be dependents: the head of household, spouse, co-head, and live-in aides.

A dependent under 18 years of age will not be included in the household unless the family can provide proof of guardianship, should none of the adults in the household be the dependent’s biological parent(s). Acceptable verifications include, but are not limited to, court documents and social service agency documents. HACSM will also accept a notarized written letter from the biological parent granting full custody of the dependent member(s) that is supported by at least one other form of supplemental documentation to confirm that the minors reside with the head of household (e.g. records of enrollment in the local school, childcare verification, etc.).

Full-Time Student

A family member (other than the HOH, spouse, or co-head), less than 24 years old, who is attending school or vocational training at an accredited institution on a full-time basis. The time commitment or subject load that is needed to be full-time is defined by the educational institution.

For a family member, other than the head, co-head, or spouse to qualify for the full-time student (FTS) status, and hence the \$480 dependent deduction and earned

income exclusion, the family member must provide a transcript of their FTS status at all subsequent recertification appointments.

If documentation is not provided or cannot be confirmed, HACSM will include wage income in its calculation process and the family member will not receive the \$480 dependent deduction.

Elderly Family

A family whose head, co-head, spouse, or sole member is a person who is at least 62 years of age; or two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more live-in aides.

Disabled Family

A family whose head, spouse, or sole member is a person with disabilities; or two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides.

Guests

A person temporarily staying in the unit with the consent of a member of the household who has express or implied authority to so consent.

HACSM policy allows for a guest to remain in the assisted unit no longer than 14 consecutive days or a total of 60 cumulative days during any 12-month period. Children who are subject to a joint custody arrangement or for whom a family has visitation privileges, that are not included as a family member because they live outside the assisted household more than 50 percent of the time, are not subject to the time limitations of guest as described above.

Students are not included as a family member if they live outside the assisted household to attend school and they are not subject to the time limitations of guest as described above if visiting the assisted unit for school breaks, holidays, or vacations.

A family may request an exception to this policy for valid reasons (e.g. care of a relative recovering from a medical procedure is expected to last 40 consecutive days). An exception will not be made unless the family can identify and provide documentation of the residence to which the guest will return.

Foster Children/Foster Adults

Foster Child: A child that is in the legal guardianship or custody of a state, county, or private adoption or foster care agency, yet is cared for by foster parents in their own homes, under some kind of short-term or long-term foster care arrangement with the custodial agency.

Foster Adult: Generally, persons with disabilities, unrelated to the tenant family, who are unable to live alone.

A foster child or foster adult may be allowed to reside in the unit if their presence would not result in a violation of HQS space standards.

Absent Family Members

Individuals may be absent from the family, either temporarily or permanently, for a variety of reasons including educational activities, placement in foster care, employment, illness, incarceration, and court order.

Generally, absences *less* than 90 consecutive days will be considered temporary and absences *more* than 90 consecutive days will be considered permanent.

Absent Students: Students who attend school out of the area and who live away from the household will not be considered as family members. This removal does not mean the students will not be allowed to return to the unit; however, the students will not be considered in HACSM's determination of voucher size (subsidy standards) and the income will not be included.

Absences Due to Incarceration: If the sole member of the household (head of household) is incarcerated for more than 90 consecutive days, s/he will be considered permanently absent and HACSM will terminate assistance.

If a family member is expected to be incarcerated for more than 90 consecutive days, the person will be considered permanently absent and no longer considered a family member. If the individual intends to return to the unit following incarceration, the individual is subject to the eligibility and screening requirements discussed in this chapter.

Absences Due to Placement in Foster Care: If a child has been placed in foster care, HACSM will verify with the appropriate agency whether and when the child is expected to be returned to the home. Unless the agency confirms that the child has been permanently removed from the home, the child will be counted as a family member unless 90 days have lapsed since the removal. If the time period is to be greater than 90 days from the date of removal of the child/ren, the voucher size will be adjusted accordingly, if applicable. If all children are removed from the home permanently, the voucher size will be adjusted in accordance with HACSM's subsidy standards.

Absent Head, Spouse, or Co-head: A head, spouse, or co-head absent from the unit more than 90 consecutive days due to employment will continue to be considered a family member. In such circumstances the absent family member remains a member of the family and all of the employment income is considered available to the household. This would include, for instance, a head of household or spouse who has been called to active military duty or who does construction work in another state.

Court-Ordered Absences: If a member of the family is subject to a court order that restricts the member from the home, HACSM will determine whether the person will be considered temporarily or permanently absent. If the court order specifies a permanent restriction or if the court restriction exceeds 90 days, the person will no longer be considered a family member. If the individual intends to return to the unit at the end of the restriction, the individual is subject to the eligibility and screening requirements discussed in this chapter.

Family Members Permanently Confined for Medical Reasons: If the sole member of the household (head of household) is confined to a nursing home, rehab facility or

hospital for more than 90 consecutive days, s/he will be considered permanently absent and HACSM will terminate assistance.

If a family member is confined to a nursing home, rehab facility or hospital for more than 90 consecutive days, that person will no longer be considered a family member and the income of that person is not counted.

HACSM will request verification from a responsible medical professional and will use this determination. If the responsible medical professional cannot provide a determination, the person generally will be considered temporarily absent if the time period is less than 90 days.

If the medical professional determines the time period or absence from the unit is to be greater than 90 days, the member will be considered permanently absent and, if applicable, the Voucher size will be reduced in accordance with HACSM subsidy standards. At any time, the family may present evidence that the family member is confined on a permanent basis and request that the person not be considered a family member.

When an individual who has been counted as a family member is determined permanently absent, the family may be eligible for the medical expense deduction only if the remaining head, spouse, or co-head qualify as an elderly person or a person with disabilities.

III. FAMILY BREAK-UP AND REMAINING MEMBER OF TENANT FAMILY [24 CFR 982.315; Notice PIH 2017-08]

Family Breakup

Except under the following conditions, HACSM has discretion to determine which members of an assisted family continue to receive assistance if the family breaks up:

- If the family breakup results from an occurrence of domestic violence, dating violence, sexual assault, or stalking, HACSM must ensure that the victim retains assistance. In the event of more than one claim (e.g. husband and wife both claim they are victims of domestic violence and both provide supporting documentation), HACSM will seek legal or judicial guidance or third-party documentation in making its decision.
- In accordance with Notice PIH 2017-08, for HUD-Veterans Affairs Supportive Housing (HUD-VASH) vouchers, when the veteran is the perpetrator of domestic violence, dating violence, sexual assault, or stalking, the victim must continue to be assisted. Upon termination of the perpetrator's HUD-VASH voucher, the victim should be given a regular Housing Voucher if one is available, and the perpetrator's HUD-VASH voucher should be used to serve another eligible family. If a regular voucher is not available, the victim will continue to use the HUD-VASH voucher, which must be issued to another eligible family upon the voucher's turnover.

- If a court determines the disposition of property between members of the assisted family, HACSM is bound by the court's determination of which family members continue to receive assistance.

When a family on the *waiting list* breaks up into two otherwise eligible families, only one of the new families may retain the original application date. In the absence of agreement among the family members, HACSM will determine which family will retain the original application date. Other former family members may make a new application with a new application date when the waiting list is open. The application process and the selection policy of the new waiting list shall apply. Head of household status shall not be solely determinative in deciding who will retain the voucher assistance.

If a family breaks up into two otherwise eligible families while receiving assistance, only one of the new families will continue to be assisted.

In the absence of a judicial decision, or an agreement among the original family members, HACSM will determine which family retains their placement on the waiting list, or will continue to receive assistance taking into consideration the following factors:

1. The interest of any minor children, including custody arrangements;
2. The interest of any ill, elderly, or disabled family members;
3. The interest of any family member who is the victim of domestic violence, dating violence, sexual assault, or stalking, including a family member who was forced to leave an assisted unit as a result of such actual or threatened abuse;
4. Any possible risks to family members as a result criminal activity;
5. The recommendations of social service professionals.

Remaining Member of a Tenant Family

The HUD definition of family includes the *remaining member of a tenant family*, which is a member of an assisted family who remains in the unit when other members of the family have left the unit. Household members such as live-in aides, foster children, and foster adults do not qualify as remaining members of a family.

When the HOH dies and the only remaining household member is the live-in aide, the live-in aide is not entitled or eligible for any rental assistance or continued occupancy in a subsidized unit. By definition, the live-in aide would not be living in the subsidized unit except to provide the necessary supportive services on behalf of the elderly or disabled HOH. HACSM will not designate the live-in aide as the new HOH or change the relation code of the live-in aide to make him or her an eligible household member (eligible for assistance) nor pay HAP on behalf of the live-in aide for any month after the month in which the HOH died.

If dependents are the only "remaining members of a tenant family" and there is no family member able to assume the responsibilities of the head of household see the policy below on "Caretakers for a Child."

Joint Custody of Dependents

Children who are subject to a joint-custody agreement but who live with one parent, applying for assistance or receiving assistance from HACSM, at least 183 days of the year (a minimum of 50% plus 1 day), whether consecutively or not, will be considered members of the household. Should both parents be applicants, and both are trying to claim the child, the parent whose address is listed in the school records will be allowed to claim the school-age child as a dependent. If school records are inconclusive, then other pertinent records, such as court records or IRS returns, will be utilized.

A child or children cannot be claimed by two different assisted households.

Caretakers for a Child

If neither a parent nor a designated guardian remains in a household receiving HCV assistance, HACSM will take the following actions.

- (1) If a responsible agency has determined that another adult is to be brought into the assisted unit to care for a child for an indefinite period, the designated caretaker will not be considered a family member until a determination of custody or legal guardianship is made.
- (2) If a caretaker has assumed responsibility for a child without the involvement of a responsible agency or formal assignment of custody or legal guardianship, the caretaker will be treated as a visitor for 90 days. After the 90 days has elapsed, the caretaker will be considered a family member unless information is provided that would confirm that the caretaker's role is temporary. In such cases, HACSM will extend the caretaker's status as an eligible visitor.
- (3) At any time that custody or guardianship legally has been awarded to a caretaker, the housing choice voucher will be transferred to the caretaker.
- (4) During any period that a caretaker is considered a visitor, the income of the caretaker is not counted in annual income and the caretaker does not qualify the family for any deductions from income.

IV. LIVE-IN AIDE

A *live-in aide* is a person who resides with an elderly person(s), near elderly person(s) or person(s) with disabilities, and who: (1) is determined by HACSM to be essential to the care and well-being of the person(s); (2) is not obligated to support the family member; and (3) would not be living in the unit except to provide the necessary supportive services.

HACSM will approve a live-in aide if needed as a reasonable accommodation in accordance with 24 CFR 8, to make the program accessible to and usable by the family member with disabilities.

The income of a live-in aide is not counted in the calculation of annual income for the family. Relatives may be approved as live-in aides if they meet all of the criteria defining a live-in aide. Because live-in aides are not *family* members, a relative who serves as a live-in aide would not be considered a remaining member of a tenant family.

A family's request for a live-in aide must be made in writing. A live-in aide may only reside in the unit with the approval of HACSM and the landlord. Written verification will be required from a reliable, knowledgeable professional, such as a doctor, social worker, or case worker, that the live-in aide is essential for the care and well-being of the elderly or disabled family member.

For continued approval, the necessity of a live-in aide shall be subject to review by HACSM at each reexamination and may be re-verified according to the procedure stated in the above paragraph.

The family and live-in aide will be required to sign a certification stating that the live-in aide is (1) not obligated for the support of the person(s) needing the care, and (2) would not be living in the unit except to provide the necessary supportive services. In addition, a live-in aide cannot have ownership or other interest in the subsidized unit. The live-in aide is required to complete a personal declaration form provided by HACSM.

HACSM will not approve a particular person as a live-in aide, and may withdraw such approval if:

- The person commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;
- The person commits drug-related criminal activity or violent criminal activity; or
- The person currently owes rent or other amounts to HACSM or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.
- The person is currently engaged in or has engaged in other criminal activity which may threaten the health or safety of the premises by other residents or persons residing in the immediate vicinity of the unit.
- The person has an abuse or pattern of abuse of alcohol that may adversely affect the health or safety of, or right to peaceful enjoyment of the premises by, other residents and persons residing in the immediate vicinity of the premises or if HACSM believes it has reasonable cause to believe the live-in aide has a criminal record (within the past three years) that substantiates the pattern of alcohol abuse.
- The person is subject to a lifetime registration requirement under a State Sex Offender registration program.
- The person has been convicted of manufacturing or producing methamphetamine in a building or complex assisted under the Public Housing or Section 8 programs.

A relative who chooses to be a live-in aide will not be treated as a regular member of the household, but instead will be treated as a live-in aide. Once a person is approved and designated as a live-in aide, the status will not be changed to family member status. Conversely, a person designated as family member will not be changed to live-in aide status. A person who leaves the family household with one status will not be allowed to return to the family household with another status for a period of three (3) years.

The live-in aide's qualification for housing occupancy terminates when the individual needing the supportive services leaves the unit or fails to qualify for continued occupancy. The live-in aide does not qualify for continued occupancy as a remaining member of the tenant family, even if they are related by blood, marriage or operation of law.

Family members of a live-in aide may also reside in the unit provided the following conditions are met:

- The subsidy size is not increased; and
- The presence of the live-in aide's family does not overcrowd the unit.

A *care attendant* is a person that regularly visits the unit of a tenant to provide supportive or medical services. Care attendants are not live-in aides, since they have their own place of residence (and if requested by HACSM must demonstrate separate residence) and do not live in the subsidized unit. Care attendants have no rights of tenancy.

V. BASIC ELIGIBILITY CRITERIA

Income Limits

HUD establishes income limit schedules for all areas of the country and publishes them annually in the *Federal Register*. They are based upon estimates of median family income with adjustments for family size. The income limits are used to determine eligibility for the program and income targeting purposes as discussed in this chapter.

Definitions of the Income Limits

Low-income family. A family whose annual income does not exceed 80 percent of the median income for the area, adjusted for family size.

Very low-income family. A family whose annual income does not exceed 50 percent of the median income for the area, adjusted for family size.

Extremely low-income family. A family whose annual income does not exceed the federal poverty level or 30 percent of the median income for the area, adjusted for family size, whichever number is higher.

Area median income is determined by HUD, with adjustments for smaller and larger families. HUD may establish income ceilings higher or lower than 30, 50, or 80 percent of the median income for an area if HUD finds that such variations are necessary because of unusually high or low family incomes.

Using Income Limits for Eligibility and Targeting

Income limits are used for eligibility only at admission. Income eligibility is determined by comparing the annual income of an applicant to the applicable income limit for their family size. In order to be income eligible, an applicant family must be a *very low-income* family – income at 50%, or less, of median.

At least 75 percent of the families admitted to HACSM's tenant-based voucher program during the fiscal year from HACSM's waiting list shall be extremely low-

income families. HUD may approve exceptions to this requirement if HACSM demonstrates that it has made all required efforts but has been unable to attract an adequate number of qualified extremely low-income families.

Asset Limits

Applicants will be determined ineligible for the program if they have more than \$100,000 in net assets or have a present ownership interest in a suitable home in which they have a legal right to reside unless the family is making a good faith effort to sell the home and the subsequent proceeds are within the aforementioned net asset limit.

A 'suitable home' is defined as a detached house, duplex (includes triplex, etc), condominium, townhouse, mobile and manufactured homes.

Excluded from assets, for the purpose of asset limits, are interests in Indian trust land, equity accounts in HUD homeownership or FSS programs, certain inaccessible trust funds, retirement accounts that are codified by IRS (e.g. IRAs, Roth IRAs, 401(k), 403(b), and 457 plans), settlements or awards due to actions that resulted in the serious disability of a household member, tax-protected education savings accounts, and personal property not of significant value.

Other Factors Affecting Applicant Eligibility:

See Chapter 12, "Denial and Termination of Assistance."

VI. CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS

Housing assistance is available only to individuals who are U.S. citizens, U.S. nationals (herein referred to as citizens and nationals), or non-citizens that have eligible immigration status. At least one family member must be a citizen, national, or non-citizen with eligible immigration status for the family to qualify for any level of assistance.

Declaration

HUD requires each family member to declare whether the individual is a citizen, a national, or an eligible non-citizen, except those members who elect not to contend that they have eligible immigration status. Those who elect not to contend their status are ineligible non-citizens. For citizens, nationals and eligible non-citizens the declaration must be signed personally by the head, spouse, co-head, and any other family member 18 or older, and by a parent or guardian for minors.

The family must identify in writing any family members who elect not to contend their immigration status (see Ineligible Non-citizens below). No declaration is required for live-in aides, foster children, or foster adults.

U.S. Citizens and Nationals

Citizens and nationals are required to submit a signed declaration as verification of their status. However, HUD regulations permit PHAs to request additional documentation of their status, such as a passport.

Family members who declare citizenship or national status will not be required to provide additional documentation unless HACSM receives information indicating that an individual's declaration may not be accurate.

Eligible Non-citizens

In addition to providing a signed declaration, those declaring eligible non-citizen status must sign a verification consent form and cooperate with HACSM efforts to verify their immigration status. The documentation required for establishing eligible non-citizen status varies depending upon factors such as the date the person entered the U.S., the conditions under which eligible immigration status has been granted, the person's age, and the date on which the family began receiving HUD-funded assistance.

Lawful residents of the Marshall Islands, the Federated States of Micronesia, and Palau, together known as the Freely Associated States, or FAS, are eligible for housing assistance under section 141 of the Compacts of Free Association between the U.S. Government and the Governments of the FAS [Public Law 106-504].

Ineligible Non-citizens

Those non-citizens who do not wish to contend their immigration status are required to have their names listed on a non-contending family members listing, signed by the head, spouse, or co-head (regardless of citizenship status), indicating their ineligible immigration status. HACSM will not verify a family member's ineligible status and will not report an individual's unlawful presence in the U.S. to the United States Citizenship and Immigration Services (USCIS).

Providing housing assistance to non-citizen students is prohibited. This prohibition extends to the non-citizen spouse of a non-citizen student as well as to minor children who accompany or follow to join the non-citizen student. Such prohibition does not extend to the citizen spouse of a non-citizen student or to the children of the citizen spouse and non-citizen student. Such a family is eligible for prorated assistance as a mixed family.

Mixed Families

A family is eligible for assistance if at least one member is a citizen, national, or eligible non-citizen. Families that include eligible and ineligible individuals are considered *mixed families*. Such families will be given notice that the amount of their subsidy may be reduced based on their status, and that they may request a hearing if they contest this determination.

Ineligible Families

HACSM will not provide assistance to a family before the verification of eligibility of at least one family member.

When HACSM determines that an applicant family does not include any citizens, nationals, or eligible non-citizens, following the verification process, the family will be sent a written notice of the determination.

VII. SOCIAL SECURITY NUMBERS [24 CFR 5.216 and 5.218, Notice PIH 2018-24]

The applicant and all members of the applicant's household must disclose the complete and accurate social security number (SSN) assigned to each household member, and the documentation necessary to verify each SSN. If a child under age 6 has been added to an applicant family within six (6) months prior to voucher issuance, an otherwise eligible family may be admitted to the program and must disclose and document the child's SSN within 90 days of the effective date of the initial HAP contract. A detailed discussion of acceptable documentation is provided in Chapter 6.

Note: These requirements do not apply to noncitizens who do not contend eligible immigration status.

In addition, each participant who has not previously disclosed an SSN, has previously disclosed an SSN that HUD or the Social Security Administration (SSA) determined was invalid, or has been issued a new SSN must submit their complete and accurate SSN and the documentation required to verify the SSN at the time of the next interim or annual/triennial reexamination or recertification. Participants age 62 or older as of January 31, 2010, whose determination of eligibility was begun before January 31, 2010, are exempt from this requirement and remain exempt even if they move to a new assisted unit.

HACSM will deny assistance to an applicant family if they do not meet the SSN disclosure and documentation requirements in 24 CFR 5.216.

VIII. FAMILY CONSENT TO RELEASE OF INFORMATION

HUD requires each adult family member, and the head of household, spouse, or co-head, regardless of age, to sign form HUD-9886, Authorization for the Release of Information/Privacy Act Notice, the form HUD-52675 Debts Owed to Public Housing Agencies and Terminations and other consent forms as needed to collect information relevant to the family's eligibility and level of assistance.

HACSM will deny admission to the program if any member of the applicant family fails to sign and submit the consent forms for obtaining information in accordance with 24 CFR 5, Subparts B and F [24 CFR 982.552(b)(3)].

IX. STUDENTS ENROLLED IN INSTITUTIONS OF HIGHER EDUCATION [24 CFR 5.612, FR Notice 4/10/06, FR Notice 9/21/16]

Section 327 of Public Law 109-115 and the implementing regulation at 24 CFR 5.612 established new restrictions on the eligibility of certain students (both part- and full-time) who are enrolled in institutions of higher education.

If a student enrolled at an institution of higher education is under the age of 24, is not a veteran, is not married, does not have a dependent child, and is not a person with disabilities receiving Voucher assistance as of November 30, 2005, the student's eligibility must be examined along with the income eligibility of the student's parents. In these cases, both the student and the student's parents must be income eligible for the student to receive Voucher assistance. If, however, a student in these circumstances is determined independent from his/her parents, the income of the student's parents will not be considered in determining the student's eligibility.

The new law does not apply to students who reside with parents who are applying to receive Voucher assistance. It is limited to students who are seeking assistance on their own, separately from their parents.

X. EIV SYSTEM SEARCHES [Notice PIH 2018-18; EIV FAQs; EIV System Training 9/30/20]

Existing Tenant Search

Prior to admission to the program, the PHA must search for all household members using the EIV Existing Tenant Search module. The PHA must review the reports for any SSA matches involving another PHA or a multifamily entity and follow up on any issues identified. The PHA must provide the family with a copy of the Existing Tenant Search results if requested. At no time may any family member receive duplicative assistance.

If the tenant is a new admission to HACSM, and a match is identified at a multifamily property, HACSM must report the program admission date to the multifamily property and document the notification in the tenant file. The family must provide documentation of move-out from the assisted unit, as applicable.

HACSM will only approve assistance contingent upon the move-out from the currently occupied assisted unit.

Debts Owed to PHAs and Terminations

All adult household members must sign the form HUD-52675 Debts Owed to Public Housing and Terminations. Prior to admission to the program, the PHA must search for each adult family member in the Debts Owed to PHAs and Terminations module.

If a current or former tenant disputes the information in the module, the tenant should contact the PHA directly in writing to dispute the information and provide any documentation that supports the dispute. If the PHA determines that the disputed information is incorrect, the PHA will update or delete the record from EIV. Former tenants may dispute debt and termination information for a period of up to three years from the end of participation date in the program.

Chapter 4

APPLICATIONS, WAITING LIST AND TENANT SELECTION

MTW Waiver: *The Agency is authorized to determine waiting list procedures, tenant selection procedures and criteria and preferences...This authorization waives certain provisions of Sections 8(o)(6), 8(o)(13)(J) and 8(o)(16) of the 1937 Act and 24 C.F.R. 982 Subpart E, 982.305 and 983 Subpart F as necessary to implement the Agency's Annual MTW Plan.*

I. INTRODUCTION

When a family wishes to receive assistance under the Voucher program, the family must submit a pre-application that provides HACSM with the information needed to determine the family's eligibility. HACSM determines how and when it will collect applications and establish a waiting list. When Voucher assistance becomes available, HACSM will select families from the waiting list in accordance with HUD requirements and HACSM policies as stated in the Administrative Plan and the MTW Annual Plan.

HACSM is required to adopt a clear approach to accepting pre-applications, placing families on the waiting list, selecting families from the waiting list and must follow this approach consistently.

HUD regulations require that all families have an equal opportunity to apply for and receive housing assistance and that HACSM affirmatively further fair housing goals in the administration of the program.

When HUD awards funding that is targeted for families with specific characteristics or families living in specific units, HACSM will apply those funds according to HUD guidelines. Persons qualifying for special purpose funding from HUD may be placed on, and selected from, the waiting list over other applicants on the list.

Examples of special funding include programs targeting the homeless and persons with disabilities and families or youths that qualify for the Family Unification program.

II. THE APPLICATION PROCESS

Applying for Assistance

Any family that wishes to receive HCV assistance must apply for admission to the program. HACSM has an online pre-application portal for anyone interested in the program.

The application process will involve the following three phases:

1. The **first phase** is the "pre-application" to be placed on the waiting list. Families who wish to apply for any one of HACSM's Voucher programs must complete a pre-application.

The purpose of the pre-application is to permit HACSM to preliminarily assess

family eligibility or ineligibility, and through a specified process, to be put on the waiting list. Any family that is interested in the program can complete a pre-application. All pre-applications received will be maintained in a third-party database. The family will be required to update and/or renew their pre-application when prompted by HACSM, thus indicating their on-going interest in the program. If a pre-application is not updated and/or renewed within the HACSM-prescribed time frame (via email or regular mail notification), the applicant may be removed from the list. Once removed, the family can re-apply at any time.

The pre-application may contain questions designed to obtain the following information:

- Names of adult members and age of all members
- Gender and relationship of all members
- Street address (residence) and phone number(s)
- Mailing address (PO box okay if no permanent address)
- Amount(s) and source(s) of income received by all household members
- Information regarding disabilities to determine qualifications for allowances and deductions
- Information related to qualification for preferences
- Social Security Numbers
- Racial and ethnic designation of all household members

Duplicate pre-applications, including applications from a segment of an applicant household, will be rejected.

2. The **second phase** takes place when HACSM has determined that there will be an insufficient number of applicants on the waiting list to fill the number of budgeted units or units made available by turnover. HACSM will initiate a random draw of families from the list. HACSM will complete eligibility determination for all applicants selected from the current list before serving the applicants selected from the next draw.

No applicant has a right or entitlement to be listed on the waiting list or to any particular position on the waiting list.

Since placement on the waiting list does not require an interview and the information contained on the pre-application does not require verification, ineligible families may inadvertently be placed on the waiting list. However, final eligibility will be determined only when the full application process is completed, and all information is verified.

3. The **third phase** is the "full" application review and appointment for final eligibility determination. On an as needed basis, HACSM will select applicants from the waiting list (see step 2 above) for eligibility determination. The order in which the selection is made is based on the applicant's placement on the waiting list assigned by the random draw and any applicable preference(s). At the full

application review, HACSM ensures that verification of all applicable eligibility factors is current to determine the family's eligibility for the issuance of a voucher.

Placement on the waiting list does not indicate that the family is, in fact, eligible for assistance. A final determination of eligibility will be made when the family is selected from the waiting list.

HACSM shall not approve any transfer or assignment of the pre-application or application to another person or household. HACSM may approve a change of head of household only if the new head of household is a member listed on the pre-application completed by the household and that was selected through the lottery process (second phase stated above).

III. MANAGING THE WAITING LIST

Organization of the Waiting List

HACSM's Voucher program waiting list will be organized in such a manner to allow the agency to accurately identify and select families for assistance in the proper order, according to the admissions policies described in this plan.

The waiting list will contain the following information for each applicant listed:

- Applicant name
- Family unit size
- Date and time of application
- Qualification for any local preference
- Racial or ethnic designation of the head of household

HACSM will maintain a single waiting list for the Voucher program.

HACSM will maintain site-based waiting lists for the Project-Based Voucher Assistance program. The applicants may indicate which properties they are interested in on the pre-application.

Closing the Waiting List

HACSM has a continuously open database for interested families to submit a pre-application at any time for its tenant-based Housing Voucher program. Due to this policy, HACSM does not plan to close the waiting list. However, at such time as this might be necessary, HACSM will announce the closing of the waiting list by public notice. HACSM will give at least one (1) day's notice prior to closing the list.

In addition, the waiting list is always open to an otherwise eligible applicant who:

- Is a Continuum of Care Program (e.g. Shelter Plus Care, Supportive Housing) participant who, as determined by HACSM and the supportive service provider, has demonstrated high level of independent living skills, and has received minimal case management for at least 12 months;

- Is a VASH Program participant who, as determined by HACSM and the VAMC, has demonstrated high level of independent living skills, and has received minimal case management for at least 12 months;
- Is certified by the Public Child Welfare Agency as eligible for the Family Unification Program (FUP). HACSM will limit the number of families that may participate in FUP to no more than the baseline number determined by HUD.

In these cases, HACSM may admit such families whether or not they are on the waiting list, and, if they are on the waiting list, without considering the family's position on the waiting list.

Reopening the Waiting List

If the waiting list does close, or has been closed, HACSM will advertise the opening of its waiting list through public notice in local newspapers of general circulation, minority media, and other suitable media outlets. The notice will comply with HUD fair housing requirements and specify who may apply and where and when applications will be received.

Outreach

HACSM will conduct outreach as necessary to ensure that it has a sufficient number of applicants on the waiting list to use the Voucher resources it has been allotted.

HACSM outreach efforts will comply with fair housing requirements This includes:

- Analyzing the housing market area and the populations currently being served to identify underserved populations
- Ensuring that outreach efforts are targeted to media outlets that reach eligible populations that are underrepresented in the program
- Avoiding outreach efforts that prefer to exclude people who are members of a protected class

HACSM outreach efforts will be designed to inform qualified families about the availability of assistance under the program. These efforts may include, as needed, any of the following activities:

- Submitting press releases to local newspapers, including minority newspapers
- Developing informational materials and flyers to distribute to other agencies
- Providing the application process (or application forms, if applicable) to other public and private agencies that serve the low-income population
- Developing partnerships with other organizations that serve similar populations, including agencies that provide services for persons with disabilities

Reporting Changes in Family Circumstances

While the family is on the waiting list, or has submitted a pre-application, the family is responsible for updating their application information through the online application portal. Types of changes include current contact information (i.e., email address and phone number), current residence/mailling address, and current household members.

If the family is unable to utilize the online application portal, they can submit their update requests to HACSM via regular mail.

Purging the Waiting List

As discussed in Sections II and III above, HACSM has created a continuously open pre-application process for families who may be interested in HACSM's Voucher programs. To remain active on the list, the family is responsible for updating the information on, or renewing their application to indicate their on-going interest in the program when HACSM conducts outreach. HACSM will periodically conduct random draws to create a waiting list when vouchers become available through turnover. As such, HACSM expects that the information from the family's pre-application will be timely and current, thus eliminating the need to purge the waiting list.

Although HACSM does not foresee the need to manually update the applicants' information because of its online waiting list management methodology, HACSM shall follow the procedures stated below if an update is necessary:

To update the waiting list, HACSM will send an update request via first class mail and/or email address on record to each family on the waiting list to determine whether the family continues to be interested in, and/or to qualify for, the program. This update request will be sent to the last address or email that HACSM has on record for the family. The update request will provide a deadline by which the family must respond, the method for responding, and will state that failure to respond will result in the applicant's name being removed from the waiting list.

If the family fails to respond within the HACSM required time frame, the family will be removed from the waiting list without further notice.

If the notice is returned by the post office, the applicant will be removed from the waiting list without further notice.

If a family is removed from the waiting list for failure to respond, HACSM may reinstate the family if it determines the lack of response was due to HACSM error, or to circumstances beyond the family's control, or if approved as a reasonable accommodation.

The family may submit another pre-application after removal or expiration of their previous pre-application.

Removal from the Waiting List

If at any time an applicant family is on the waiting list and HACSM determines that the family is not eligible for assistance, the family will be removed from the waiting list.

IV. SELECTION FOR ASSISTANCE

VOUCHER PROGRAM

Local Preferences

HACSM will assign preference to families who live, work or are hired to work in San Mateo County. Work or hired to work does not include volunteer work, internships, being an independent contractor or employment with temporary agencies.

PSH Moving On

HACSM will assign preference to current Permanent Supportive Housing (PSH) Program participants who meet the eligibility criteria of the PSH Moving-On policy as stated in HACSM's PSH Policy and Procedure manual. HACSM will limit the number of PSH Moving On preference up to 5 per calendar year, subject to availability of Section 8 Vouchers.

Order of Selection

HACSM will use a lottery system to select families from the Interest List for its Voucher waiting list. HACSM will pre-determine the total number of applicants it needs to select to maintain a waiting list to utilize the number of vouchers that have become available due to turnover. The draw will randomly assign a placement order for the applicant households. The resulting placement order along with the applicant's qualifying preferences will determine the order in which applicants will be scheduled for an eligibility interview.

SPECIAL ADMISSION

Pursuant to HUD requirements that special purpose programs be targeted to families with specific characteristics, HACSM will use targeted funds solely for their intended purpose(s). Therefore, families with targeted characteristics may be selected from the waiting list before non-targeted families who applied before them. In the selection of families with targeted characteristics within the overall group of other families with similar targeted characteristics, families will be selected in the same order of preference as are those families on the regular waiting list.

V. NOTIFICATION OF SELECTION

HACSM will notify the family by email or US first-class mail when it is selected from the waiting list. The notice will inform the family of the following:

- Date, time, and process for the scheduled application interview, including any procedures for rescheduling the interview;
- Who is required to attend the interview;
- Documents and information that must be provided at the interview.

If a notification letter is returned to HACSM by the post office, the family will be removed from the waiting list. HACSM will not forward mail to an alternate address; the family is responsible for maintaining current contact information with HACSM.

If a family is removed from the waiting list for failure to respond to an interview, HACSM may reinstate the family if it determines the lack of response was due to HACSM error, or to circumstances beyond the family's control, or if approved as a reasonable accommodation.

VI. THE APPLICATION INTERVIEW

HACSM is primarily completing the initial intake process via an online portal (Rent Café PHA); if the family does not have an email address or the ability to access the online portal, HACSM will work with the family for an alternate method of completing the initial intake process. Any follow-up to initial eligibility appointments will occur via email, phone, or regular first-class mail or a combination of these methods – the process includes whatever avenue is most effective for the applicant. In person interviews will not occur until it is deemed safe to do so; therefore, alternate methods will continue for the foreseeable future and may be incorporated into HACSM's regular operations post-pandemic.

Families selected from the waiting list are required to complete the initial intake process. Being invited to complete the initial intake process does not constitute admission to the program. Reasonable accommodation will be made for persons with disabilities who are unable to complete the process due to their disability.

Assistance cannot be provided to the family until all SSN documentation requirements are met. However, if HACSM determines that an applicant family is otherwise eligible to participate in the program, the family may retain its place on the waiting list for a period determined by the PHA [Notice PIH 2018-24].

The head of household, spouse/co-head and all family members who are 18 years and older are required to sign all required documents provided by HACSM.

If an applicant fails to complete the initial intake and/or attend any subsequently scheduled appointments, the application will be denied unless the applicant can provide documentation/verification as to the reason that the applicant could not complete the initial intake or attend appointments.

The family must provide the information necessary to establish the family's eligibility and determine the appropriate level of assistance, as well as completing required forms, providing required signatures, and submitting required documentation. If any materials are missing, HACSM will provide the family with a list of items that must be submitted.

Any required documents or information that the family is unable to provide at the interview must be provided within 30 calendar days of the interview. If the family is unable to obtain the information or materials within the required time frame, the family may request an extension. If the required documents and information are not provided

within the required time frame (plus any extensions), the family will be sent a notice of denial.

If the family is unable to attend a scheduled interview (via phone or online), the family must contact HACSM in advance of the interview to request reschedule of appointment. If a family does not attend a scheduled interview and does not request a reschedule, HACSM will send a notice of denial in accordance with policies contained in this Plan.

Applicants who fail to attend two scheduled interviews will be denied assistance based on the family's failure to supply information needed to determine eligibility. A notice of denial will be issued in accordance with policies contained in this Plan.

VII. COMPLETING THE APPLICATION PROCESS

HACSM will verify all information provided by the family. Based on verified information, HACSM will make a final determination of eligibility and confirm that the family qualified for any selection preference that affected the order in which the family was selected from the waiting list.

If HACSM determines that the family is ineligible, HACSM will send a notice of denial in accordance with policies contained in this Plan.

If a family fails to qualify for any criteria that affected the order in which it was selected from the waiting list (e.g., preference, extremely low-income), the family will be returned to its original position on the waiting list but without the preference. HACSM will notify the family in writing that it has been returned to the waiting list and will specify the reasons for it.

VIII. INSUFFICIENT FUNDING

HACSM will determine whether there is adequate funding to issue vouchers by comparing its annual budget authority to the annual total HAP needs on a monthly basis. The total HAP needs for the calendar year will be projected by establishing the actual HAP costs year to date. To that figure, HACSM will add anticipated HAP expenditures for the remainder of the calendar year. Projected HAP expenditures will be calculated by multiplying the projected number of units leased per remaining months by the most current month's average HAP. The projected number of units leased per month will take into account the average monthly turnover of participant families. If the total annual HAP needs equal or exceed the annual budget authority, or if HACSM cannot support the cost of the proposed subsidy commitment based on the funding analysis, HACSM will be considered to have insufficient funding.

Chapter 5

BRIEFINGS AND VOUCHER ISSUANCE

I. INTRODUCTION

When a family is determined to be eligible for the Housing Voucher program, HACSM will ensure that the family fully understands the way the program operates and the family's obligations under the program. This is accomplished through both an oral briefing and provision of a briefing packet containing the HUD-required documents and other information the family needs to know to lease a unit under the program.

Once the family is fully informed of the program's requirements, HACSM issues the family a voucher. The voucher includes the unit size for which the family qualifies based on HACSM subsidy standards, as well as the issue and expiration date of the voucher. The voucher is the document that authorizes the family to begin its search for a unit and limits the amount of time the family has to successfully locate an acceptable unit.

II. BRIEFING SESSIONS

The briefing provides a broad description of owner and family responsibilities, explains HACSM's procedures, and includes instructions on how to lease a unit. Briefings are conducted to ensure that families understand the program and its requirements. All families who have been determined eligible for the Voucher program or who are moving to another unit will be scheduled for a briefing.

The issuance of a voucher does not constitute admission to the program. Admission to the program occurs when the Lease and HAP Contract become effective.

In-Person Briefings

In-person briefings will generally be conducted in group meetings. At the family's written request and as staffing resources are available, HACSM may provide an individual briefing.

Generally, the head of household is required to attend the briefing. If the head of household is unable to attend, HACSM may approve another adult family member to attend the briefing.

Families that attend group briefings and still need individual assistance will be referred to an appropriate PHA staff person.

Briefings will be conducted in English. For limited English proficient (LEP) applicants, the PHA will provide interpretation services in accordance with the PHA's LEP plan (See Chapter 2).

Remote Briefings [Notice PIH 2020-32]

Prior to the COVID-19 pandemic, briefings were conducted as in-person group or individual meetings. During the pandemic and post-pandemic, initial and relocation briefings are conducted remotely, primarily on an individual basis.

Remote briefings may be conducted over the phone, via video conferencing, or through other virtual platforms (i.e., Teams, Zoom). HACSM has created videos specifically for initial and relocation briefings to ensure consistency in the presentation of information to families; upon determination of eligibility, families will be sent a link to watch the applicable video and they will then have the opportunity to ask questions and

HACSM will ensure that the lack of technology or inability to use technology for remote briefings does not pose a disadvantage to families that may not be apparent to HACSM. HACSM will ensure that the family has appropriate technological access to fully participate in the remote briefing.

HACSM will conduct a briefing remotely upon request of the applicant as a reasonable accommodation for a person with a disability, if an applicant does not have childcare or transportation that would enable them to attend the briefing, or if the applicant believes an in-person briefing would create an undue health risk. The PHA will consider other reasonable requests for a remote briefing on a case-by-case basis.

The head of household is required to attend the briefing. If the head of household is unable to attend, HACSM may approve another adult family member to attend the briefing providing it receives a prior request and written authorization from the head of household.

HACSM will not issue a voucher to a family unless the household representative has attended a briefing. After completion of the briefing, HACSM will issue a voucher to the family.

The briefing session gives families the opportunity to ask questions, discuss the information provided, and clearly understand their rights, duties and obligations as assisted families.

Each briefing will provide information on the following subjects:

- A description of how the Voucher program works;
- Family and owner responsibilities;
- Where the family can lease a unit, including renting a unit inside or outside HACSM's jurisdiction;
- An explanation of how portability works, if permitted. HACSM may not discourage eligible families from choosing to live anywhere in the HACSM jurisdiction or outside the HACSM jurisdiction under portability, unless otherwise expressly authorized by statute, regulation, PIH Notice, or court order. *See Hardship Policy (Chapter 23) for further discussion on portability.
- The advantages of areas that do not have a high concentration of low-income families.

Accessibility Requirements for Persons with Disabilities and LEP Individuals

As with in-person briefings, the platform for conducting remote briefings must be accessible and the briefing conducted in accordance with Section 504 and accessibility requirements. This includes ensuring any information, websites, emails, digital notifications, and other virtual platforms are accessible for persons with vision, hearing, and other disabilities. Further, providing effective communication in a digital context may require the use of individualized auxiliary aids or services, such as audio description, captioning, sign language and other types of interpreters, keyboard accessibility, accessible documents, screen reader support, and transcripts. Auxiliary aids or services must be provided in accessible formats, in a timely manner, and in such a way to protect the privacy and independence of the individual.

If no method of conducting a remote briefing is available that appropriately accommodates an individual's disability, the PHA may not hold against the individual his or her inability to participate in the remote briefing, and the PHA should consider whether postponing the remote briefing to a later date is appropriate or whether there is a suitable alternative.

Due to the individualized nature of disability, the appropriate auxiliary aid or service necessary, or reasonable accommodation, will depend on the specific circumstances.

Limited English Proficiency (LEP) requirements also apply to remote briefings, including the use of interpretation services and document translation. See Chapter 2 for a more thorough discussion of accessibility and LEP requirements, all of which apply in the context of remote briefings.

Briefing Packet

At the same time HACSM issues a voucher, it will give the family a briefing packet containing the information listed below:

- The term of the voucher, voucher suspensions, and HACSM's policies on any extensions of the term and how the family can request an extension;
- A description of the method used to calculate the housing subsidy for a family;
- Housing Quality Standards (HQS) used by HACSM;
- Where the family may lease a unit;
- The HUD-required tenancy addendum, which must be included in the lease;
- The form the family must use to request approval of tenancy, and a description of the procedure for requesting approval for a tenancy;
- A statement of HACSM policy on providing information about families to prospective owners;
- HACSM subsidy standards including when and how exceptions are made;
- Materials (e.g. brochures) on how to select a unit and any additional information on selecting a unit that HUD provides;
- Materials (e.g. brochures) on how to select a unit and any additional information on selecting a unit that HUD provides;

- Information on federal, state and local equal opportunity laws and a copy of the housing discrimination complaint form;
- Resources, such as online search tools or organizations, known to HACSM that may assist the family in locating a unit. HACSM will ensure that the list of landlords or other resources covers areas outside of poverty or minority concentration;
- Notice that if the family includes a person with disabilities, the family may request a list of available accessible units known to HACSM;
- Family obligations under the program;
- The grounds on which HACSM may terminate assistance for a participant family because of family action or failure to act;
- HACSM informal hearing procedures including when HACSM is required to offer a participant family the opportunity for an informal hearing, and how to request the hearing.

Briefing Notification and Attendance

Families will be notified of their eligibility for assistance at the time they are invited to attend a briefing. The notice will identify who is required to attend the briefing, as well as the date and time of the scheduled briefing.

If the notice is returned by the post office with no forwarding address and email bounced back as invalid, the applicant will be denied, and their name will not be placed back on the waiting list. If the notice is returned by the post office with a forwarding address, the notice will be re-sent to the address indicated.

Applicants who provide prior notice of inability to attend a briefing will automatically be scheduled for the next available briefing. Applicants who fail to attend two scheduled briefings, without prior notification and HACSM approval, will be sent a notice of denial.

III. SUBSIDY STANDARDS AND VOUCHER ISSUANCE

For each family, HACSM determines the appropriate number of bedrooms under its subsidy standards and enters the family unit size on the voucher that is issued to the family. The family unit size does not dictate the size of unit the family must lease, nor does it determine who within a household will share a bedroom/sleeping room.

The following requirements apply when HACSM determines family unit size:

- The subsidy standards will provide for the smallest number of bedrooms needed to house a family without overcrowding;
- The subsidy standards will be consistent with space requirements under the housing quality standards;
- The subsidy standards will be applied consistently for all families of like size and composition.

In issuing the voucher, HACSM will use the following guidelines:

- Head of household and his/her spouse, co-head, or partner (for example, boyfriend, girlfriend) will be issued one bedroom;
- All remaining family members will be issued one bedroom per two family members regardless of gender, age, or relationship of these family members;
- Foster children will be included in determining unit size only if they will be in the unit for more than nine months;
- Live-in aides will generally be assigned a separate bedroom. No additional bedrooms will be assigned for the live-in aide's family;
- Single person families will be issued one-bedroom;
- A family that consists of a pregnant woman will be treated as a two-person family;
- For participant families, the subsidy standard will not be increased for additions to the family *unless* the additions are approved by HACSM. Upon meeting the verification requirements, HACSM will approve additions due to birth, adoption, or court awarded custody. Any other additions require eligibility screenings. Upon approval, HACSM will evaluate subsidy standards based on the new household size. Any changes in the subsidy standard will be effective at the current annual/biennial/interim recertification. Conversely, if the household size decreases, the subsidy standard will be decreased at the annual/biennial/interim recertification.
- If the household size increases due to the addition of a spouse or partner and the spouse or partner has children, the subsidy standard will be increased to accommodate the spouse/partner and the children for whom s/he has legal custody (if applicable);
- Full-time students living away from the assisted unit will not be considered in the determination of subsidy standards;
- Adding additional members to the household will not be approved if it causes the family to be under-housed (overcrowded).
- A dependent under 18 years of age will not be included in the household unless the family can provide proof of guardianship, should none of the adults in the household be the dependent's biological parent(s).

All standards in this section relate to the number of bedrooms on the voucher, not the family's actual living arrangements.

HACSM will reference the following chart in determining the appropriate *voucher size* for a family:

Voucher Size	Persons in Household (Minimum – Maximum)
1 Bedroom	1-2
2 Bedrooms	2-4

3 Bedrooms	3-6
4 Bedrooms	4-8
5 Bedrooms	6-10

Generally, Housing Quality Standards (HQS) and occupancy standards allow two persons per living/sleeping room and permit maximum occupancy levels (assuming a living room is used as a living/sleeping area). The levels may be exceeded if a room in addition to bedrooms and living room is used for sleeping.

HQS GUIDELINES FOR UNIT SIZE SELECTED

	<u>Maximum # in Household</u>
0 Bedroom	2
1 Bedroom	4
2 Bedrooms	6
3 Bedrooms	8
4 Bedrooms	10
5 Bedrooms	12
6 Bedrooms	14

IV. EXCEPTIONS TO SUBSIDY STANDARDS

HACSM will only consider requests for exceptions to subsidy standards due to handicap or disability. Reasons may include, but are not limited to:

- A need for an additional bedroom for medical equipment
- A need for a separate bedroom for reasons related to a family member's disability, medical or health condition

The family must request an exception to the subsidy standards in writing and explain the need or justification for a larger voucher size based on the handicap or disability and must include appropriate documentation.

Requests based on handicap or disability must be verified by a knowledgeable professional source (e.g. doctor or health professional), unless the disability and the disability-related request for accommodation is readily apparent or otherwise known. HACSM may re-verify the family's continued need for an additional bedroom due to special medical equipment at annual reexamination.

HACSM will notify the family of its determination. If a participant family's request is denied, the notice will inform the family of their right to request an informal meeting.

V. VOUCHER ISSUANCE

The voucher is the family's authorization to search for housing. It specifies the unit size for which the family qualifies and includes both the date of voucher issuance and date of expiration. It contains a brief description of how the program works and explains the family obligations under the program. The voucher is evidence that

HACSM has determined the family to be eligible for the program and that HACSM expects to have money available to subsidize the family if the family finds an approvable unit. However, HACSM does not have any liability to any party by the issuance of the voucher, and the voucher does not give the family any right to participate in HACSM's Voucher Program.

VI. VOUCHER TERM AND EXTENSIONS

Voucher Term

The Housing Voucher is valid for a term of 180 calendar days.

The family must submit a Request for Tenancy Approval and proposed lease within the 180-day period.

Extensions of Voucher Term

If a family is unable to find an acceptable unit within the specified 180-day term, the family must request an extension in writing and submit the request prior to the voucher expiration date and include the reason(s) for the extension. HACSM will consider requests as follows:

- a. Extenuating circumstances, such as hospitalization, family emergencies, etc., which affected the family's ability to locate an acceptable unit but are not expected to affect their search during the additional period, if granted. Any request for an extension must be in writing, submitted prior to the voucher expiration date, and include the reason(s) for the extension.
- b. If there is a request for a reasonable accommodation due to a disability, HACSM may require the family to provide documentation to support the request. HACSM will review the requests on a case-by-case basis to determine the appropriate length for an extension, if needed.

If additional time is requested due to other circumstances, HACSM will review and approve the extension request on a case-by-case basis. HACSM may require documentation to support the request.

Suspensions of Voucher Term

HACSM will provide for suspension of the initial, or any extended term, of the voucher from the date the family submits a request for approval of the tenancy until the date the HACSM notifies the family in writing whether the request has been approved or denied.

Expiration of Voucher Term

Once a family's voucher term (including any extensions) expires, the family is no longer eligible to search for housing under the program.

If an applicant family's voucher term or extension expires before HACSM has approved a tenancy, HACSM will require the family to reapply for assistance.

Chapter 6

VERIFICATIONS

MTW Waiver: *The Agency is authorized to adopt and implement any reasonable policy for verifying family income and composition and for determining resident eligibility that differ from the currently mandated program requirements in the 1937 Act and its implementing regulations. This authorization waives certain provisions of 24 CFR 982.516 and 982 Subpart E, as necessary to implement the Agency's Annual MTW Plan.*

I. INTRODUCTION

HACSM will verify information that is used to establish the family's eligibility and level of assistance and is required to obtain written authorization from the family in order to collect the information. Applicants and program participants must cooperate with the verification process as a condition of receiving assistance. HACSM cannot pass on the cost of verification to the family.

II. FAMILY CONSENT TO RELEASE OF INFORMATION

The family must supply any information that HACSM or HUD determines is necessary to the administration of the program and must consent to HACSM verification of that information.

It is required that all adult applicants and participants sign form HUD-9886, Authorization for Release of Information. The purpose of form HUD-9886 is to facilitate automated data collection and computer matching from specific sources and provides the family's consent only for the specific purposes listed on the form. HUD and HACSM may collect information from State Wage Information Collection Agencies (SWICAs) and current and former employers of adult family members. Only HUD is authorized to collect information directly from the Internal Revenue Service (IRS) and the Social Security Administration (SSA). Adult family members must sign other consent forms as needed to collect information relevant to the family's eligibility and level of assistance.

If any family member who is required to sign a consent form fails to do so, HACSM will deny admission to applicants and terminate assistance of participants. The family may request an informal review (applicants) or informal hearing (participants) in accordance with HACSM procedures.

III. OVERVIEW OF VERIFICATION REQUIREMENTS

HACSM will use the following resources related to verification processes:

- HUD's Enterprise Income Verification (EIV) program (a computer matching of tenant income and identity data) in combination with tenant-provided documents, enables HACSM staff to verify and confirm the reliability of tenant-provided documents without relying on third-party sources. The family must provide *three current and consecutive* pay stubs for HACSM to determine annual income.

- If the EIV system is not available, HACSM will accept family-provided documentation. The family must provide three current and consecutive pay stubs for HACSM to determine annual income.
- HACSM may continue to use third-party verification to resolve income discrepancies or in the absence of other verification or family-provided documents.
- Family self-certification will be used as a last resort. As an additional safeguard, HACSM will inform applicants about the UIV/EIV system during the briefing presentation, and to emphasize the penalties for under-reporting income.

Requirements for Acceptable Documents

Any documents used for verification should be the original (not photocopies) to the maximum extent possible. The documents must not be damaged, altered or in any way illegible.

Verification documents should not be more than 180 days old from the date of the HACSM interview for applicants and participants.

HACSM will accept documents dated up to 6 months before the effective date of the family's initial or annual determination if the document represents the most recent scheduled report from a source. For example, if the holder of a pension annuity provides semi-annual reports, HACSM would accept the most recent report.

Print-outs from web pages or websites are considered original documents. Any documentation from web sites or online accounts must contain an identifier (i.e. name, address) linking the statement or printout to the household member(s).

Any family self-certifications must be made in a format acceptable to HACSM and must be signed in the presence of a HACSM representative or a notary public.

HUD's Enterprise Income Verification (EIV) System

EIV Income Reports

The data shown on income reports is updated quarterly. Data may be between three and six months old at the time reports are generated.

The EIV system contains income reports showing earned income, unemployment benefits, and Social Security/SSI benefits for participant families.

HACSM will obtain income reports from EIV as part of the annual or triennial reexamination process. The EIV income reports will be compared to family-provided documentation as part of these reexamination processes. The family must provide *three current and consecutive* pay stubs for HACSM to determine annual income. HACSM may use the year-to-date amounts on pay stubs or other documents such as W-2 forms, income tax returns, etc. if the information is a more accurate (or current) account of the family's earned income.

If additional information is not needed, HACSM will use the current family-provided documents to calculate annual income.

Third party verification is required only if the tenant disputes the EIV data or additional information is required as determined by HACSM (i.e. effective dates of employment, pay rate, number of hours worked, pay frequency for new jobs, or confirmation of change in circumstances). HACSM will use current family-provided documents or the most current information to calculate annual income.

The EIV income reports will be retained in participant files with the applicable reexamination documents.

When HACSM determines through the EIV reports and/or third-party verification that a family has concealed or under-reported income, HACSM will review the information and determine appropriate corrective action.

EIV Identity Verification

The EIV system verifies tenant identities against SSA records. These records are compared to PIC (PIH Information Center) data for a match on social security number, name, and date of birth.

HACSM will use EIV's *Identity Verification Report* on a monthly basis to improve the availability of income information in EIV [Notice PIH 2012-10].

When identity verification for a participant fails, a message will be displayed within the EIV system and no income information will be displayed.

HACSM will attempt to resolve PIC/SSA discrepancies by reviewing file documents. When HACSM determines that discrepancies exist due to HACSM errors such as spelling errors or incorrect birth dates, the errors will be corrected promptly.

If HACSM determines that discrepancies exist due to inconsistent or invalid family-provided documentation, it will require the family to provide current or valid documentation.

Third-party Verification

HACSM may continue to use third party verification to resolve discrepancies or in the absence of tenant-provided documents.

HACSM may mail, fax, e-mail, or hand deliver third-party written verification requests and will accept third-party responses using any of these methods.

HACSM will make at least one written and/or oral attempt to obtain third-party verification. A record of the attempt to contact the third-party source (including no-answer calls) and all contacts with the source will be documented in the file. Regarding third-party oral verification, HACSM staff will record in the family's file the name and title of the person contacted, the date and time of the conversation (or attempt), the telephone number used, and the facts provided.

HACSM may determine that third-party verification is not available (i.e. when there is a service charge for verifying an asset *and* the family has original documents that provide the necessary information). HACSM will document in the family file the reason that the third-party verification was not available and will place a copy of the original document(s) in the family file.

Self-Certification

When information cannot be verified by EIV, third party or review of documents, family members will be required to submit self-certifications attesting to the accuracy of the information they have provided to HACSM.

HACSM may require a family to certify that a family member does not receive a particular type of income or benefit.

The self-certification must be made in a format acceptable to HACSM and must be signed by the family member whose information or status is being verified. All self-certifications must be signed in the presence of a HACSM representative or notary public.

IV. VERIFYING FAMILY INFORMATION

Legal Identity

HACSM will require families to furnish verification of legal identity for each household member.

Verification of legal identity includes, but is not necessarily limited to, certificate of birth, naturalization papers, current and valid driver's license or government-issued identification card, U.S. military discharge (DD-214), and current U.S. passport.

If a document submitted by a family is illegible for any reason or otherwise questionable, more than one of these documents may be required.

Legal identity will be verified for all applicants at the time of eligibility determination and in cases where HACSM has reason to doubt the identity of a person representing him or herself to be a participant.

Social Security Numbers (24 CFR 5.216, Notice PIH 2018-24)

The family must provide documentation of a valid social security number (SSN) for each member of the household, with the exception of individuals who do not contend eligible immigration status. Exemptions also include: existing program participants who were at least 62 years of age as of January 31, 2010 and had not previously disclosed an SSN.

Note that an individual who previously declared to have eligible immigration status may not change his or her declaration for avoiding compliance with the SSN disclosure and documentation requirements or penalties associated with noncompliance with these requirements. Nor may the head of household opt to remove a household member from the family composition for this purpose.

HACSM will accept the following documentation as acceptable evidence of the social security number:

- a. An original SSN card issued by the Social Security Administration (SSA);
- b. An original SSA-issued document, which contains the name and SSN of the individual;
- c. An original document issued by a federal, state, or local government agency, which contains the name and SSN of the individual.

HACSM may only reject documentation of an SSN provided by an applicant or participant if the document is not an original document or if the original document has been altered, mutilated, is illegible, or appears to be forged.

If there are discrepancies between the name(s) on the SSN card and other identification documents and/or what the family reports, HACSM will use the name listed on the SSN card as the correct name for its records and may require the family to obtain a SSN card that matches other identification documents and/or what they report to HACSM.

When a *participant* requests to add a new household member who is at least six years of age, or who is under the age of six and has an SSN, the participant must provide the complete and accurate SSN assigned to each new member at the time of reexamination, in addition to the documentation required to verify it. HACSM will not add the new household member until such documentation is provided.

When a participant requests to add a new household member who is under the age of six and has not been assigned an SSN, the participant must provide the SSN assigned to each new child and the required documentation within 90 calendar days of the child being added to the household. A 90-day extension will be granted if HACSM determines the participant's failure to comply was due to unforeseen circumstances and was outside of the participant's control. During the period HACSM is awaiting the documentation of the SSN, the child will be counted as part of the assisted household.

Social security numbers will be verified only once during continuously-assisted occupancy.

Once the individual's verification status is classified as "verified" in HUD's EIV system, HACSM may, at its discretion, remove and destroy copies of documentation accepted as evidence of social security numbers. The retention of the EIV Summary Report or Income Report is adequate documentation of an individual's SSN.

Documentation of Age

A birth certificate or other official record of birth is the preferred form of age verification for all family members. For elderly family members, an original document that provides evidence of the receipt of social security retirement benefits is acceptable.

Age will be verified only once during continuously-assisted occupancy.

Family Relationships

Applicants and program participants are required to identify the relationship of each household member to the head of household. Definitions of the primary household relationships are provided in Chapter 3 (Eligibility) and Chapter 21 (Definitions).

Family relationships are verified only to the extent necessary to determine a family's eligibility and level of assistance. Certification by the head of household normally is sufficient verification of family relationships. In cases where reasonable doubt exists, HACSM may ask the family to provide further verification.

Marriage

Certification by the head of household is normally sufficient verification. If HACSM has reasonable doubts about a marital relationship, HACSM will require the family to document the marriage.

For newly added spouses, a marriage certificate is required to verify that a couple is married.

Separation or Divorce

Certification by the head of household is normally sufficient verification. If HACSM has reasonable doubts about a separation or divorce, or the spouse was a previous member of the household, HACSM will require the family to provide documentation of the divorce or separation.

Absence of Adult Member

If an adult member who was formerly a member of the household is reported to be permanently absent, the family must provide evidence to support that the person is no longer a member of the family (e.g., documentation of another address at which the person resides such as a lease or utility bill).

In the event a member of the household passes away, HACSM may request a copy of the certified death certificate from the family.

Foster Children and Foster Adults

Third-party verification from the state or local government agency responsible for the placement of the foster children or foster adults with the family is required.

Student Status

HACSM requires families to provide information about the student status of all students who are under 24 years of age. This information will be verified only if:

- The family reports full-time student status for an adult other than the head, spouse, or co-head;
- The family reports child care expenses to enable a family member to further his or her education;
- The family includes a student enrolled in an institution of higher education.

V. DOCUMENTATION OF DISABILITY

HACSM will verify the existence of a disability to allow certain deductions from income. HACSM is not permitted to inquire about the nature or extent of a person's disability. HACSM will not inquire about a person's diagnosis or details of treatment for a disability or medical condition. If HACSM receives a verification document that provides such information, HACSM will not place this information in the tenant file. Under no circumstances will HACSM request a participant's medical record(s). For more information on health care privacy laws, see the Department of Health and Human Services' website at <http://www.hhs.gov/ocr/privacy/>.

The above cited information does not prohibit the following inquiries, provided these inquiries are made of all applicants, whether or not they are persons with disabilities:

- Inquiry into an applicant's ability to meet the requirements of ownership or tenancy
- Inquiry to determine whether an applicant is qualified for a dwelling available only to persons with disabilities or to persons with a particular type of disability
- Inquiry to determine whether an applicant for a dwelling is qualified for a priority available to persons with disabilities or to persons with a particular type of disability
- Inquiring whether an applicant for a dwelling is a current illegal abuser or addict of a controlled substance
- Inquiring whether an applicant has been convicted of the illegal manufacture or distribution of a controlled substance

Family Members Receiving SSA Disability Benefits

Verification of receipt of disability benefits from the Social Security Administration (SSA) is sufficient verification of disability for the purpose of qualifying for waiting list preferences (if applicable) or certain income deductions.

Family Members Not Receiving SSA Disability Benefits

Receipt of veteran's disability benefits, worker's compensation, or other non-SSA benefits based on the individual's claimed disability are not sufficient verification that the individual meets HUD's definition of disability in 24 CFR 5.403.

For family members claiming disability who do not receive disability benefits from the SSA, a knowledgeable professional must provide third-party verification that the family member meets the HUD definition of disability. The knowledgeable professional will verify whether the family member does or does not meet the HUD definition.

VI. CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS

Housing assistance is not available to persons who are not citizens, nationals, or eligible immigrants. Prorated assistance is provided for "mixed families" containing both eligible and ineligible persons. The family will be required to provide certification that identifies each family member as a U.S. citizen, a U.S. national, an eligible noncitizen or an ineligible noncitizen and submit the appropriate documentation for each family member. HACSM is required to obtain verification of citizenship and immigration status declarations.

U.S. Citizens or Nationals

HACSM requires a declaration for each family member who claims to be a U.S. citizen or national. The declaration must be signed personally by any family member 18 or older and by a parent/guardian for minors.

HACSM may request verification of the declaration by requiring presentation of a birth certificate, United States passport or other appropriate documentation (as established by HACSM).

Eligible Immigrants

All family members claiming eligible immigration status must declare their status in the same manner as U.S. citizens and nationals.

The documentation required for eligible non-citizens varies depending upon factors such as the date the person entered the U.S., the conditions under which eligible immigration status has been granted, age, and the date on which the family began receiving HUD-funded assistance.

- **All** non-citizens claiming eligible status must sign a declaration of eligible immigrant status on a form acceptable to the HACSM.
- Except for persons 62 or older, all non-citizens must sign a verification consent form. A person 62 year of age or older who claims eligible immigration status also must provide proof of age such as birth certificate, passport, or documents showing receipt of SS retirement benefits.
- For family members under the age of 62 who claim to be eligible immigrants, the HACSM will verify immigration status with the United States Citizenship and Immigration Services (USCIS). The HACSM will follow all USCIS protocols for verification of eligible immigration status.
- Additional documents are required based upon the person's status.

VII. VERIFICATION OF PREFERENCE STATUS

HACSM will verify any preferences claimed by an applicant that determined placement on the waiting list. In order to verify that an applicant lives, works, or is hired to work in San Mateo County, HACSM will require at least one of the following documents:

- Rent receipts showing address of San Mateo County unit
- Lease Agreement(s)
- Utility Bills
- Employer or agency records
- Employment offer letter
- Drivers' License
- Voters' registration records
- Credit report
- Statement from household with whom the family is residing

NOTE: Work or hired to work does not include volunteer work, internships, being an independent contractor or employment with temporary agencies.

VIII. VERIFYING INCOME

Earned Income

As described earlier in this chapter, HACSM will use the EIV system data in conjunction with family-provided documents to verify earned income. For wages, the family must provide three current and consecutive pay stubs.

Unless tip income is included in a family member's W-2 by the employer, persons who work in industries where tips are standard will be required to sign a certified estimate of tips received for the prior year and tips anticipated to be received in the coming year.

In the absence of family-provided documents, HACSM will verify earned income via third-party documentation or, as a last resort, family self-certification.

Business and Self-Employment Income

Business owners and self-employed persons will be required to provide all schedules completed for filing federal and local (State) taxes in the preceding year. If such tax return is unavailable, HACSM will use gross receipts from the business or self-employment as income in determining the subsidy amount. Verification of gross receipts may be income reports or written confirmation from the payor. Print-outs generated from the payor's website are acceptable. As a last resort, family self-certification is acceptable with HACSM supervisor approval.

Social Security/SSI Benefits

To verify the SS/SSI benefits of applicants, the family will be required to provide a current SSA benefit verification letter for each family member that receives SS/SSI benefits.

To verify the SS/SSI benefits of participants, HACSM will obtain information about SS/SSI benefits through the EIV System. If complete benefit information is not available in HUD systems, the family will be required to provide a current SSA benefit verification letter for each family member that receives SS/SSI, or as indicated by HACSM.

Alimony or Child Support

If the family declares that it **receives regular payments** for alimony or child support, HACSM will use *at least one* of the following:

- Copy of the latest checks and/or payment stubs from the family or copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules
- If payments are made through a state or local entity, HACSM will request a historical record of payments and request that the entity disclose any known information about the likelihood of future payments
- If payments are paid by a former spouse/absent parent, obtain third-party verification from the person paying the support.

- Family's self-certification of amount received and of the likelihood of support payments being received in the future.

If a family receives amounts for alimony and/or child support that differ from the court-awarded amount (i.e. partial payments, arrears payments), HACSM will use the actual amount received by the family if there is verification of the payment(s) being made consistently and it appears the payments are anticipated to continue.

If the family declares that it **receives irregular or no payments**, the family will be required to certify that support payments are not being received. HACSM may request further verification that the family does not receive support payments.

Income from Excluded Sources

HACSM will not verify, count, or report income that is 100% excluded from the income calculation process on Form HUD-50058 MTW (see Chapter 7 or Definitions chapter for further detail on eligible income exclusions).

Zero Income Status

HACSM will check the EIV system and may request information from third-party sources to verify that certain forms of income such as unemployment benefits, TANF, SS, SSI and earnings are not being received by families claiming to have zero income.

HACSM will conduct reviews with families claiming zero income every 120 days from the last effective date of action.

Student Financial Assistance

Any financial assistance, in excess of amounts received for tuition, that a person attending an institution of higher education receives under the Higher Education Act of 1965, from private sources, or from an institution of higher education must be considered income unless the student is over the age of 23 with dependent children or is residing with parents who are seeking or receiving HCV assistance.

For students subject to having a portion of their student financial assistance included in annual income, HACSM will require the family to provide verification of both the source and the amount from the educational institution attended by the student as well as from any other person or entity providing such assistance, as reported by the student. In addition, HACSM will request verification of the student's tuition amount.

If HACSM is unable to obtain acceptable verification of the requested information, it will pursue other forms of verification (i.e. third-party).

For students over the age of 23 with dependent children or students residing with parents who are seeking or receiving HCV assistance, the full amount of student financial assistance is excluded from annual income. The full amount of student financial assistance is also excluded for students attending schools that do not qualify as institutions of higher education. Excluded amounts are verified only if, without

verification, the HACSM would not be able to determine whether or to what extent the income is to be excluded.

IX. VERIFYING ASSETS

HACSM will review and use family-provided documents when the total value of assets is \$50,000 and less. Documentation for assets \$50,000 and less includes, but is not necessarily limited to, current statements and online printouts from the financial institution. Any documentation must contain an identifier (i.e. name, address) linking the statement or printout to the household member(s), an ending balance, and the documentation must be current (i.e. within 180 days of interview date).

If the total assets is over \$50,000, after excluding any retirement accounts, all asset accounts will require third-party verification. If third-party verification is not returned or not available, HACSM will accept family-provided documents.

HACSM will accept a self-certification from a family as verification of assets disposed of for less than fair market value.

Net Income from Rental Property

When the family reports receiving income from rental property, the family must provide the following:

- A current executed lease for the property that shows the rental amount or certification from the current tenant; and
- A self-certification from the family members engaged in the rental of property providing an estimate of expenses for the coming year and the most recent IRS Form 1040 Schedule E (Rental Income). If Schedule E was not prepared, the HACSM will require the family members involved in the rental property to provide a self-certification of income and expenses for the previous year and may request documentation to support the statement including: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.

Retirement Accounts

HACSM will accept original copies of documents from the financial entity supplied by the family as evidence of the status of retirement accounts.

The type of original document that will be accepted depends upon the family member's retirement status:

- *Before retirement*, HACSM will accept an original document from the entity holding the account dated within six months of submission.
- *Upon retirement*, HACSM will accept an original document from the entity holding the account that reflects any distributions of the account balance, any lump sums taken and any regular payments.
- *After retirement*, HACSM will accept an original document from the entity holding the account dated no earlier than 12 months before that reflects any distributions of the account balance, any lump sums taken and any regular payments.

X. VERIFYING DEDUCTIONS

HACSM will only verify that the family members identified as dependents or elderly/disabled persons meet the definitions. No further verifications are required.

Dependent Deduction

- Any person under the age of 18 for whom the dependent deduction is claimed is not the head, spouse, or co-head of the family
- Any person age 18 or older for whom the dependent deduction is claimed is not a live-in aide and is a person with a disability or a full time student less than 24 years of age.

Elderly/Disabled Family Deduction

HACSM will verify that the head, spouse, or co-head is 62 years of age or older or a person with disabilities.

Medical Expenses Deduction

HACSM will verify that:

- The household is eligible for the deduction.
- The costs to be deducted are qualified medical expenses (determined by HACSM).
- The expenses are not paid for or reimbursed by any other source.
- Costs incurred in past years are counted only once.

Medical expenses will be verified through the following method:

- Copies of cancelled checks used to make medical expense payments and/or printouts or receipts from the source. HACSM will include all eligible expenses incurred and paid within the 12 months prior to the current recertification in its calculation without trying to determine if the expense is anticipated to continue or not. However, if the family can provide credible verification that proves a medical expense is on-going in nature, such as monthly payments toward a medical bill or medical premium, HACSM will accept evidence of monthly payments or ongoing payments incurred in previous years that will be paid during the upcoming 12 months.

HACSM may also randomly select cases to request third-party verification as a means of ensuring accurate reporting from families while not unduly slowing the initial and continued eligibility processes.

If the family is unable to provide proof of expense listed under Section X within the timeframe given by HACSM, or the information provided is incomplete, HACSM shall calculate the family's annual adjusted income without the deduction. In the event the family submits proof of expense after the interim or recertification is completed and made effective, HACSM shall adjust the tenant portion of rent, if any, effective at least 30 days from the first of the month following receipt of proof of expense. In any event, HACSM shall not consider any expense if proof of expense is submitted 60 days after the effective date of the interim or recertification.

Disability Assistance (Expenses) Deduction

HACSM will verify that:

- The family member for whom the expense is incurred is a person with disabilities
- The expense permits a family member, or members, to work
- The expense is not reimbursed from another source

Attendant Care

Expenses for attendant care will be verified through the following method:

- Copies of cancelled checks used to make attendant care payments and/or receipts from care source. The family will be required to provide at least three current and consecutive cancelled checks and/or receipts

HACSM may also randomly select cases to request third-party verification as a means of ensuring accurate reporting from families while not unduly slowing the initial and continued eligibility processes.

Auxiliary Apparatus

Expenses for auxiliary apparatus will be verified through the following method:

- Billing statements for purchase of auxiliary apparatus, or other evidence of monthly payments or total payments that will be due for the apparatus during the upcoming 12 months

If the family is unable to provide proof of expense listed under Section X within the timeframe given by HACSM, or the information provided is incomplete, HACSM shall calculate the family's annual adjusted income without the deduction. In the event the family submits proof of expense after the interim or recertification is completed and made effective, HACSM shall adjust the tenant portion of rent, if any, effective at least 30 days from the first of the month following receipt of proof of expense. In any event, HACSM shall not consider any expense if proof of expense is submitted 60 days after the effective date of the interim or recertification.

Child Care Expenses Deduction:

HACSM will verify that:

- The child is eligible for care. To be eligible for the child care deduction, the costs must be incurred for the care of a child 12 years or younger.
- The costs claimed are not reimbursed by another source.
- The costs enable a family member who is either a parent or legal guardian of the child (Qualified Member) to work, actively seek work, or further his or her education and only to the extent such amounts are not reimbursed.
- The child care expenses do not include payments for care made to a parent of the child or someone who has a legal obligation to the child.
- The costs are reasonable (based on typical costs in the area). In evaluating child care expenses, HACSM will consider factors such as how the schedule for the

claimed activity relates to the hours of care provided and/or the time required for transportation.

If the family presents a justification for costs that exceed typical costs in the area, HACSM will request additional documentation from the family, as required, to support a determination that the higher cost is appropriate.

Expenses for child care will be verified through HACSM-provided certification form plus copies of cancelled checks used to make child care payments and/or receipts from child care source. The family will be required to provide at least three current and consecutive cancelled checks and/or receipts.

To reduce cases of over-reporting child care expenses and potential fraud, HACSM may require participating families to provide copies of their Federal and/or State tax return, if available, for proof of child care expenses claimed.

HACSM may also randomly select cases to request third-party verification as a means of ensuring accurate reporting from families while not unduly slowing the initial and continued eligibility processes.

If the family is unable to provide proof of expense listed under Section X within the timeframe given by HACSM, or the information provided is incomplete, HACSM shall calculate the family's annual adjusted income without the deduction. In the event the family submits proof of expense after the interim or recertification is completed and made effective, HACSM shall adjust the tenant portion of rent, if any, effective at least 30 days from the first of the month following receipt of proof of expense. In any event, HACSM shall not consider any expense if proof of expense is submitted 60 days after the effective date of the interim or recertification.

Chapter 7

COMPUTATION OF ANNUAL INCOME, SUBSIDY AND FAMILY SHARE

MTW Waiver: *The Agency is authorized to adopt and implement any reasonable policy to establish payment standards, rents or subsidy levels for tenant-based assistance that differ from the currently mandated program requirements in the 1937 Act and its implementing regulations. The Agency is authorized to adopt and implement any reasonable policies to calculate the tenant portion of the rent that differ from the currently mandated program requirements in the 1937 Act and its implementing regulations. This authorization waives certain provisions of Section 8(o)(1), 8(o)(2), 8(o)(3), 8(o)(10) and 8(o)(13)(H)-(I) of the 1937 Act and 24 CFR 982.508, 982.503 and 982.518, as necessary to implement the Agency's MTW Plan.*

I. INTRODUCTION

A family's income determines eligibility for assistance and is also used to calculate the family's payment and HACSM's subsidy. Once annual income has been established, HACSM may subtract from annual income any of five deductions for which a family qualifies. Based on the adjusted annual income, HACSM will determine its subsidy payment on behalf of the family.

II. ANNUAL INCOME

Annual income is the total income from all sources received by the family, including: the head of household, co-head and/or spouse/partner, each additional member of the family, and all net income derived from assets exclusive of income that is temporary, non-recurring or sporadic, and exclusive of certain other types of income (described later in this section).

HACSM may use either actual past income or projected future income for purposes of calculating annual income.

For school employees who are not paid during summer recess, HACSM will consider the actual wages earned during the school year, usually 9-10 months, as annual income. At the same time, HACSM will not process interims for these families when their earnings from school stop during the summer months.

For other seasonal employees (i.e. roofers, stadium concession/vendor employees), HACSM will consider the actual wages earned during the season as annual income. HACSM will not process interims for these families when their earnings from seasonal employment stop during the off-season.

Annual Income **includes**, but is not limited to:

- The full (gross) amount, before any payroll deductions, of wages and salaries, overtime pay, commission fees, tips and bonuses, and other compensation for personal services.
- All regular pay, special pay and allowances of a member of the Armed Forces **except** for the special pay to a family member serving in the Armed Forces who is exposed to hostile fire.
- The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service (IRS) regulations (Publication 535). Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family.

If the net income from a business is negative, no business income will be included in annual income; a negative amount will not be used to offset other family income.

If a business is co-owned with someone outside the family, the family must document the share of the business it owns. If the family's share of the income is lower than its share of ownership, the family must document the reasons for the difference.

To determine business expenses that may be deducted from gross income, HACSM will use current applicable IRS rules (see IRS Publication 535) for determining allowable business expenses, unless a topic is addressed by HUD regulations or guidance as described below:

- HUD regulations do not permit deductions from gross income for business expansion.
- HUD regulations do not permit deductions from gross income for the amortization of capital indebtedness.
- Interest and dividends from assets and other net income of any kind from real and personal property totaling \$50,000 and above.

For total assets that exceed \$50,000, HACSM will include as income the *actual* income anticipated to be derived from the assets.

Asset Limits: Current participants will be determined ineligible for the program if they have experienced an increase in assets, valuing more than \$100,000 in additional assets, or have gained ownership interest in a suitable home in

which they have a legal right to reside unless the family is making a good faith effort to sell the home and the subsequent proceeds are within the aforementioned net asset limit.

A 'suitable home' is defined as a single-family dwelling, duplex (includes triplex, etc.), condominium, townhome, mobile and manufactured homes.

Excluded from assets, for the purpose of asset limits, are interests in Indian trust land, equity accounts in HUD homeownership or FSS programs, certain inaccessible trust funds, retirement accounts that are codified by IRS (e.g. IRAs, Roth IRAs, 401(k), 403(b), and 457 plans), settlements or awards due to actions that resulted in the serious disability of a household member, tax-protected education savings accounts, and personal property not of significant value.

- Payments that are received in a single lump sum, such as inheritances, capital gains, lottery winnings, insurance settlements, and proceeds from the sale of property, are generally considered assets, not income. However, such lump-sum receipts are counted as assets only if they are retained by a family in a form recognizable as an asset (e.g. deposited in a savings or checking account).
- Periodic payments from sources such as social security, unemployment and welfare assistance, annuities, insurance policies, retirement funds, and pensions. However, periodic payments from retirement accounts, annuities, and similar forms of investments are counted only after they exceed the amount contributed by the family.
- Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay, if they are received either in the form of periodic payments or in the form of a lump-sum amount or prospective monthly amounts for the delayed start of a periodic payment. If they are received in a one-time lump sum (as a settlement, for instance), they are treated as lump-sum receipts.
- Disability or death benefits and lottery receipts paid periodically, rather than in a single lump sum.
- Most lump-sums received because of delays in processing periodic payments, such as unemployment or welfare assistance, are counted as income. However, lump-sum receipts for the delayed start of periodic social security or supplemental security income (SSI) payments are not counted as income.

Additionally, any deferred disability benefits that are received in a lump-sum or in prospective monthly amounts from the Department of Veterans Affairs are to be excluded from annual income.

HACSM will make a special calculation of annual income when the Social Security Administration (SSA) overpays an individual, resulting in a withholding or deduction from his or her benefit amount until the overpayment is paid in full. The amount and duration of the withholding will vary depending on the amount of the overpayment and the percent of the benefit rate withheld. Regardless of the amount withheld or the length of the withholding period, HACSM will use the reduced benefit amount after deducting only the amount of the overpayment withholding from the gross benefit amount.

- Welfare assistance, including any amount being deducted from the family's income because of fraud or failure to participate in economic self-sufficiency programs or comply with work activities.
- Periodic and determinable allowance, such as alimony and child support payments. HACSM will count court-awarded amounts for alimony and child support unless the HACSM verifies that (1) the payments are not being made and (2) the family has made reasonable efforts to collect amounts due, including filing with courts or agencies responsible for enforcing payments.

Families who do not have court-awarded alimony and child support awards are not required to seek a court award and are not required to take independent legal action to obtain collection.

If a family receives amounts for alimony and/or child support that differ from the court-awarded amount (i.e. partial payments, arrears payments), the HACSM will use the actual amount received by the family if there is verification of the payment(s) being made consistently and they are anticipated to continue.

- Regular contributions and gifts received from persons not residing in the dwelling.

Examples of regular contributions and gifts include: (1) regular payment of a family's bills (e.g., utilities, telephone, rent, credit cards, and car payments), (2) cash or other liquid assets provided to any family member on a regular basis, and (3) "in-kind" contributions such as groceries and clothing provided to a family on a regular basis.

- Income, including wages/earnings, for each full-time student 24 years or older.
- Student Financial Assistance. The inclusion of certain student financial assistance applies only to students who satisfy all of the following conditions:
 - They are enrolled in an institution of higher education, as defined under the Higher Education Act (HEA) of 1965.
 - They are seeking or receiving Section 8 assistance on their own—that is, apart from their parents—through the HCV program, the project-based voucher program, or the moderate rehabilitation program.
 - They are under 24 years of age **OR** they have no dependent children.

For students who satisfy these three conditions, any financial assistance in excess of tuition received: (1) under the 1965 HEA, (2) from a private source, or (3) from an institution of higher education, as defined under the 1965 HEA, must be included in annual income.

- The income of family members approved to live in the unit will be counted, even if the family member is temporarily absent from the unit.

Generally, an individual who is expected to be absent from the assisted unit for 90 consecutive days *or less* is considered temporarily absent and continues to be considered a family member.

- Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the assisted family, who are unable to live alone).

HACSM will include payments for the care of foster children and foster adults only if the care is provided through an official arrangement with a local welfare agency. In addition, HACSM will include in annual income payments received from Kin-GAP (Kinship Guardian Assistance Payments - payments for foster care under California law).

- Adoption assistance payments.

Annual income **does not** include:

- Non-recurring income, such as casual, sporadic or irregular gifts. Sporadic income includes temporary payments from the U.S. Census Bureau for employment lasting no longer than 180 days [Notice PIH 2009-19].

Sporadic income is income that is not received periodically and cannot be reliably predicted. For example, the income of an individual who works occasionally as a handyman would be considered sporadic if future work could not be anticipated and no historic, stable pattern of income existed.

- Income received from assets valued at less than \$50,000.
- Income received from retirement accounts that are codified by the IRS such as IRAs, Roth IRAs, 401(k)s, 403(b)s, and 457 plans.
- Lump-sums or prospective monthly amounts received as deferred disability benefits from the Department of Veterans Affairs.
- Lump-sums received as a result of delays in processing Social Security and SSI payments.
- Employment income earned by children (including foster children) under the age of 18 years.

- Earnings (wages) in excess of \$480 for each full-time student under 24 years old (except for the head, spouse, or co-head).

For a family member, other than the head, co-head, or spouse to qualify for the full-time student (FTS) status, and hence the \$480 dependent deduction and earned income exclusion, the family member must be a FTS at an accredited institution, and they must provide a transcript of their FTS status at all subsequent recertification appointments.

If documentation is not provided or cannot be confirmed, HACSM will include wage income in its calculation process and the family member will not receive the \$480 dependent deduction.

- Income earned by a live-in aide.
- Amounts received under a resident services stipend are not included in annual income. A resident service stipend is a modest amount (not to exceed \$200 per individual per month) received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the PHA's governing board. No resident may receive more than one such stipend during the same period of time.
- Any student financial assistance not subject to inclusion under 24 CFR 5.609(b)(9) is fully excluded from annual income under 24 CFR 5.609(c)(6), whether it is paid directly to the student or to the educational institution the student is attending. This includes any financial assistance received by:
 1. Students residing with parents who are seeking or receiving Section 8 assistance
 2. Students who are enrolled in an educational institution that does not meet the 1965 HEA definition of *institution of higher education*
 3. Students who are over 23 AND have at least one dependent child
 4. Students who are receiving financial assistance through a governmental program not authorized under the 1965 HEA.
- Other exclusions contained in 24 CFR 5.609(c), 5.609(c)(17) and updated by FR Notice 5/20/14:
 - a) Reimbursement of medical expenses
 - b) Amounts received by participants in other publicly assisted programs which are specifically for or in reimbursement for out-of-pocket

expenses incurred and which are made solely to allow participation in a specific program

- c) Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS) [(24 CFR 5.609(c)(8)(ii)]
- d) Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era [24 CFR 5.609(c)(10)]
- e) Refunds or rebates on property taxes paid on the dwelling unit
- f) Amounts paid by a state agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep that family member at home.
- g) The value of the allotment provided to an eligible household for coupons under the Food Stamp Act of 1977 (7 U.S.C. 2011-2029).
- h) Benefits under Section 1780 of the School Lunch Act and Child Nutrition Act of 1966, including WIC
- i) Payments to volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058)
- j) Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c))
- k) Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e)
- l) Amounts received under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f))
- m) Allowances, earnings, and payments to participants in programs funded under the Workforce Investment Act of 1998 (29 U.S.C. 2931)
- n) Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub. L. 94-540, 90 Stat. 2503-04)
- o) Payments, funds, or distributions authorized, established, or directed by the Seneca Nation Settlement Act of 1990 (25 U.S.C. 1774f(b))
- p) A lump sum or periodic payment received by an individual Indian pursuant to the Class Action Settlement Agreement in the United States District Court case entitled *Elouise Cobell et al. v. Ken Salazar*

et al., for a period of one year from the time of receipt of that payment as provided in the Claims Resolution Act of 2010.

- q) The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U. S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first \$2,000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407-1408)
- r) Benefits under the Indian Veterans Housing Opportunity Act of 2010 (only applies to Native American housing programs)
- s) Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f))
- t) Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in *In Re Agent-Orange* product liability litigation, M.D.L. No. 381 (E.D.N.Y.)
- u) Payments received under 38 U.S.C. 1833(c) to children of Vietnam veterans born with spinal bifida, children of women Vietnam veterans born with certain birth defects, and children of certain Korean service veterans born with spinal bifida
- v) Payments received under the Maine Indian Claims Settlement Act of 1980 (25 U.S.C. 1721)
- w) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q)
- x) Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j))
- y) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (Pub. L. 95-433)
- z) Amounts of scholarships funded under Title IV of the Higher Education Act of 1965, including awards under federal work-study programs or under the Bureau of Indian Affairs student assistant programs (20 U.S.C. 1087uu). For Section 8 programs, the exception found in § 237 of Public Law 109-249 applies and requires that the amount of financial assistance in excess of tuition and mandatory fees shall be considered income in accordance with the provisions codified at 24 CFR 5.609(b)(9), except for those persons with disabilities as defined by 42 U.S.C. 1437a(b)(3)(E) (Pub. L. 109-249)

- aa) Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 [42 U.S.C. 12637(d)]
- bb) Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (42 U.S.C. 10602).
- cc) Any amounts in an “individual development account” as provided the Assets for Independence Act, as amended in 2002
- dd) Payments made from the proceeds of Indian tribal trust cases as described in Notice PIH 2013-30, “Exclusion from Income of Payments under Recent Tribal Trust Settlements” [24 U.S.C. 117b(a)]
- ee) Major disaster and emergency assistance received under the Robert T. Stafford Disaster Relief and Emergency Assistance Act and comparable disaster assistance provided by states, local governments, and disaster assistance organizations.

Income from Excluded Sources

Generally, HACSM will not collect, verify, count or report income that is excluded from the income calculation process on Form HUD-50058 MTW.

For excluded asset income for households with assets valued at less than \$50,000, HACSM will continue to collect applicant and tenant-provided documentation regarding assets of all family members; however, if total assets of the family are valued at less than \$50,000 based on the provided documentation, HACSM will no longer calculate asset income in the family’s total annual income.

III. DETERMINING ANNUAL ADJUSTED INCOME

Dependent Deduction

An allowance of \$480 is deducted from annual income for each dependent. A *dependent* is defined as any family member other than the head, spouse, or co-head who is under the age of 18 or who is 18 or older and is a person with disabilities or a full-time student under the age of 24 years old, foster children, foster adults, and children who have been adopted. Live-in aides and any children that may reside with them are never considered dependents.

Elderly or Disabled Family Deduction

A single deduction of \$400 is taken for any elderly or disabled family. An *elderly family* is a family whose head, spouse, co-head, or sole member is 62 years of age

or older, and a *disabled family* is a family whose head, spouse, co-head, or sole member is a person with disabilities.

Medical Expenses Deduction

The medical expense deduction is permitted only for families in which the head, spouse, or co-head is at least 62 or is a person with disabilities. If a family is eligible for a medical expense deduction, the medical expenses of all family members are counted.

Unreimbursed medical expenses, in combination with any disability assistance expenses in excess of three percent, of annual income will be deducted.

HACSM will include all eligible expenses in its calculation without trying to determine if the expense is anticipated to continue or not; however, HACSM will accept evidence of monthly or ongoing payments incurred in previous years that will be paid during the upcoming 12 months.

The most current IRS Publication 502, *Medical and Dental Expenses*, will be used to determine the costs that qualify as medical expenses.

Disability Assistance Expenses Deduction

Reasonable expenses for attendant care and auxiliary apparatus for a disabled family member may be deducted if they: (1) are necessary to enable a family member 18 years or older to work, (2) are not paid to a family member or reimbursed by an outside source, (3) in combination with any medical expenses, exceed three percent of annual income, and (4) do not exceed the earned income received by the family member who is enabled to work.

Earned Income Limit on the Disability Assistance Expense Deduction

A family can qualify for the disability assistance expense deduction only if at least one family member (who may be the person with disabilities) is enabled to work.

The disability expense deduction is capped by the amount of “earned income received by family members who are 18 years of age or older and who are able to work” because of the expense. The earned income used for this purpose is the amount verified before any earned income disallowances or income exclusions are applied.

The family must identify the family members enabled to work as a result of the disability assistance expenses. In evaluating the family’s request, the HACSM will consider factors such as how the work schedule of the relevant family members relates to the hours of care provided, the time required for transportation, the relationship of the family members to the person with disabilities, and any special needs of the person with disabilities that might determine which family members are enabled to work.

When HACSM determines that the disability assistance expenses enable more than one family member to work, the expenses will be capped by the sum of the family members’ incomes.

Eligible Disability Expenses

Examples of auxiliary apparatus are as follows: items such as wheelchairs, ramps, adaptations to vehicles, or special equipment to enable a blind person to read or type, but only if these items are directly related to permitting the disabled person or other family member to work.

Eligible Auxiliary Apparatus

Expenses incurred for maintaining or repairing an auxiliary apparatus are eligible. In the case of an apparatus that is specially adapted to accommodate a person with disabilities (e.g., a vehicle or computer), the cost to maintain the special adaptations (but not maintenance of the apparatus itself) is an eligible expense.

The cost of service animals trained to give assistance to persons with disabilities, including the cost of acquiring the animal, veterinary care, food, grooming, and other continuing costs of care, may be included. The amount deducted shall reflect reasonable charges for such costs and care.

Eligible Attendant Care

The family determines the type of attendant care that is appropriate for the person with disabilities.

Attendant care includes, but is not limited to, reasonable costs for home medical care, nursing services, in-home or center-based care services, interpreters for persons with hearing impairments, and readers for persons with visual disabilities.

Attendant care expenses will be included for the period that the person enabled to work is employed plus reasonable transportation time. The cost of general housekeeping and personal services is not an eligible attendant care expense. However, if the person enabled to work is the person with disabilities, personal services necessary to enable the person with disabilities to work are eligible.

If the care attendant also provides other services to the family, the HACSM will prorate the cost and allow only that portion of the expenses attributable to attendant care that enables a family member to work. For example, if the care provider also cares for a child who is not the person with disabilities, the cost of care must be prorated. Unless otherwise specified by the care provider, the calculation will be based upon the number of hours spent in each activity and/or the number of persons under care.

Payments to Family Members

No disability assistance expenses will be deducted for payments to a member of an assisted family. However, expenses paid to a relative who is not a member of the assisted family may be deducted if they are not reimbursed by an outside source.

Necessary and Reasonable Expenses

The family determines the type of care or auxiliary apparatus to be provided and must describe how the expenses enable a family member to work. The family must

certify that the disability assistance expenses are necessary and are not paid or reimbursed by any other source. If HACSM deems the expense is not reasonable or the total amount claimed is disproportionate to the family income, HACSM may require further verification or ask the family to provide a detailed budget to substantiate how the household expenses, including medical expenses, are paid.

Families That Qualify for Both Medical and Disability Assistance Expenses

This policy applies only to families in which the head or spouse is 62 or older or is a person with disabilities.

When expenses anticipated by a family could be defined as either medical or disability assistance expenses, HACSM will consider them medical expenses unless it is clear that the expenses are incurred exclusively to enable a person with disabilities to work.

Child Care Expense Deduction

HACSM defines *child care expenses* as amounts anticipated to be paid by the family for the care of children 12 years of age and under during the period for which annual income is computed, but only where such care is necessary to enable the parent(s) or legal guardian of the child(ren) (Qualified Member) to work, seek work, or go to school (furthering education), and only to the extent such amounts are not reimbursed.

The amount deducted shall reflect reasonable charges for child care. The maximum allowable child care deduction is the lesser of the actual expense or 50% of the gross earnings or net earnings from self-employment of the Qualified Member:

- If only one parent is in the subsidized household, the maximum child care expense deduction is 50% of the parent's gross earned income.
- If both parents are in the subsidized household, the 50% gross earnings cap will be based on the lower of the two earnings from the parents.

In evaluating child care expenses, HACSM will consider factors such as how the schedule for the claimed activity relates to the hours of care provided and the time required for transportation.

Child care expenses do not include child support payments made to another on behalf of a minor who is not living in an assisted family's household. However, child care expenses for foster children that are living in the assisted family's household are included when determining the family's child care expenses.

Payments for care are not eligible as child care deduction if paid to the non-custodial parent or legal guardian of the child. Child care expenses do not include payments for care made to any household members, a parent of the child, or someone who has a legal obligation to the child.

Work (Employment)

If the childcare expense being claimed is to enable a family member who is a Qualified Member to work, the family must provide evidence of the Qualified Member's employment during the time that child care is being provided. Employment is any legal work activity (full- or part-time) for which a family member is compensated. The amount deducted shall not exceed 50% of the annual gross earned income of the lower paid Qualified Member.

Seek Work

If the childcare expense being claimed is to enable a family member who is a Qualified Member to seek employment, the family will be required to provide evidence of the Qualified Member's efforts to obtain employment at each reexamination. HACSM will allow the lesser of \$5,000 or the actual expense paid per year per qualifying child for a parent or guardian who lost employment and is seeking work.

The maximum period for such child care deduction under "Seek Work" is 12 months, beginning from the effective date of HACSM approval.

Furthering Education

If the child care expense being claimed is to enable a Qualified Member to further his or her education, the Qualified Member must be enrolled in an accredited school (academic or vocational) or participating in a formal training program. The family member is not required to be a full-time student, but the time spent in educational activities must be commensurate with the child care claimed. One parent may be considered as having earnings if the parent is a full-time student or a person with disabilities that inhibits the parent to care for the child. In this case, the earnings will be based on the working parent. The maximum allowable child care deduction for a parent or guardian who has no earnings but attends school full time will be the lesser of the actual expense paid or \$5000 per year per qualifying child.

Eligible Child Care Expenses

The type of care to be provided is determined by the assisted family; however, child care expenses paid to a family member who lives in the family's unit are not eligible and child care expenses paid to the legal parent not living in the assisted household (non-custodial parent; absent parent) are not eligible. Payments for child care to relatives who do not live in the unit are eligible.

For school-age children, costs attributable to public or private school activities during standard school hours are not considered. Expenses incurred for supervised activities after school or during school holidays (e.g., summer day camp, after-school sports league) are allowable forms of child care.

The costs of general housekeeping and personal services are not eligible as child care expenses.

Necessary and Reasonable Costs

Child care expenses will be considered necessary if: (1) a family adequately explains how the care enables a family member to work, actively seek employment, or further his or her education, and (2) the family certifies the services and that the expenses are not paid or reimbursed by any other source, and (3) the family provides supporting documents that are from credible and established sources such as day care invoices, receipts or written statements from the child care provider.

If the HACSM deems the expense is not reasonable or the total amount claimed is disproportionate to the family income, HACSM may require further verification or ask the family to provide a detailed budget to substantiate how the household expenses, including child care expenses, are paid.

IV. DETERMINING HACSM SUBSIDY AND FAMILY SHARE

HACSM Subsidy

HACSM will calculate the family's adjusted annual income by subtracting all allowable deductions from all reported income. Based on the family's adjusted annual income and eligible voucher size or unit size (whichever is smaller), HACSM will assign a monthly fixed subsidy amount from its established Tiered Subsidy Table (TST).

In any event, the maximum subsidy HACSM will pay on behalf of a family is the lesser of the fixed subsidy amount or the rent to owner (contract rent) minus \$100.00.

For purposes of the above calculation method, HACSM no longer utilizes payment standards or utility allowances in its calculation for the applicable programs.

Family Share

Generally, the family share of rent will be the difference between HACSM's fixed subsidy amount from the TST and the rent to owner (contract rent).

The maximum subsidy HACSM will pay on behalf of a family is the lesser of the fixed subsidy amount or the rent to owner (contract rent) minus \$100.00. As a result of this calculation method, the family share of rent shall not be less than \$100.00.

Regardless of whether a family chooses a unit size smaller or larger than their eligible family unit (voucher) size, HACSM will apply the subsidy based on the smaller amount. For example, if a family qualifies for a two-bedroom voucher and rents a three-bedroom unit, HACSM's subsidy will be based on the two-bedroom voucher size. Similarly, if a family qualifies for a two-bedroom voucher and rents a one-bedroom unit, HACSM's subsidy will be based on the one-bedroom voucher.

Families can pay more than 40% of their annual adjusted income toward their portion of the rent to owner (contract rent) at initial move-in and relocation. During the move-in process for both new admissions and relocations, HACSM will continue to ensure that the rent to owner (contract rent) is reasonable for the potential unit. If a family chooses to pay more than 40% of their adjusted annual income, HACSM will review the tenant portion with the family. HACSM may deny a unit if the tenant portion of rent is disproportionately high in comparison to the family income.

Prorated Assistance for Mixed Families

HUD regulations prohibit assistance to ineligible family members. A *mixed family* is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible family members. HACSM will first determine assistance as if all family members were eligible and then apply a standard amount of \$150 per ineligible family member. For example, if HACSM subsidy for a family of four is calculated at \$1000 and two of the four family members are ineligible, HACSM subsidy would be reduced to \$700 ($\$150 \times 2 = \300 then $\$1000$ minus $\$300 = \700).

Subsidy Calculation Using HUD Standards

HACSM may use HUD standard methodology in calculating maximum subsidy. When HUD standard methodology is used, HACSM will follow HUD regulation in its entirety, and the application of such methodology will not be based on individual circumstances. For example, HACSM may calculate subsidy for program participants residing at Project-Based properties using the Total Tenant Payment methodology in accordance with Housing Choice Voucher and Project-Based rules.

Chapter 8
HOUSING QUALITY STANDARDS AND
RENT REASONABLENESS DETERMINATIONS

MTW Waiver: The Agency is authorized to certify that housing assisted under MTW will meet housing quality standards established or approved by HUD. The certification form will be approved or provided by HUD. This authorization waives certain provisions of Section 8(o)(8) of the 1937 Act and 24 CFR 982, Subpart I as necessary to implement the Agency's Annual MTW Plan.

I. INTRODUCTION

HUD requires that all units occupied by families receiving Voucher assistance meet HUD's Housing Quality Standards (HQS) and permits the PHA to establish additional requirements. The use of the term "HQS" in this plan refers to the combination of both HUD and HACSM-established requirements.

All units must pass an HQS inspection prior to the approval of a lease and at least once every 24 months (biennially) during the term of the contract, and at other times as needed, to determine that the unit meets HQS.

HUD also requires PHAs to determine that rents for units under the program are reasonable when compared to comparable unassisted units in the market area.

II. GENERAL HUD REQUIREMENTS

HUD's performance and acceptability standards for Voucher assisted housing are provided in 24 CFR 982.401. These standards cover the following areas:

- Sanitary facilities
- Food preparation and refuse disposal
- Space and Security
- Thermal Environment
- Illumination and electricity
- Structure and materials
- Interior Air Quality
- Water Supply
- Lead-based paint
- Access
- Site and neighborhood
- Sanitary condition
- Smoke Detectors

HUD requires the PHA to enforce minimum HQS but also recognizes that certain judgements about the acceptability of the unit are left to the family. For example, HACSM will ensure that the unit contains the required sanitary facilities, but the family decides whether the cosmetic appearance of the facilities is acceptable.

Additional guidance on HQS requirements is found in the following HUD resources:

- Housing Choice Voucher Guidebook, Chapter 10.
- HUD Housing Inspection Manual for Section 8 Housing
- HUD Inspection Form, form HUD-52580 (3/01) and Inspection Checklist, form HUD-52580-A (9/00)
- HUD Notice 2003-31, Accessibility Notice: Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; the Architectural Barriers Act of 1968 and the Fair Housing Act of 1988.

III. HACSM REQUIREMENTS

In addition to meeting HQS performance and acceptability standards, the unit must also meet the following requirements adopted by HACSM:

Windows

- If window security bars or security screens are present on the only emergency exit window(s), they must be equipped with a quick release system. The owner is responsible for ensuring that the family is instructed on the use of the quick release system.

Doors

- All exterior doors must be weather-tight to avoid any air or water infiltration, be lockable, have no holes, have all trim intact, and have a threshold.
- All interior doors must be in adequate condition and have all trim intact.
- Each main swinging entry door of a dwelling unit must have an operable single cylinder dead bolt lock in accordance with State law requirements. These doors include any exterior door, which will allow access to the unit (front door, back door, the door from the unit to the garage and any doors that allow direct access to the unit).
- Exterior and interior doors cannot have double key dead bolt locks. Exceptions may be approved by HACSM on a case by case basis, provided that all of the following criteria are met:
 - All household members are over 18 years old
 - Keys to the door lock are visible, readily and easily accessible.
 - A written statement from the head of household attesting that having double key dead bolt locks is the tenant's choice.

Water Heaters

- Water heaters must be braced, anchored, or strapped to resist falling or displacement due to earthquake motion.
- Discharge pipes must be directed towards the floor or outside of the living area.

- Discharge pipes must be made of rigid pipe material (not garden hose or thin plastic pipe).

Thermostat

- The thermostat must be in the subsidized unit and accessible to the family.

Bedrooms

- Any room used for sleeping must have at least one openable window.
- Closets are required in bedrooms.
- Bedrooms must not be less than 70 square feet and not less than 7 feet in any dimension.

Fences

- For safety reasons, owners may be requested to repair or remove a fence if it is on the owner's property and/or the owner's responsibility.

Pools

- Pools, if present, should not be empty or create unsafe conditions for the family.

Fire Extinguishers (in multi-unit buildings and/or common areas)

- Fire extinguishers must be in proper working order with current tags from the local Fire Department or a licensed, certified company. Extinguishers must be fully charged (as evidenced by indicator in "green" zone), in an intact casing (if applicable), and rust-free.

Elevators

- Elevators must be working and have current permit displayed in the elevator unit. If the permit is expired, the owner must provide proof of a scheduled appointment with the permitting agency or proof of current documentation submitted to the permitting agency to obtain permit (new or renewal).

Light Fixture Covers

- Light fixture covers (globes) are not required on permanent light fixtures (including exterior lights), as long as the fixture is firmly supported and there is no hazardous wiring such as frayed or noninsulated wiring, or improper connections.

Garages

- Owners are not allowed to store their items in the garage (or the unit). If during the lease negotiation, the use of the garage is clearly reserved for the owner and such an arrangement is accepted by the tenant, HACSM may approve an exception to this rule provided:

- A written acknowledgement is provided by the owner permitting HACSM to conduct annual or interim HQS inspections for the entire dwelling, including the garage; and
- The exclusion of the garage is stated in the lease agreement; and
- The contract rent is adjusted to reflect the exclusion of the garage.

Structural Modifications (includes In-law units and Garage Conversions)

- Structural modifications to the unit such as subdividing the unit into two separate units must meet HQS requirements.

Upon request, HACSM may inspect the entire dwelling when such inspection is necessary to ensure HQS compliance.

Room Additions (basements, attics or garage conversions)

- Rooms in a basement, attic or garage are not considered a bedroom unless they meet HQS requirements. HACSM will verify with the County Assessor’s office to determine actual bedroom size of the unit. When there is a discrepancy, HACSM shall reserve the right to make the final determination.

Appliances

- Any inoperable appliance, not required by HQS (e.g. disposal, dishwasher), must be repaired, replaced, or removed by the owner unless the appliance does not pose any safety or health threat to the family.

Modifications to Provide Accessibility

Under the Fair Housing Act of 1988 an owner must not refuse the request of a family that contains a person with a disability to make necessary and reasonable modifications to the unit. Such modifications are at the family's expense. The owner may require restoration of the unit to its original condition if the modification would interfere with the owner or next occupant's full enjoyment of the premises. The owner may not increase a customarily required security deposit. However, the landlord may negotiate a restoration agreement that requires the family to restore the unit and, if necessary to ensure the likelihood of restoration, may require the tenant to pay a reasonable amount into an interest bearing escrow account over a reasonable period of time. The interest in any such account accrues to the benefit of the tenant. The owner may also require reasonable assurances that the quality of the work will be acceptable and that any required building permits will be obtained.[24 CFR 100.203; Notice 2003-31].

Modifications to units to provide access for a person with a disability must meet all applicable HQS requirements and conform to the design, construction, or alteration of facilities contained in the UFAS and the ADA Accessibility Guidelines (ADAAG) [28 CFR 35.151(c) and Notice 2003-31]

IV. LIFE THREATENING CONDITIONS

HUD requires the PHA to define life-threatening conditions and to notify the owner or the family (whichever is responsible) of the corrections required.

The following items are considered life-threatening conditions and the responsible party must correct life threatening conditions within 24 hours of HACSM notification:

- Gas leaks;
- Severe structural damage: collapsed walls, floors, ceiling;
- Severe plumbing leaks or flooding;
- An electrical problem or condition that could result in severe shock or fire;
- Utilities not in service, including no running hot water;
- Absence of a working heating system;
- Absence of a functioning flush toilet in the unit;
- No functioning smoke detector in the unit

If an owner fails to correct life threatening conditions as required by HACSM, HACSM will enforce the HQS in accordance with HUD requirements.

If a family fails to correct a family-caused life threatening condition as required by HACSM, HACSM will enforce the family obligations.

The owner will be required to repair an inoperable smoke detector unless HACSM determines that the family has intentionally disconnected it (by removing batteries or other means). In this case, the family will be required to repair the smoke detector within 24 hours.

V. OWNER AND FAMILY RESPONSIBILITIES

Family Responsibilities

The family is responsible for correcting the following HQS deficiencies:

- Tenant-paid utilities not in service
- Failure to provide or maintain appliances owned by the family
- Damage to the unit or premises caused by a household member or guest beyond normal wear and tear that results in a breach of the HQS. "Normal wear and tear" is defined as items which could not be charged against the tenant's security deposit under state law or court practice.

Owner Responsibilities

The owner is responsible for all HQS violations not listed as a family responsibility above, even if the violation is caused by the family's living habits (e.g., vermin infestation). However, if the family's actions constitute a serious or repeated lease violation the owner may take legal action to evict the family.

VI. SPECIAL REQUIREMENTS FOR CHILDREN WITH ELEVATED BLOOD LEAD LEVEL [24 CFR 35.1225]

If HACSM is notified by a public health department or other medical health care provider, or verifies information from a source other than a public health department or medical health care provider, that a child of less than 6 years of age, living in an HCV-assisted unit has been identified as having an elevated blood lead level, HACSM will complete an environmental investigation of the dwelling unit. The environmental investigation must be completed in accordance with program requirements, and the result of the environmental investigation must be immediately provided to the owner of the dwelling unit. In cases where the public health department has already completed an evaluation of the unit, this information must be provided to the owner.

Within 30 days after receiving the environmental investigation report from HACSM, or the evaluation from the public health department, the owner is required to complete the reduction of identified lead-based paint hazards in accordance with the lead-based paint regulations [24 CFR 35.1325 and 35.1330; 40 CFR 745.227]. If the owner does not complete the “hazard reduction” as required, the dwelling unit is in violation of HQS and HACSM will take action in accordance with policies in this chapter.

Reporting and record keeping for children with environmental intervention blood lead level

HACSM will provide the public health department written notice of the name and address of any child identified as having an elevated blood lead level within five (5) business days of being so notified by any other medical health care professional.

If HACSM obtains names and addresses of elevated blood lead level children from the public health department(s), HACSM must match this information with the names and addresses of families receiving HCV assistance, unless the public health department performs such a procedure. If a match occurs, HACSM will carry out the notification, verification, and hazard reduction requirements and the reporting requirement discussed above.

VII. VIOLATION OF HQS SPACE STANDARDS

A dwelling unit must:

- Provide adequate space and security for the family
- Have at least one bedroom or living/sleeping room for each two persons

A unit that does not meet these HQS space standards is defined as *overcrowded*.

A living room may be used as sleeping (bedroom) space, but no more than two persons may occupy the space. A bedroom or living/sleeping room must have at least:

- One window

- Two electrical outlets in proper operating condition (permanent overhead or wall-mounted light fixtures may count as one of the required electrical outlets)

If HACSM determines that a unit is overcrowded because of an increase in family size or a change in family composition, HACSM will issue the family a new voucher, and the family and HACSM must try to find an acceptable unit as soon as possible. If an acceptable unit is available for rental by the family, HACSM will terminate the HAP contract in accordance with its terms.

VIII. TYPES OF INSPECTIONS

HACSM conducts the following types of inspections as needed. Each type of inspection is discussed in the paragraphs that follow.

- *Initial Inspections.* HACSM conducts initial (move-in) inspections to approve a unit for participation in the Voucher program. The unit must pass the HQS inspection on or before the effective date of the HAP Contract.
- *Annual/Biennial Inspections.* HACSM will inspect all units under lease at least biennially (every other year) to confirm that the unit continues to meet HQS. HACSM may make exceptions to this inspection schedule for landlords and properties that have a history of non-compliance with HQS (e.g. units abated in the previous 12 months).

Although units will have a biennial inspection schedule, the unit must at all times meet Housing Quality Standards while it is under contract. The biennial inspection may be conducted in conjunction with the family's annual reexamination or may be conducted separately as determined by HACSM.

- *Special Inspections.* A special (interim) inspection may be requested by the owner, the family, or a third party as a result of problems identified with a unit between annual inspections.
- *Quality Assurance Inspections.* A sample of units will be inspected by a supervisor, program compliance officer, or other qualified individual to evaluate the work of the inspectors and to ensure that inspections are performed in compliance with HQS.

Inspection of HACSM-Owned Units

HACSM staff will inspect HACSM-owned units or HACSM-affiliated properties.

Inspection Costs [Notice PIH 2016-05]

The PHA may not charge the family for unit inspections or reinspections [24 CFR 982.405(e)]. In the case of inspections of PHA-owned units, the PHA may compensate the independent agency from ongoing administrative fee for inspections performed. The PHA and the independent agency may not charge the family any fee or charge for the inspection [24 CFR.982.352(b)].

The PHA may not charge the owner for the inspection of the unit prior to the initial term of the lease or for a first inspection during assisted occupancy of the unit. However, the PHA may charge a reasonable fee to owners for reinspections in two situations: when the owner notifies the PHA that a repair has been made but the deficiency has not been corrected, and when the time for repairs has elapsed and the deficiency has not been corrected. Fees may not be imposed for tenant-caused damages, for cases in which the inspector could not gain access to the unit, or for new deficiencies discovered during a reinspection.

The owner may not pass the cost of a reinspection fee to the family. Reinspection fees must be added to the PHA's administrative fee reserves and may only be used for activities related to the provision of tenant-based assistance.

HACSM will not charge a fee for failed reinspections at this time.

Remote Video Inspections (RVIs) [Notice PIH 2020-31]

As an alternative to some or all on-site inspections, the PHA may, but is not required to, perform HQS inspections from a remote location using video streaming technology and a proxy at the inspection site. Since there may be some circumstances in which the application of technology provides insufficient information or evidence to allow the PHA to make appropriate determinations about whether a condition violates HQS, Notice PIH 2020-31 requires that if a PHA chooses to implement RVIs, the PHA should have policies and procedures in place to address such limitations.

IX. THE INSPECTION PROCESS

Notice and Scheduling

The family must allow HACSM to inspect the unit at reasonable times with reasonable notice. Both the family and the owner will be given reasonable notice for all inspections. Initial inspections may be scheduled with shorter notice.

Except in the case of a life threatening emergency, reasonable notice is considered to be not less than 48 hours. In the case of a life threatening emergency, HACSM will give as much notice as possible, given the nature of the emergency.

Generally, inspections will be conducted Monday through Friday, between 7:00 a.m. and 6:00 p.m.

Due to the COVID-19 pandemic, HACSM has modified some of its processes for initial inspections. HACSM will inform owners and voucher holders of the processes during the RTA process.

Initial Inspection Attendance

At the initial inspection of a vacant unit, the owner or owner's representative must be present for the inspection. HACSM strongly encourages the presence of the voucher holder or another adult family representative but it is not required.

When a family occupies the unit at the time of an initial inspection, the voucher holder or another adult family representative must be present for the inspection. HACSM

strongly encourages the presence of the owner or the owner's representative but it is not required.

Initial Inspection Results and Reinspections

If any HQS violations are identified during the initial inspection, the owner will be notified of the deficiencies and be given a time frame to correct them. If requested by the owner, the time frame for correcting the deficiencies may be extended by the HACSM for good cause. HACSM will reinspect the unit once the owner notifies HACSM that the required corrections have been made. The time frame for the owner to correct the deficiencies will not exceed 30 days.

If the time period for correcting the deficiencies has elapsed, HACSM will notify the owner and the family that the unit has been rejected and that the family must search for another unit.

Utilities

Generally, at initial lease-up the owner is responsible for demonstrating that all utilities are in working order including those utilities that the family will be responsible for paying.

If utility service is not available for testing at the time of the initial inspection, HACSM will notify the owner to have the utilities turned on. The unit will not pass inspection until HACSM has verified operable utility service.

Appliances

The stove and refrigerator must be present when the unit is inspected if the owner provides these appliances.

If the family is responsible for supplying the stove and/or refrigerator, HACSM will allow the stove and refrigerator to be placed in the unit after the unit has met all other HQS requirements. HACSM will execute the HAP contract based on certification from the family that the appliances have been installed and are working. A confirmatory inspection will be scheduled within 30 days of HAP contract approval.

Biennial (or Annual) Inspections

The family and owner are notified of the date and time of the inspection appointment by mail. If an adult family member cannot be present on the scheduled date, the family must request a rescheduled appointment so that the inspection is completed within 30 days. If the family is not home for the inspection appointment, HACSM will leave notification at the unit and another appointment will be scheduled automatically.

If the family misses two scheduled inspections, HACSM will consider the family to have violated its obligation to make the unit available for inspection. This may result in termination of the family's assistance in accordance with HACSM policy.

Special Inspections

HACSM will conduct a special inspection if the owner, family, or another source reports HQS violations in the unit. HACSM may request documentation that the

deficiencies have been reported to the responsible party and the responsible party failed to cure the deficiencies within a reasonable time.

During a special inspection, HACSM will inspect only those deficiencies that were reported. However, the inspector will record any additional HQS deficiencies that are observed and will require the responsible party to make the necessary repairs.

If the biennial or annual inspection has been scheduled or is due within 120 days of the date the special inspection is scheduled, HACSM may elect to conduct a full inspection.

Quality Assurance Inspections

HACSM will conduct quality assurance (QA) inspections of a sample of units to ensure that each inspector is conducting accurate and complete inspections and that there is consistency in the application of HQS.

The unit sample will include only units that have been inspected within the preceding three (3) months. The selected sample should be drawn to represent a cross section of neighborhoods and the work of a cross section of inspectors.

INSPECTION RESULTS AND REINSPECTIONS

When a biennial or annual inspection identifies HQS failures, HACSM will determine whether or not the failure is a life threatening condition and whether the family or owner is responsible.

When life threatening conditions are identified, HACSM will immediately notify both parties by telephone or email. The notice will specify who is responsible for correcting the violation. The corrective actions must be taken within 24 hours of the HACSM's notice. HACSM may verify correction or completion of life threatening conditions by telephone, fax, or e-mail.

When HQS failures that are not life threatening are identified, HACSM will send the owner and the family a written notification of the inspection results. The written notice will specify who is responsible for correcting the violation, and the time frame within which the failure must be corrected. Not more than 30 days will be allowed for the correction.

Extensions

For conditions that are life-threatening, HACSM will not grant an extension to the 24-hour corrective action period. For conditions that are not life-threatening, HACSM may grant an exception to the required time frames for correcting the violation, if the HACSM determines that an extension is appropriate.

Extensions will be granted in cases where the HACSM has determined that the owner has made a good faith effort to correct the deficiencies and is unable to for reasons beyond the owner's control. Reasons may include, but are not limited to:

- A repair cannot be completed because required parts or services are not immediately available.
- A repair cannot be completed because of weather conditions.

- A reasonable accommodation is needed because the family includes a person with disabilities.

The length of the extension will be determined on a case-by-case basis, but will not exceed 60 days, except in the case of delays caused by weather conditions. In the case of weather conditions, extensions may be continued until the weather has improved sufficiently to make repairs possible.

Reinspections

HACSM will conduct a reinspection immediately following the end of the corrective period, or any HACSM-approved extension.

If the deficiencies have not been corrected by the time of the reinspection (including any HACSM-approved extension), HACSM will send a notice of abatement to the owner, or in the case of family caused violations, a notice of termination to the family, in accordance with HACSM policies.

If HACSM is unable to gain entry to the unit in order to conduct the scheduled reinspection, HACSM will consider the family to have violated its obligation to make the unit available for inspection. This may result in termination of the family's assistance.

HAP Abatement

If an owner fails to correct HQS deficiencies by the time specified, HACSM will abate housing assistance payments. For units with life threatening conditions or units that are deemed uninhabitable, HACSM will abate HAP immediately. In all other circumstances, HACSM will provide the owner with a 30-day written notification of abatement action. HACSM will make all HAP abatements effective on the first of the month following the 30-day written notification.

No retroactive payments will be made to the owner for the period of time the rent was abated.

Owner rents are not abated as a result of HQS failures that are the family's responsibility.

HACSM will inspect abated units within 3 business days of the owner's notification that the work has been completed. Payment will resume effective on the day the unit passes inspection.

If the owner makes repairs during the abatement period, payment will resume the earlier of (1) the day the unit passes inspection, or (2) the date the repairs were completed, providing proof of completion is available.

If abatement is a result of remediation of conditions such as asbestos, lead, mold, the owner must provide a written clearance by a qualified certified entity.

During any abatement period the family continues to be responsible for its share of the rent. The owner must not seek payment from the family for abated amounts and may not use the abatement as cause for eviction.

HAP Contract Termination

The maximum length of time that HAP may be abated is 90 days. However, if the owner completes corrections and notifies the HACSM before the termination date of the HAP contract, HACSM may rescind the termination notice if (1) the family still resides in the unit and wishes to remain in the unit and (2) the unit passes inspection.

Reasonable notice of HAP contract termination by the HACSM is 30 days.

Enforcing Family Compliance with HQS

Families are responsible for correcting any family-caused HQS violations mentioned earlier in this chapter. If the family fails to correct a violation within the period allowed by HACSM (and any extensions), HACSM will terminate the family's assistance.

If the owner carries out a repair for which the family is responsible under the lease, the owner may bill the family for the cost of the repair.

X. RENT REASONABLENESS

Except in the case of certain LIHTC- and HOME-assisted units, no HAP contract can be approved until HACSM has determined that the rent for the unit is reasonable. The purpose of the rent reasonableness test is to ensure that a reasonable rent is paid for each unit rented under the HCV program.

HUD regulations define a reasonable rent as one that does not exceed the rent charged for comparable, unassisted units in the same market area. HUD also requires that owners not charge more for assisted units than for comparable units on the premises.

The owner must not change the rent during the initial lease term. Subsequent requests for rent adjustments must be consistent with the lease between the owner and the family and are subject to rent reasonableness certification by the HACSM. Rent increases will not be approved unless any failed items identified by the most recent HQS inspection have been corrected.

If the requested increase is approved, all rents adjustments will be effective the first of the month following 60 days after HACSM's receipt of the owner's request or on the date specified by the owner, whichever is later.

LIHTC- and HOME-Assisted Units [24 CFR 982.507(c)]

For units receiving low-income housing tax credits (LIHTCs) or units assisted under HUD's HOME Investment Partnerships (HOME) Program, a rent comparison with unassisted units is not required if the voucher rent does not exceed the rent for other LIHTC- or HOME-assisted units in the project that are not occupied by families with tenant-based assistance.

For LIHTCs, if the rent requested by the owner does exceed the LIHTC rents for non-voucher families, HACSM must perform a rent comparability study in accordance with program regulations. In such cases, the rent shall not exceed the lesser of: (1) the

reasonable rent as determined from the rent comparability study; or (2) the payment standard established by the PHA for the unit size involved.

Factors to Consider

HACSM will use these factors to make upward or downward adjustments to the rents of comparison units when the units are not identical to the HCV-assisted unit.

- Location and age
- Unit size including number of bedrooms and square footage
- Unit type (e.g. single family, duplex, garden, low-rise, high-rise)
- Quality and condition of the unit including the quality of the construction, maintenance and improvements made
- Amenities included

Rents Charged for Other Units on the Premises

The Request for Tenancy Approval requires owners to provide information, on the form itself, about the rent charged for other unassisted comparable units on the premises if the premises include more than 4 units.

By accepting HACSM payment each month, the owner certifies that the rent is not more than the rent charged for comparable unassisted units on the premises. If asked to do so, the owner must give HACSM information regarding rents charged for other units on the premises.

Units that Must Not be Used as Comparables

Comparable units must represent unrestricted market rents. Therefore, units that receive some form of federal, state, or local assistance that imposes rent restrictions cannot be considered comparable units. These include units assisted by HUD through any of the following programs: Section 8 project-based assistance, Section 236 and Section 221(d)(3) Below Market Interest Rate (BMIR) projects, HOME or Community Development Block Grant (CDBG) program-assisted units in which the rents are subsidized; units subsidized through federal, state, or local tax credits; units subsidized by the Department of Agriculture rural housing programs, and units that are rent-controlled by local ordinance. [Notice PIH 2002-22, Notice PIH 2005-20, and Notice PIH 2020-19].

Note: Notice PIH 2020-19, issued August 21, 2020, provides further guidance on the issue of what constitutes an assisted unit

How Market Data is Collected

HACSM will collect data on market rents within the HACSM jurisdiction or neighboring jurisdictions. The data will be maintained within an online database administered through a third-party source.

Market areas may be defined by zip codes or neighborhood and the data will be updated on an ongoing basis.

How Rents are Determined

The rent for a unit proposed for HCV assistance will be compared to the rent charged for comparable units in the same or similar market area. HACSM may use comparables in neighboring jurisdictions due to the similarity of units. Because units may be similar, but not exactly like the unit proposed for HCV assistance, HACSM may make adjustments to the range of prices to account for these differences.

HACSM will notify the owner of the rent it determines reasonable upon its analysis of rents for comparable units. The owner may submit information about other comparable units in the market area. HACSM will confirm the accuracy of the information provided and consider this additional information when making rent determinations.

Chapter 9

GENERAL LEASING POLICIES

MTW Waiver: The Agency is authorized to determine contract rents and increases and to determine the content of contract rental agreements that differ from the currently mandated program requirement in the 1937 Act and its implementing regulations. This authorization waives certain provisions of Section 8(o)(7) and 8(o)(13) of the 1937 Act and 24 CFR 982.308, 982.451 and 983 Subpart E as necessary to implement the Agency's Annual MTW Plan.

I. INTRODUCTION

This chapter covers the lease-up process from the family's submission of a Request for Tenancy Approval to execution of the HAP contract.

In order for HACSM to assist a family in a particular dwelling unit or execute a Housing Assistance Payments (HAP) contract with the owner of a dwelling unit, HACSM must determine that all the program requirements are met.

II. TENANT SCREENING

HACSM has no liability or responsibility to the owner or other persons for the family's behavior or suitability for tenancy; therefore, HACSM will not screen applicants for family behavior or suitability for tenancy.

The owner is responsible for screening and selection of the family to occupy the owner's unit.

HACSM will provide documented information regarding tenancy history for the past three (3) years to prospective owners upon written request from the owner. The information may be provided either orally or in writing. HACSM will make an exception to this requirement if the family's whereabouts must be protected due to domestic violence, dating violence, stalking or witness protection and providing such information could jeopardize the family's safety.

HACSM will provide the following information, based on documentation in its possession: Eviction history, damage to rental units, drug trafficking by family members, and/or other aspects of tenancy history that is a matter of public record, unless there is documentation on file that the applicant or participant is or has been a victim of domestic violence, dating violence, or stalking, and providing the information could jeopardize the family's safety.

III. REQUESTING TENANCY APPROVAL

After the family is issued a voucher, the family must locate an eligible unit, with an owner or landlord willing to participate in the voucher program. Once a family finds a suitable unit and the owner is willing to lease the unit under the program, the owner and the family must submit a completed Request for Tenancy Approval (RTA) form to HACSM.

The RTA contains important information about the rental unit selected by the family, including the unit address, number of bedrooms, structure type, year constructed, and the requested beginning date of the lease, necessary for HACSM to determine whether to approve the assisted tenancy in this unit.

On the RTA, owners must certify that they are not the parent, child, grandparent, grandchild, sister or brother of any member of the family, unless HACSM has granted a request for reasonable accommodation for a person with disabilities who is a member of the tenant household.

For units constructed prior to 1978, owners must either 1) certify that the unit, common areas, and exterior have been found to be free of lead-based paint by a certified inspector; or 2) attach a lead-based paint disclosure statement.

The RTA must be submitted no later than the expiration date stated on the voucher and it must be signed by both the family and the owner.

The completed RTA (including the proposed dwelling lease and Tax ID statement) can be submitted in-person, by mail, e-mail or fax.

HACSM will not process more than one RTA at a time per family/household.

Because of the time sensitive nature of the tenancy approval process, HACSM will attempt to communicate with the owner and family by phone, fax, or email. HACSM may use mail when the parties can't be reached by phone, fax, or email.

IV. ELIGIBLE UNITS

HACSM will not assist a unit under the voucher program if the unit is a public housing or Indian housing unit; a unit receiving project-based assistance under section 8 of the 1937 Act (42 U.S.C. 1437f); nursing homes, board and care homes, or facilities providing continual psychiatric, medical, or nursing services; college or other school dormitories; units on the grounds of penal, reformatory, medical, mental, and similar public or private institutions; a unit occupied by its owner or by a person with any interest in the unit.

Duplicative Assistance

A family may not receive the benefit of the Voucher program tenant-based assistance while receiving the benefit of any of the following forms of other housing subsidy, for the same unit or for a different unit:

- Public or Indian housing assistance;
- Other Section 8 assistance (including other tenant-based assistance);
- Assistance under former Section 23 of the United States Housing Act of 1937 (before amendment by the Housing and Community Development Act of 1974);
- Section 101 rent supplements;
- Section 236 rental assistance payments;
- Tenant-based assistance under the HOME Program;

- Rental assistance payments under Section 521 of the Housing Act of 1949 (a program of the Rural Development Administration);
- Any local or State rent subsidy;
- Section 202 supportive housing for the elderly;
- Section 811 supportive housing for persons with disabilities; (11) Section 202 projects for non-elderly persons with disabilities (Section 162 assistance); or
- Any other duplicative federal, State, or local housing subsidy, as determined by HUD. For this purpose, 'housing subsidy' does not include the housing component of a welfare payment, a social security payment received by the family, or a rent reduction because of a tax credit.

Housing Quality Standards (HQS)

In order to be eligible, the dwelling unit must be in decent, safe and sanitary condition. This determination is made using HUD's Housing Quality Standards (HQS) and/or equivalent state or local standards approved by HUD. See Chapter 8 for a full discussion of the HQS standards, as well as the process for HQS inspection at initial lease-up.

Unit Size

In order to be eligible, the dwelling unit must be appropriate for the number of persons in the household. A family will be allowed to lease an otherwise acceptable dwelling unit with fewer bedrooms than the number of bedrooms stated on the voucher issued to the family, provided the unit meets the applicable HQS and occupancy space requirements. The family is also allowed to lease an otherwise acceptable dwelling unit with more bedrooms than the number of bedrooms stated on the voucher issued to the family. See Chapter 5 for a full discussion of subsidy standards.

Rent Reasonableness

In order to be eligible, the dwelling unit must have a reasonable rent. The rent must be reasonable in relation to comparable unassisted units in the area and must not be in excess of rents charged by the owner for comparable, unassisted units on the premises. See Chapter 8 for a full discussion of rent reasonableness.

V. LEASE AND TENANCY ADDENDUM

The family and the owner must execute a written dwelling lease agreement for the assisted unit. This written lease is a contract between the tenant family and the owner. HACSM is not a party to the lease agreement.

The tenant must have legal capacity to enter into a lease under State and local law. 'Legal capacity' means that the tenant is bound by the terms of the lease and may enforce the terms of the lease against the owner.

Lease Form and Tenancy Addendum

If the owner uses a standard lease form for rental to unassisted tenants in the locality or the premises, the lease must be in such standard form. If the owner does not use a

standard lease form for rental to unassisted tenants, the owner may use another form of lease. The HAP contract contains the owner's certification that if the owner uses a standard lease form for rental to unassisted tenants, the lease for the assisted tenants is in such standard form.

The assisted dwelling lease must contain all of the required information as listed below:

1. The names of the owner and the tenant;
2. The unit rented (address, apartment number, and any other information needed to identify the contract unit);
3. The term of the lease (initial term and any provisions for renewals)
4. The amount of the monthly rent to owner; and
5. A specification of what utilities and appliances are to be supplied by the owner, and what utilities and appliances are to be supplied by the family.

All provisions in the Tenancy Addendum must be added word-for-word to the owner's standard lease form. The Tenancy Addendum includes the HUD requirements for the tenancy. Because it is part of the lease, the tenant shall have the right to enforce the Tenancy Addendum against the owner. If there is a conflict between the owner's lease and the Tenancy Addendum, the terms of the Tenancy Addendum shall prevail over any other provisions of the lease.

Term of Assisted Tenancy

HACSM will approve an initial lease term of less than one (1) year when it can determine that such shorter term would improve housing opportunities for the tenant or such shorter term is the prevailing local market practice.

During the initial term of the lease, the owner may not raise the rent to owner.

Any provisions for renewal of the dwelling lease will be stated in the dwelling lease. There are no HUD requirements regarding any renewal extension terms, except that they must be in the dwelling lease if they exist.

The lease term runs concurrently with the HAP contract term. The term of the HAP contract begins on the first day of the lease term and ends on the last day of the lease term.

Separate Non-Lease Agreements between Owner and Tenant

Owners may not demand or accept any rent payment from the family in excess of the rent to the owner minus HACSM's subsidy payments to the owner.

The owner may not charge the tenant extra amounts for items customarily included in rent in the locality or provided at no additional cost to unsubsidized tenants in the premises.

HACSM permits owners and families to execute separate, non-lease agreements for services, appliances (other than range and refrigerator) and other items that are not included in the lease.

Any items, appliances, or other services that are customarily provided to unassisted families as part of the dwelling lease with those families or are permanently installed in the dwelling unit must be included in the dwelling lease for the assisted family. These items, appliances or services cannot be placed under a separate non-lease agreement between the owner and family. Side payments for additional rent, or for items, appliances or services customarily provided to unassisted families as part of the dwelling lease for those families, are prohibited.

Any items, appliances, or other services that are not customarily provided to unassisted families as part of the dwelling lease with those families, are not permanently installed in the dwelling unit and where the family has the sole option of not utilizing the item, appliance or service, may be included in a separate non-lease agreement between the owner and the family.

The family is not liable and cannot be held responsible under the terms of the assisted dwelling lease for any charges pursuant to a separate non-lease agreement between the owner and the family. Non-payment of any charges pursuant to a separate non-lease agreement between the owner and the family cannot be a cause for eviction or termination of tenancy under the terms of the assisted dwelling lease.

Separate non-lease agreements that involve additional items, appliances or other services may be considered amenities offered by the owner and may be taken into consideration when determining the reasonableness of the rent for the property.

Tenancy Approval

HACSM will complete its determination within 15 business days of receiving all required information.

If HACSM determines that the tenancy cannot be approved for any reason, the owner and the family will be notified and given the opportunity to address any reasons for disapproval. HACSM will instruct the owner and family of the steps that are necessary to obtain approval of the tenancy.

Where the tenancy is not approvable because the unit is not approvable, the family must continue to search for eligible housing within the timeframe of the issued voucher.

VI. HAP CONTRACT EXECUTION

The HAP contract is a written agreement between HACSM and the owner of the dwelling unit. Under the HAP contract, HACSM agrees to make housing assistance payments to the owner on behalf of the family, and the owner agrees to comply with all program requirements as stated in the HAP contract.

The HAP contract form is prescribed by HUD.

If HACSM has given approval for the family of the assisted tenancy, the owner and the HACSM must execute the HAP contract.

HACSM is permitted to execute a HAP contract even if the funding currently available does not extend for the full term of the HAP contract.

HACSM will not pay any housing assistance payment to the owner until the HAP contract has been executed.

The owner and the assisted family will execute the dwelling lease and the owner must provide a copy to HACSM.

The owner and HACSM will execute the HAP contract. HACSM will not execute the HAP contract until the owner has submitted IRS form W-9 or a Tax ID Statement. HACSM will ensure that the owner receives a copy of the executed HAP contract.

VII. CHANGES IN LEASE OR RENT

If the tenant and the owner agree to any changes in the lease, such changes must be in writing, and the owner must immediately give HACSM a copy of such changes. The lease, including any changes, must remain in accordance with the requirements of this chapter.

Generally, HACSM approval of tenancy and execution of a new HAP contract are not required for changes in the lease. However, under certain circumstances, the execution of a new lease and HAP contract are required. These circumstances include the family moving to a new unit, even if the unit is in the same building or complex.

In this case, if the Voucher assistance is to continue, the family must submit a new Request for Tenancy Approval (RTA) along with a new dwelling lease containing the proposed changes. A new tenancy must then be approved in accordance with this chapter.

No rent increase is permitted during the initial term of the lease. After the initial lease term, the owner may request a rent adjustment in accordance with the lease.

Where the owner is changing the amount of the rent to owner, the owner must notify HACSM at least 60 days before any such changes go into effect. HACSM will agree to such an increase only if the amount of the rent to owner is considered reasonable according to the rent reasonableness standards discussed in Chapter 8. If the requested rent is not found to be reasonable, the owner must either reduce the requested rent increase, or terminate the tenancy in accordance with the terms of the lease.

Chapter 10

MOVING WITH CONTINUED ASSISTANCE AND PORTABILITY

I. INTRODUCTION

This chapter discusses the general rules that apply to all moves by a family assisted under HACSM's Voucher program, whether the family moves to another unit within HACSM jurisdiction or to a unit outside HACSM jurisdiction under portability.

II. MOVING WITH CONTINUED ASSISTANCE

Allowable Moves

For families already participating in the Voucher program, HACSM will allow the family to move to a new unit with continued assistance for the following reasons:

- The family has a right to terminate the lease on notice to the owner (for the owner's breach or otherwise) and has given a notice of termination to the owner in accordance with the lease. If the family terminates the lease on notice to the owner, the family must give HACSM a copy of the notice at the same time. Failure to provide notification to HACSM may result in delay of processing the move or termination of assistance;
- The family or a member of the family is or has been the victim of domestic violence, dating violence, sexual assault, or stalking and the move is needed to protect the health or safety of the family or family member [24 CFR 982.354(b)(4)]. This condition applies even when the family has moved out of its unit in violation of the lease, with or without prior notification to HACSM, if the family or family member who is the victim reasonably believed that he or she was imminently threatened by harm from further violence if he or she remained in the unit [24 CFR 982.354(b)(4), 24 CFR 982.353(b)]. HACSM must adopt an emergency transfer plan as required by regulations at 24 CFR 5.2007(e).
- The lease for the family's unit has been terminated by mutual agreement of the owner and the family. If the family and the owner agree to terminate the lease for the family's unit, the family or owner must give HACSM a copy of the termination agreement;
- The owner has given the family a notice to vacate, has commenced an action to evict the family, or has obtained a court judgment or other process allowing the owner to evict the family. The family must give HACSM a copy of any owner eviction notice.
- HACSM has terminated the HAP contract for the family's unit for the owner's breach.
- HACSM determines that the family's current unit does not meet the HQS space standards because of an increase in family size or a change in family composition.

In such cases, HACSM must issue the family a new voucher, and the family and HACSM must try to find an acceptable unit as soon as possible. If an acceptable unit is available for the family, HACSM must terminate the HAP contract for the family's old unit in accordance with the HAP contract terms and must notify both the family and the owner of the termination. The HAP contract terminates at the end of the calendar month that follows the calendar month in which HACSM gives notice to the owner.

Restrictions on Moves

A family's right to move is generally contingent upon the family's compliance with program requirements; therefore, if HACSM has grounds for denying or terminating the family's assistance, it may deny the family's right to move.

HACSM will consider exceptions to the policies for the following reasons: to protect the health or safety of a family member (e.g., lead-based paint hazards, domestic violence, and witness protection programs), to accommodate a change in family circumstances (e.g., new employment, school attendance in a distant area), or to address an emergency situation over which a family has no control.

HACSM will allow exceptions to these policies for purposes of reasonable accommodation of a family member who is a person with disabilities.

III. MOVING PROCESS

Notification

If a family wishes to move to a new unit, the family must notify HACSM and the owner before moving out of the old unit or terminating the lease on notice to the owner. If the family wishes to move to a unit outside the HACSM's jurisdiction under portability, the family must specify to HACSM the area where the family wishes to move.

Voucher Issuance and Briefing

If the family has been determined eligible to move, HACSM will issue the family a relocation voucher. Although such families may be familiar with the operation of the program, they may still need much of the same information and services as provided first-time voucher holders, so attendance at the briefing is required.

HACSM will follow the policies set forth in Chapter 5 on voucher term, extension, and expiration. If a family does not locate a new unit within the term of the voucher and any extensions, the family may remain in its current unit with continued voucher assistance if the owner agrees and the HACSM approves. Otherwise, the family will lose its assistance.

Housing Assistance Payments

When a family moves out of an assisted unit, HACSM will not make any housing assistance payment to the owner for any month **after** the month the family moves out. The owner may keep the housing assistance payment for the month when the family moves out of the unit.

If a participant family moves from an assisted unit with continued tenant-based assistance, the term of the assisted lease for the new assisted unit may begin during the month the family moves out of the first assisted unit. Overlap of the last housing assistance payment (for the month when the family moves out of the old unit) and the first assistance payment for the new unit, is not considered to constitute a duplicative housing subsidy.

For deceased single member households or a household where the remaining household member is a live-in aide, HACSM will discontinue HAP to the owner no later than the first of the following month after the month in which the death occurred. The owner is **not** entitled to HAP for any month following the month in which the death occurred. There are no exceptions to this policy.

IV. PORTABILITY

Within the limitations of the regulations and this Plan, a participant family or an applicant family that has been issued a voucher has the right to use tenant-based voucher assistance to lease a unit anywhere in the United States providing that the unit is located within the jurisdiction of a PHA administering a tenant-based voucher program [24 CFR 982.353(b)]. The process by which a family obtains a voucher from one PHA and uses it to lease a unit in the jurisdiction of another PHA is known as portability. The PHA that issues the voucher is called the **initial PHA**. The PHA that has jurisdiction in the area to which the family wants to move is called the **receiving PHA**.

The receiving PHA has the option of administering the family's voucher for the initial PHA or absorbing the family into its own program. Under the first option, the receiving PHA provides all services for the family and bills the initial PHA for the family's housing assistance payments and the fees for administering the family's voucher. Under the second option, the receiving PHA pays for the family's assistance with its own program funds, and the initial PHA has no further relationship with the family.

The initial PHA must contact the receiving PHA via e-mail or other confirmed delivery method to determine whether the receiving PHA will administer or absorb the initial PHA's voucher. Based on the receiving PHA's response, the initial PHA must determine whether they will approve or deny the portability request [Notice PIH 2016-09].

In administering portability, the initial PHA and the receiving PHA must comply with financial procedures required by HUD, including the use of HUD-required forms.

PHAs must also comply with billing and payment deadlines. HUD may reduce an administrative fee to an initial or receiving PHA if the PHA does not comply with HUD portability requirements [24 CFR 982.355(e)(7)].

V. INITIAL PHA ROLE

Allowable Moves under Portability

A family may move with voucher assistance only to an area where there is at least one PHA administering a voucher program. If there is more than one PHA in the area, the initial PHA provides the family with the contact information for the receiving PHAs that serve the area, and the family selects the receiving PHA. The family must inform the initial PHA which PHA it has selected. If the family prefers not to select the receiving PHA, the initial PHA will select the receiving PHA on behalf of the family.

Applicant families that have been issued vouchers as well as participant families may qualify to lease a unit outside HACSM's jurisdiction under portability. HUD regulations and HACSM policy determine whether a family qualifies.

Applicant Families

- If there is insufficient funding by HUD to support current contracts and outstanding vouchers, HACSM may deny portability requests to families wishing to move to jurisdictions with higher Voucher Payment Standards or more lenient subsidy standards if that jurisdiction will not be absorbing the family. HACSM must verify that information before denying the portability request.
- If neither the head of household nor the spouse/co-head of an applicant family lives, works, or is hired to work in HACSM's jurisdiction at the time that the family's initial application for assistance was submitted, the family must lease a unit within HACSM's jurisdiction for at least 12 consecutive months before requesting portability.

HACSM will consider exceptions to this policy for purposes of reasonable accommodation.

Participant Families

HACSM will not provide portable assistance for a participant if a family has moved out of its assisted unit in violation of the lease. VAWA creates an exception to this prohibition for families who are otherwise in compliance with program obligations but have moved to protect the health or safety of an individual who is or has been a victim of domestic violence, dating violence, sexual assault, or stalking and who reasonably believed he or she was imminently threatened by harm from further violence if they remained in the unit.

See Chapter 23 (Hardship Policy) for further guidance on HACSM portability policies.

Determining Income Eligibility

Applicant Families

An applicant family may lease a unit in a particular area under portability only if the family is income eligible for admission to the voucher program in that area. The family must specify the area to which the family wishes to move [24 CFR 982.355(c)(1)].

The initial PHA is responsible for determining whether the family is income eligible in the area to which the family wishes to move. If the applicant family is not income

eligible in that area, HACSM will inform the family that it may not move there and receive voucher assistance.

Participant Families

The income eligibility of a participant family is not re-determined if the family moves to a new jurisdiction under portability.

Reexamination of Family Income and Composition

No new reexamination of family income and composition will be required for an applicant or participant family unless changes to the household or income are reported that may impact the voucher size or subsidy amount.

Briefing

A relocation briefing will be required for a participant family wishing to move outside HACSM's jurisdiction under portability. HACSM will provide the family with the same oral and written explanation of portability that it provides to applicant families selected for admission to the program.

HACSM will provide the name, address, and phone for the PHA in the jurisdiction to which they wish to move. HACSM will advise the family that they will be under the Receiving PHA's policies and procedures, including subsidy standards and voucher extension policies.

Voucher Issuance and Term

An applicant family has no right to portability until after the family has been issued a voucher.

For participant families approved to move under portability, HACSM will issue a relocation voucher. The issue date of the Voucher will be based on the last date on the family or owner's notice to vacate or the date the family moved out of their previous unit (whichever is later).

See Chapter 5 for HACSM policy on Voucher issuance and term.

Voucher Extensions and Expiration

See Chapter 5 for HACSM policy on voucher extensions and expiration.

To receive or continue receiving assistance under the initial PHA's voucher program, a family that moves to another PHA's jurisdiction under portability must be under HAP contract in the receiving PHA's jurisdiction within 90 days following the expiration date of the initial PHA's voucher term (including any extensions).

HACSM will allow exceptions to this policy for purposes of reasonable accommodation of a family member who is a person with disabilities.

Preapproval Contact with the Receiving PHA

Prior to approving a family's request to move under portability, the initial PHA must contact the receiving PHA via e-mail or other confirmed delivery method to determine whether the receiving PHA will administer or absorb the family's voucher. Based on

the receiving PHA's response, the initial PHA must determine whether it will approve or deny the move [24 CFR 982.355(c)(3)].

Initial Notification to the Receiving PHA

After approving a family's request to move under portability, the initial PHA must promptly notify the receiving PHA via email or other confirmed delivery method to expect the family [24 CFR 982.355(c)(3); 24 CFR 982.355(c)(7)]. The initial PHA must also advise the family how to contact and request assistance from the receiving PHA [24 CFR 982.355(c)(6)].

Sending Documentation to the Receiving PHA

As the initial PHA, HACSM is required to send the receiving PHA the following documents:

- Form HUD-52665, Family Portability Information, with Part I filled out [Notice PIH 2016-09]
- A copy of the family's voucher [Notice PIH 2016-09]
- A copy of the family's most recent form HUD-50058, Family Report, or, if necessary, in the case of an applicant family, family and income information in a format similar to that of form HUD-50058 [24 CFR 982.355(c)(7), Notice PIH 2016-09]
- Copies of the income verifications backing up the form HUD-50058, including a copy of the family's current EIV data [24 CFR 982.355(c)(7), Notice PIH 2016-09]

HACSM will not provide additional documentation to the receiving PHA, unless requested by the receiving PHA in order to prevent delays in the portability process to the family.

Initial Billing Deadline [Notice PIH 2016-09]

The deadline for submission of initial billing is 90 days following the expiration date of the voucher issued to the family by the initial PHA. In cases where suspension of the voucher delays the initial billing submission, the receiving PHA must notify the initial PHA of delayed billing before the billing deadline and document the delay is due to the suspension. In this case, the initial PHA must extend the billing deadline by 30 days.

If the initial PHA does not receive a billing notice by the deadline and does not intend to honor a late billing submission, it must notify the receiving PHA in writing. The initial PHA may report to HUD the receiving PHA's failure to comply with the deadline.

If the initial PHA will honor the late billing, no action is required.

Monthly Billing Payments [24 CFR 982.355(e), Notice PIH 2016-09]

If the receiving PHA is administering the family's voucher, the receiving PHA bills the initial PHA for housing assistance payments and administrative fees. When reimbursing for administrative fees, the initial PHA must promptly reimburse the receiving PHA for the lesser of 80 percent of the initial PHA ongoing administrative fee or 100 percent of the receiving PHA's ongoing administrative fee for each program

unit under contract on the first day of the month for which the receiving PHA is billing the initial PHA under portability. If the administrative fees are prorated for the HCV program, the proration will apply to the amount of the administrative fee for which the receiving PHA may bill [24 CFR 982.355(e)(2)].

The initial PHA is responsible for making billing payments in a timely manner. The first billing amount is due within 30 calendar days after the initial PHA receives Part II of form HUD-52665 from the receiving PHA. Subsequent payments must be **received** by the receiving PHA no later than the fifth business day of each month. The payments must be provided in a form and manner that the receiving PHA is able and willing to accept.

The initial PHA may not terminate or delay making payments under existing portability billing arrangements because of over-leasing or funding shortfalls. The PHA must manage its tenant-based program in a manner that ensures that it has the financial ability to provide assistance for families that move out of its jurisdiction under portability and are not absorbed by receiving PHAs as well as for families that remain within its jurisdiction.

Annual Updates of Form HUD-50058

If the initial PHA is being billed on behalf of a portable family, it should receive an updated form HUD-50058 each year from the receiving PHA. If the initial PHA fails to receive an updated 50058 by the family's annual reexamination date, the initial PHA should contact the receiving PHA to verify the status of the family. The initial PHA must continue paying the receiving PHA based on the last form HUD-50058 received, unless instructed otherwise by HUD. The initial PHA may seek absorption of the vouchers by following steps outlined in Notice PIH 2016-09.

Denial of Termination of Assistance [24 CFR 982.355(c)(17)]

At any time, either the initial PHA or the receiving PHA may make a determination to deny or terminate assistance with the family in accordance with 24 CFR 982.552 and 24 CFR 982.553.

RECEIVING PHA ROLE

If a family has a right to lease a unit in the receiving PHA's jurisdiction under portability, the receiving PHA must provide assistance for the family [24 CFR 982.355(10)]. HUD may determine in certain instances that a PHA is not required to accept incoming portable families, such as a PHA in a declared disaster area. However, the PHA must have approval in writing from HUD before refusing any incoming portable families [24 CFR 982.355(b)].

Administration of the voucher must be in accordance with the receiving PHA's policies. This requirement also applies to policies of Moving to Work agencies. The receiving PHA procedures and preferences for selection among eligible applicants do not apply to the family, and the receiving PHA waiting list is not used [24 CFR 982.355(c)(10)]. The family's unit, or voucher, size is determined in accordance with the subsidy standards of the receiving PHA [24 CFR 982.355(c)(12)], and the receiving PHA's policies on extensions of the voucher term apply [24 CFR 982.355(c)(14)].

Responding to Initial PHA's Request [24 CFR 982.355(c)]

The receiving PHA must respond via e-mail or other confirmed delivery method to the initial PHA's inquiry to determine whether the family's voucher will be billed or absorbed [24 CFR 982.355(c)(3)]. If the receiving PHA informs the initial PHA that it will be absorbing the voucher, the receiving PHA cannot reverse its decision at a later date without consent of the initial PHA (24 CFR 982.355(c)(4)).

Initial Contact with Family

When a family moves into the PHA's jurisdiction under portability, the family is responsible for promptly contacting the PHA and complying with the PHA's procedures for incoming portable families. The family's failure to comply may result in denial or termination of the receiving PHA's voucher [24 CFR 982.355(c)(8)].

If the voucher issued to the family by the initial PHA has expired, the receiving PHA must contact the initial PHA to determine if it will extend the voucher [24 CFR 982.355(c)(13)].

If for any reason the receiving PHA refuses to process or provide assistance to a family under the portability procedures, the family must be given the opportunity for an informal review or hearing [Notice PIH 2016-09].

Briefing

HUD allows the receiving PHA to require a briefing for an incoming portable family as long as the requirement does not unduly delay the family's search [Notice PIH 2016-09].

HACSM will provide the family with a briefing packet (as described in Chapter 5) and, in an individual briefing, will orally inform the family about HACSM's subsidy standards and subsidy amounts, procedures for requesting approval of a unit, the unit inspection process, and the leasing process.

Income Eligibility and Reexamination

The receiving PHA does not re-determine eligibility for a portable family that was already receiving assistance in the initial PHA's voucher program. If the receiving PHA opts to conduct a new reexamination for a current participant family, the receiving PHA may not delay issuing the family a voucher or otherwise delay approval of a unit.

Voucher Issuance

When a family moves into its jurisdiction under portability, the receiving PHA is required to issue the family a voucher. The family must submit a request for tenancy approval to the receiving PHA during the term of the receiving PHA's voucher.

Timing of Voucher Issuance

HUD expects the receiving PHA to issue the voucher within two weeks after receiving the family's paperwork from the initial PHA if the information is in order, the family has

contacted the receiving PHA, and the family complies with the receiving PHA's procedures [Notice PIH 2016-09].

When a family ports into its jurisdiction, HACSM will issue the family a voucher based on the paperwork provided by the initial PHA unless the family's paperwork from the initial PHA is incomplete, the family's voucher from the initial PHA has expired or the family does not comply with the PHA's procedures. The PHA will update the family's information when verification has been completed.

Voucher Term

The term of the receiving PHA's voucher may not expire before 30 calendar days from the expiration of the initial PHA's voucher [24 CFR 982.355(c)(13)]. If the initial PHA extends the term of the voucher, the receiving PHA's voucher may not expire before 30 days from the new expiration date of the initial PHA's voucher [Notice PIH 2016-09].

Voucher Extensions [24 CFR 982.355(c)(14), Notice 2016-09]

Once the receiving PHA issues the portable family a voucher, the receiving PHA's policies on extensions of the voucher term apply. The receiving PHA must inform the initial PHA of any extension granted to the term of the voucher. It must also bear in mind the billing deadline provided by the initial PHA. Unless willing and able to absorb the family, the receiving PHA should ensure that any voucher expiration date would leave sufficient time to process a request for tenancy approval, execute a HAP contract, and deliver the initial billing to the initial PHA.

Voucher Suspensions [24 CFR 982.303, 24 CFR 982.355(c)(15)]

If the family submits a request for tenancy approval during the term of the receiving PHA's voucher, the PHA must suspend the term of that voucher. The term of the voucher stops from the date that the family submits a request for PHA approval of the tenancy until the date the PHA notifies the family in writing whether the request has been approved or denied [24 CFR 982.4(b)].

Notifying the Initial PHA

The receiving PHA must promptly notify the initial PHA if the family has leased an eligible unit under the program or if the family fails to submit a request for tenancy approval for an eligible unit within the term of the receiving PHA's voucher [24 CFR 982.355(c)(16)]. The receiving PHA is required to use Part II of form HUD-52665, Family Portability Information, for this purpose [Notice PIH 2016-09]. (For more on this topic and the deadline for notification, see below under "Administering a Portable Family's Voucher.")

If an incoming portable family ultimately decides not to lease in the jurisdiction of the receiving PHA but instead wishes to return to the initial PHA's jurisdiction or to search in another jurisdiction, the receiving PHA must refer the family back to the initial PHA. In such a case the voucher of record for the family is once again the voucher originally issued by the initial PHA. Any extension of search time provided by the receiving PHA's voucher is only valid for the family's search in the receiving PHA's jurisdiction [Notice PIH 2016-09].

Administering a Portable Family's Voucher

Portability Billing [24 CFR 982.355(e)]

To cover assistance for a portable family that was not absorbed, the receiving PHA bills the initial PHA for housing assistance payments and administrative fees. The amount of the housing assistance payment for a portable family in the receiving PHA's program is determined in the same manner as for other families in the receiving PHA's program.

The receiving PHA may bill the initial PHA for the lesser of 80 percent of the initial PHA's ongoing administrative fee or 100 percent of the receiving PHA's ongoing administrative fee for each program unit under contract on the first day of the month for which the receiving PHA is billing the initial PHA under portability. If the administrative fees are prorated for the HCV program, the proration will apply to the amount of the administrative fee for which the receiving PHA may bill (i.e., the receiving PHA may bill for the lesser of 80 percent of the initial PHA's prorated ongoing administrative fee or 100 percent of the receiving PHA's ongoing administrative fee).

If both PHAs agree, the PHAs may negotiate a different amount of reimbursement.

Initial Billing Deadline

If a portable family's search for a unit is successful and the receiving PHA intends to administer the family's voucher, the receiving PHA must submit its initial billing notice (Part II of form HUD-52665) (a) no later than 10 business days following the date the receiving PHA **executes** a HAP contract on behalf of the family **and** (b) in time that the notice will be **received** no later than 60 days following the expiration date of the family's voucher issued by the initial PHA [Notice PIH 2016-09]. A copy of the family's form HUD-50058, Family Report, completed by the receiving PHA must be attached to the initial billing notice. The receiving PHA may send these documents by mail, fax, or e-mail.

If the receiving PHA fails to send the initial billing within 10 business days following the date the HAP contract is executed, it is required to absorb the family into its own program unless (a) the initial PHA is willing to accept the late submission or (b) HUD requires the initial PHA to honor the late submission (e.g., because the receiving PHA is overleased) [Notice PIH 2016-09].

Ongoing Notification Responsibilities [Notice PIH 2016-09, HUD-52665]

Annual Reexamination. The receiving PHA must send the initial PHA a copy of a portable family's updated form HUD-50058 after each annual reexamination for the duration of time the receiving PHA is billing the initial PHA on behalf of the family, regardless of whether there is a change in the billing amount.

Change in Billing Amount. The receiving PHA is required to notify the initial PHA, using form HUD-52665, of any change in the billing amount for the family as a result of:

- A change in the HAP amount (because of a reexamination, a change in the applicable payment standard, a move to another unit, etc.)
- An abatement or subsequent resumption of the HAP payments
- Termination of the HAP contract
- Payment of a damage/vacancy loss claim for the family
- Termination of the family from the program

The timing of the notice of the change in the billing amount should correspond with the notification to the owner and the family in order to provide the initial PHA with advance notice of the change. Under no circumstances should the notification be later than 10 business days following the effective date of the change in the billing amount. If the receiving PHA fails to send Form HUD-52665 within 10 days of effective date of billing changes, the initial PHA is not responsible for any increase prior to notification. If the change resulted in a decrease in the monthly billing amount, the initial PHA will offset future monthly payments until the difference is reconciled.

Late Payments [Notice PIH 2016-09]

If the initial PHA fails to make a monthly payment for a portable family by the fifth business day of the month, the receiving PHA must promptly notify the initial PHA in writing of the deficiency. The notice must identify the family, the amount of the billing payment, the date the billing payment was due, and the date the billing payment was received (if it arrived late). The receiving PHA must send a copy of the notification to the Office of Public Housing (OPH) in the HUD area office with jurisdiction over the receiving PHA. If the initial PHA fails to correct the problem by the second month following the notification, the receiving PHA may request by memorandum to the director of the OPH with jurisdiction over the receiving PHA that HUD transfer the unit in question. A copy of the initial notification and any subsequent correspondence between the PHAs on the matter must be attached. The receiving PHA must send a copy of the memorandum to the initial PHA. If the OPH decides to grant the transfer, the billing arrangement on behalf of the family ceases with the transfer, but the initial PHA is still responsible for any outstanding payments due to the receiving PHA.

Overpayments [Notice PIH 2016-09]

In all cases where the receiving PHA has received billing payments for billing arrangements no longer in effect, the receiving PHA is responsible for returning the full amount of the overpayment (including the portion provided for administrative fees) to the initial PHA.

In the event that HUD determines billing payments have continued for at least three months because the receiving PHA failed to notify the initial PHA that the billing arrangement was terminated, the receiving PHA must take the following steps:

- Return the full amount of the overpayment, including the portion provided for administrative fees, to the initial PHA.
- Once full payment has been returned, notify the Office of Public Housing in the HUD area office with jurisdiction over the receiving PHA of the date and the amount of reimbursement to the initial PHA.

At HUD's discretion, the receiving PHA will be subject to the sanctions spelled out in Notice PIH 2016-09.

Denial or Termination of Assistance

At any time, the receiving PHA may make a determination to deny or terminate assistance to a portable family for family action or inaction [24 CFR 982.355(c)(17)].

In the case of a termination, the PHA should provide adequate notice of the effective date to the initial PHA to avoid having to return a payment. In no event should the receiving PHA fail to notify the initial PHA later than 10 business days following the effective date of the termination of the billing arrangement [HUD-52665; Notice PIH 2016-09].

Absorbing a Portable Family

The receiving PHA may absorb an incoming portable family into its own program when the PHA executes a HAP contract on behalf of the family or at any time thereafter providing that the PHA has funding available under its annual contributions contract (ACC) [24 CFR 982.355(d)(1), Notice PIH 2016-09].

If the receiving PHA absorbs a family from the point of admission, the admission will be counted against the income targeting obligation of the receiving PHA [24 CFR 982.201(b)(2)(vii)].

If the receiving PHA absorbs a family after providing assistance for the family under a billing arrangement with the initial PHA, HUD encourages the receiving PHA to provide adequate advance notice to the initial PHA to avoid having to return an overpayment. The receiving PHA must specify the effective date of the absorption of the family [Notice PIH 2016-09].

Following the absorption of an incoming portable family, the family is assisted with funds available under the consolidated ACC for the receiving PHA's voucher program [24 CFR 982.355(d)], and the receiving PHA becomes the initial PHA in any subsequent moves by the family under portability [24 CFR 982.355(e)(4)].

Chapter 11

REEXAMINATIONS

MTW waiver: *The Agency is authorized to define, adopt and implement a reexamination program that differs from the reexamination program currently mandated in the 1937 Act and its implementing regulations. This authorization waives certain provisions of Section 8(o)(5) of the 1937 Act and 24 CFR 982.516 as necessary to implement the Agency's MTW Plan.*

I. INTRODUCTION

The reexamination process includes gathering and verifying current information about family composition, income, and expenses. Based on the information obtained during the reexamination process, HACSM will calculate the family's annual adjusted income.

II. ANNUAL OR TRIENNIAL REEXAMINATIONS

HACSM will institute a triennial reexamination schedule (every three years) for families that are designated as elderly or disabled (i.e., receiving the \$400 elderly household allowance). Generally, the sources of income for these households are subject to predictable and minimal increase.

For all other families (non-elderly, non-disabled), reexamination will occur annually.

The reexamination due date is determined by the program admission date of the family. Relocating to a different unit or change of lease date will not affect the reexamination due date.

All families are required to participate in a reexamination interview. All adult household members, 18 years and older must attend the reexamination interview and/or sign forms and provide documentation applicable to the household.

Students who attend school out of the area and/or who live away from the household will not be considered as family members. This removal does not mean the students will not be allowed to return to the unit; however, the students will not be considered in HACSM's determination of unit size and the income will not be included.

Prior to the COVID-19 pandemic, notification of reexamination interviews was sent by first-class mail and contained the date, time, and location of the interview. In addition, it informed the family of the information and documentation that must be provided at the interview. Families were required to bring all information as described in the reexamination notice to the reexamination appointment.

As a result of the COVID-19 pandemic, processes surrounding reexaminations have been modified to include additional communication channels with families, such as email, telephone, mail, DocuSign and online portals administered by HACSM's third-party software vendor, Rent Café PHA.

An advocate, interpreter, or other assistant may assist the family in the interview process or the family can request HACSM to provide language assistance.

Any required documents or information that the family is unable to provide at the time of the interview must be provided within 30 business days of the interview. If the family is unable to obtain the information or materials within the required time frame, the family may request an extension.

If the family does not provide the required documentation or information within the required time frame, the family will be sent a notice of termination.

If a family fails to attend two scheduled interviews, or if the notice is returned by the post office, a notice of termination will be sent to the family's address of record in the family's file.

III. INTERIM REEXAMINATIONS

Families are required to report the following changes:

- Changes in family composition that occur between regularly scheduled reexaminations; or
- Changes in the status of Full-Time Students (FTS) between regularly scheduled reexaminations (i.e. if a member reports full-time student status, then drops or withdraws from classes and is no longer a full-time student); or
- If the family has reported a decrease in income resulting in an interim adjustment of the tenant rent with pending benefit, the family is required to subsequently report final determination in income or benefits; or
- If the family income status is at zero income (including income calculated based on HACSM's Income and Expense Statement)

An interim reexamination will be conducted or processed when:

- There is a change in the income that results in a *decrease* in total family income. The decrease must be expected to last at least 30 days or longer.

The exception to this process is for school employees since HACSM has already calculated their income based on the school year – no interim examination or adjustment will be processed.
- Verification for pending benefits is unavailable and HASCM processed a rent adjustment without including the pending benefit as income. In such case, HACSM will adjust the family portion of rent once the verification of benefit is received.
- There is a change in family composition
- There is a change in the status of Full-Time Students who receive wages/earned income.
- The family reported zero income on the family's last housing application (including income calculated based on HACSM's Income and Expense Statement). HACSM will conduct interim redeterminations every 120 days for zero income families.

- The family's rent portion is 80% or more of its annual adjusted income (high rent burden). HACSM will conduct interim redeterminations every 120 days for high rent burden families.
- The family's rent was decreased due to a loss in earnings from self or seasonal employment, or employment from temporary agencies, HACSM will conduct an interim redetermination when the family member returns to work.

Families must request HACSM approval to add a new family member, live-in aide, foster child, or foster adult. This includes any person not on the lease who is expected to stay in the unit for more than 14 consecutive days, or 60 cumulative days within a twelve-month period, and therefore no longer qualifies as a guest or visitor. Requests must be made in writing and approved by the HACSM *prior* to the individual moving in the unit.

HACSM will not approve the addition of other dependents to the household unless the family can provide proof of legal guardianship.

HACSM will not approve the addition of a new family or household member unless the individual meets the HACSM's eligibility criteria (see Chapter 3).

HACSM will not approve the addition of a foster child or foster adult if it will cause a violation of HQS space standards.

When an interim reexamination is conducted, only those factors that have been changed will be verified.

Changes in Head of Household (HOH)

If a change in HOH is reported, the following provisions will be applied:

1. The individual becoming the new HOH must be in the household for at least the previous 12 consecutive months, **and**
2. At the time of the HOH change, the household would join the time-limited MTW Self-Sufficiency program. However, if the household is already enrolled in the time-limited MTW Self-Sufficiency program, the remaining household members would only be eligible for the remaining term, not an additional term.

The following exceptions may apply to the automatic enrollment in HACSM's MTW Self-Sufficiency program:

1. If the newly designated HOH is elderly/disabled, they will have the ability to "opt out" of the time-limited MTW Self-Sufficiency program;
2. If the change in HOH is the result of domestic violence;
3. If the new HOH is an original household member (verified by HACSM data);
4. When the change in HOH is the result of a temporary guardian becoming the permanent guardian of existing minors on the housing application;

IV. EFFECTIVE DATES

For annual and triennial reexaminations, regardless of whether the family's portion of rent increases or decreases, the new rent amount will be effective on the family's designated "anniversary date."

If the family causes a delay so that the processing of the regular reexamination is not completed by the scheduled reexamination date, the adjustment in the housing assistance payment (increase or decrease) will be effective on the first day of the month following completion of the reexamination.

For interim reexaminations, a decrease in the family's portion of the rent is effective on the first day of the month following the completion of processing the change.

For interim reexaminations, an increase in the family's portion of the rent is effective at least 30 days from the first of the month following the completion of processing the change.

V. NOTIFICATION OF NEW FAMILY SHARE AND HAP AMOUNT

HACSM will notify the owner and family of any changes in the amount of the HAP payment. The notice will include the following information:

- The amount and effective date of the new HAP payment
- The amount and effective date of the new tenant rent to owner

The family will be given an opportunity for an informal hearing and/or hardship review (for MTW rent reform initiatives) regarding HACSM's determination of their annual or adjusted income, and the use of such income to compute the housing assistance payment.

Chapter 12

DENIAL OR TERMINATION OF ASSISTANCE

MTW waiver: *The Agency is authorized to determine the term and content of Housing Assistance Payment (HAP) contracts to owners during the term of the MTW demonstration. However, any revised HAP contract must include language noting that the funding for the contract is subject to the availability of Appropriations. This authorization waives certain provisions of Section 8(o)(7) of the 1937 Act and 24 CFR 982.162 as necessary to implement the Agency's Annual MTW Plan.*

I. INTRODUCTION

HACSM may deny or terminate assistance to a family because of the family's action or failure to act. HACSM will provide families with a written description of the grounds under which HACSM is proposing to deny or terminate assistance and the process by which a tenant or an applicant may request an informal hearing or review. This chapter describes HACSM policies for denying or terminating Section 8 assistance.

II. FORMS OF DENIAL

Denial of assistance for an applicant may include any of the following:

- Not placing the family's name on the waiting list
- Denying or withdrawing a voucher
- Not approving a request for tenancy or refusing to enter into a HAP contract
- Refusing to process a request for or to provide assistance under portability procedures

III. PROHIBITED REASONS FOR DENIAL OF ASSISTANCE

Denial of program assistance does not include any of the following criteria:

- Age, disability, race, color, religion, sex, or national origin
- Where a family lives prior to admission to the program
- Where the family will live with assistance under the program. Although eligibility is not affected by where the family will live, there may be restrictions on the family's ability to move outside HACSM's jurisdiction.
- Whether members of the family are unwed parents, recipients of public assistance, or children born out of wedlock
- Whether the family includes children
- Whether a family decides to participate in a family self-sufficiency program

- Whether or not a qualified applicant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking if the applicant is otherwise qualified for assistance

IV. MANDATORY DENIAL OF ASSISTANCE

HACSM will deny assistance in the following cases:

- Any household member has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine on the premises of federally assisted housing.
- Any household member is subject to a lifetime registration requirement under a state sex offender registration program.
- Any member of the household has been evicted from federally-assisted housing in the last three (3) years for drug-related criminal activity. HACSM will admit an otherwise-eligible family who was evicted from federally-assisted housing within the past three years for drug-related criminal activity, if HACSM is able to verify that the household member who engaged in the criminal activity has completed a supervised drug rehabilitation program, or the person who committed the crime, is no longer living in the household.
- HACSM determines that any household member is currently engaged in the use of illegal drugs. *Currently engaged in* is defined as any use of illegal drugs during the previous six months.
- HACSM has reasonable cause to believe that any household member's current use or pattern of use of illegal drugs, or current abuse or pattern of abuse of alcohol, may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.

In determining reasonable cause, HACSM will consider all credible evidence, including but not limited to, any record of convictions, arrests, or evictions of household members related to the use of illegal drugs or the abuse of alcohol. A conviction will be given more weight than an arrest. HACSM will also consider evidence from treatment providers or community-based organizations providing services to household members.

- HACSM determines the family has no citizens or eligible alien members in the household. Housing assistance is restricted to citizens and non-citizens who have been lawfully admitted to the United States. "Mixed families" may be eligible for prorated assistance. If the family fails to submit required evidence of citizenship or eligible immigration status based on non-citizen rule regulations and applicable informal hearing procedures and is not eligible.
- If any member of the family fails to sign and submit consent forms allowing HACSM to obtain wage and income information.
- If the head of household or other adult family members are currently being assisted under HACSM's time-limited MTW Self-Sufficiency program or has exited the time-limited program within the last 36 months.

V. OTHER REASONS FOR DENIAL OF ASSISTANCE

HACSM will deny an applicant (or a new adult member being added to an existing household) admission for participation in the program in the following cases:

- If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past three years:
 - *Drug-related criminal activity*, defined by HUD as the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug [24 CFR 5.100].
 - HACSM exercises its discretion to adhere to Federal law which prohibits use of marijuana as a drug-related criminal activity.
 - *Violent criminal activity*, defined by HUD as any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage [24 CFR 5.100].
 - Criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity (*Immediate vicinity* means within a three-block radius of the premises); or
 - Criminal activity that may threaten the health or safety of property owners and management staff, and persons performing contract administration functions or other responsibilities on behalf of the HA (including a HA employee or a HA contractor, subcontractor, or agent). Evidence of such criminal activity includes, but is not limited to:
 - Conviction for drug-related or violent criminal activity within the past three years.
 - Any record of eviction from public or privately-owned housing as a result of criminal activity within the past three years.
- Any family member has been evicted from federally-assisted housing in the last three years;
- Any PHA has ever terminated assistance under the program for any member of the family within the last three years;
- Any family member has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program;
- The family owes rent or other amounts to any housing authority in connection with Section 8 or other public housing assistance under the 1937 Act, unless the family repays the full amount of the debt prior to program admission;
- If the family has not reimbursed any PHA for amounts the PHA paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease, unless the family repays the full amount of the debt prior to program admission;

- The family has breached the terms of a repayment agreement entered into with HACSM, unless the family repays the full amount of the debt covered in the repayment agreement prior to program admission;

Upon consideration of all factors, HACSM may, on a case-by-case basis, decide not to deny assistance.

VI. SCREENING FOR ELIGIBILITY

Criminal Background Checks

HACSM is required to perform criminal background checks necessary to determine whether applicants are engaging in or have engaged in certain criminal activities or whether any household member is subject to a lifetime registration requirement under a state sex offender program in the state where the housing is located, as well as in any other state where a household member is known to have resided. In order to obtain access to the records, HACSM will require every applicant family to submit a consent form signed by each adult household member.

Additionally, HACSM will ask whether the applicant, or any member of the applicant's household, is subject to a lifetime registered sex offender registration requirement in any state.

Should HACSM's screening process reveal that an applicant's household includes an individual subject to state lifetime registered sex offender registration, HACSM will offer the family the opportunity to remove the ineligible family member from the household. If the family is unwilling to remove that individual from the household, HACSM will deny admission to the family.

For other criminal activity, HACSM may permit the family to exclude the culpable family members as a condition of eligibility.

If HACSM proposes to deny assistance based on a criminal record or on lifetime sex offender registration information, HACSM will notify the household of the proposed action and provide the subject of the record and the applicant a copy of the record and an opportunity to dispute the accuracy and relevance of the information prior to a denial of admission.

Screening for Suitability as a Tenant

HACSM has no liability or responsibility to the owner for the family's behavior or suitability for tenancy. HACSM will not conduct additional screening to determine an applicant family's suitability for tenancy.

The owner is responsible for screening and selection of the family to occupy the owner's unit. HACSM will inform the owner that screening and selection for tenancy is the responsibility of the owner. An owner may consider a family's history with respect to factors such as: payment of rent and utilities, caring for a unit and premises, respecting the rights of other residents to the peaceful enjoyment of their housing, criminal activity that is a threat to the health, safety or property of others, and compliance with other essential conditions of tenancy.

HACSM will provide prospective owners with the family's current and prior address (as shown in HACSM records) and the name and address (if known) of the owner at the family's current and prior addresses.

HACSM may provide owners with additional information, as long as families are notified that the information will be provided, and the same type of information is provided to all owners.

HACSM may not disclose to the owner any confidential information provided to HACSM by the family in response to a request for documentation of domestic violence, dating violence, sexual assault, or stalking except at the written request or with the written consent of the individual providing the documentation.

HACSM will provide the following information, based on documentation in its possession:

- Eviction history
- Damage to rental units
- Other aspects of tenancy history that is a matter of public record
- Drug trafficking by family members

HACSM policy on providing information to owners is included in the briefing packet and will apply uniformly to all families and owners.

VII. CRITERIA FOR DECIDING TO DENY ASSISTANCE

HACSM will use the concept of “the preponderance of the evidence” as the standard for making all admission decisions.

Preponderance of the evidence is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

Consideration of Circumstances

HACSM will consider the following factors when making its decision:

- The seriousness of the case, especially with respect to how it would affect other residents;
- The effects that denial of assistance may have on other members of the family who were not involved in the action or failure;
- The extent of participation or culpability of individual family members, including whether the culpable family member is a minor or a person with disabilities, or a victim of domestic violence, dating violence, sexual assault, or stalking;
- The length of time since the violation occurred, the family’s recent history and the likelihood of favorable conduct in the future;

- In the case of drug or alcohol abuse, whether the culpable household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program or has otherwise been rehabilitated successfully:
 - HACSM will require the applicant to submit evidence of the household member's current participation in or successful completion of a supervised drug or alcohol rehabilitation program, or evidence of otherwise having been rehabilitated successfully.
- In the case of money owed to HACSM or any PHA, whether HACSM's applicant family is an adult member/adult child of the household with a debt incurred by the parent(s) or Head of Household.

Removal of a Family Member's Name from the Application

Should HACSM's screening process reveal that an applicant's household includes an individual subject to state lifetime sex offender registration, HACSM will offer the family the opportunity to remove the ineligible family member from the household. If the family is unwilling to remove that individual from the household, HACSM will deny admission to the family [Notice PIH 2012-28].

For other criminal activity, HACSM may permit the family to exclude the culpable family members as a condition of eligibility. In such instances, the head of household must certify that the family member will not be permitted to visit, stay as a guest, or reside in the assisted unit.

After admission to the program, the family must present evidence of the former family member's current address upon HACSM request.

VIII. NOTICE OF ELIGIBILITY OR DENIAL

If the family is eligible for assistance, HACSM will notify the family in writing and schedule a voucher briefing, as discussed in Chapter 5.

If HACSM determines that a family is not eligible for the program for any reason, the family will be notified promptly. The notice will describe the reasons for which assistance has been denied, the family's right to an informal review, and the process for obtaining the informal review.

If HACSM uses a criminal record or sex offender registration information obtained under 24 CFR 5, Subpart J, as the basis of a denial, a copy of the record must precede the notice to deny, with an opportunity for the applicant to dispute the accuracy and relevance of the information before HACSM can move to deny the application. In addition, a copy of the record must be provided to the subject of the record [24 CFR 5.903(f) and 5.905(d)]. HACSM must give the family an opportunity to dispute the accuracy and relevance of that record, in the informal review process in accordance with program requirements [24 CFR 982.553(d)]. The family will be given 10 business days to dispute the accuracy and relevance of the information.

If the family does not contact HACSM to dispute the information within the established time frame, HACSM will proceed with issuing the notice of denial of admission. A family that does not exercise their right to dispute the accuracy of the information prior

to issuance of the official denial letter will still be given the opportunity to do so as part of the informal review process.

IX. PROHIBITION AGAINST DENIAL OF ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

The Violence against Women Act of 2013 (VAWA) and HUD regulation at 24 CFR 5.2005(b) prohibit PHAs from denying an applicant admission to the Housing Voucher program “on the basis or as a direct result of the fact that the applicant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant otherwise qualifies for assistance or admission.”

Definitions

As used in VAWA:

- The term *bifurcate* means, with respect to a public housing or Section 8 lease, to divide a lease as a matter of law such that certain tenants can be evicted or removed while the remaining family members’ lease and occupancy rights are allowed to remain intact.
- The term *dating violence* means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship
 - The type of relationship
 - The frequency of interaction between the persons involved in the relationship
- The term *domestic violence* includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.
- The term *affiliated individual* means, with respect to a person:
 - A spouse, parent, brother or sister, or child of that individual, or an individual to whom that individual stands in the position or place of a parent; or
 - Any other individual, tenant, or lawful occupant living in the household of the victim of domestic violence, dating violence, sexual assault, or stalking.
- The term *sexual assault* means:
 - Any nonconsensual sexual act proscribed by federal, tribal, or state law, including when the victim lacks the capacity to consent

- The term *stalking* means:
 - To engage in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.

Notification

VAWA 2013 expanded notification requirements to include the obligation for PHAs to provide applicants who are denied assistance with a VAWA Notice of Occupancy Rights (form HUD-5380) and a domestic violence certification form (HUD-5382) at the time the applicant is denied.

HACSM acknowledges that a victim of domestic violence, dating violence, sexual assault, or stalking may have an unfavorable history (e.g. a poor credit history, poor rental history, a record of previous damage to an apartment, a prior arrest record) due to adverse factors that would warrant denial under its policies.

While HACSM is not required to identify whether adverse factors that resulted in the applicant's denial are a result of domestic violence, dating violence, sexual assault, or stalking, applicants may inform HACSM that their status as a victim is directly related to the grounds for the denial. HACSM will request that the applicant provide enough information to allow the agency to make an objectively reasonable determination, based on all circumstances, whether the adverse factor is a direct result of their status as a victim.

Documentation

A PHA presented with a claim for initial or continued assistance based on status as a victim of domestic violence, dating violence, sexual assault, stalking, or criminal activity related to any of these forms of abuse may—but is not required to—request that the individual making the claim document the abuse. Any request for documentation must be in writing, and the individual must be allowed at least 14 business days after receipt of the request to submit the documentation. The PHA may extend this time period at its discretion. [24 CFR 5.2007(a)]

The individual may satisfy the HACSM's request by providing any one of the following three forms of documentation [24 CFR 5.2007(b)]:

- (1) A completed and signed HUD-approved certification form (HUD-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking), which must include the name of the perpetrator only if the name of the perpetrator is safe to provide and is known to the victim. The form may be filled out and submitted on behalf of the victim.
- (2) A federal, state, tribal, territorial, or local police report or court record, or an administrative record.
- (3) Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, sexual assault or stalking, or the effects of such abuse. This person may be an employee, agent, or volunteer of a victim service provider; an attorney; a mental health professional; or a medical professional. The person signing the documentation must attest under penalty of perjury to the

person's belief that the incidents in question are bona fide incidents of abuse. The victim must also sign the documentation.

HACSM may not require third-party documentation (forms 2 and 3) in addition to certification (form 1), except as specified below under "Conflicting Documentation," nor may it require certification in addition to third-party documentation [VAWA final rule].

Conflicting Documentation [24 CFR 5.2007(e)]

In cases where HACSM receives conflicting certification documents from two or more members of the household, each claiming to be a victim and naming one or more of the other petitioning household members as the perpetrator, HACSM may determine which is the true victim by requiring each to provide acceptable third-party documentation, as described above (forms 2 and 3). HACSM may also request third-party documentation when submitted documentation contains information that conflicts with existing information already available to the PHA. Individuals have 30 calendar days to return third-party verification to the PHA. If the PHA does not receive third-party documentation, and the PHA will deny or terminate assistance as a result, the PHA must hold separate hearings for the tenants [Notice PIH 2017-08].

HACSM will honor any court orders issued to protect the victim or to address the distribution of property.

Perpetrator Documentation

If the perpetrator of the abuse is a member of the applicant family, the applicant must provide additional documentation consisting of one of the following:

- A signed statement (1) requesting that the perpetrator be removed from the application and (2) certifying that the perpetrator will not be permitted to visit or to stay as a guest in the assisted unit.
- Documentation that the perpetrator has successfully completed, or is successfully undergoing, rehabilitation or treatment. The documentation must be signed by an employee or agent of a domestic violence service provider or by a medical or other knowledgeable professional from whom the perpetrator has sought or is receiving assistance in addressing the abuse. The signer must attest under penalty of perjury to his or her belief that the rehabilitation was successfully completed or is progressing successfully.

Discretion to Require No Formal Documentation [24 CFR 5.2007(d)]

HACSM has the discretion to provide benefits to an individual based solely on the individual's statement or other corroborating evidence—i.e., without requiring formal documentation of abuse in accordance with 24 CFR 5.2007(b). HUD recommends documentation in a confidential manner when a verbal statement or other evidence is accepted.

If HACSM accepts an individual's statement or other corroborating evidence (as determined by the victim) of domestic violence, dating violence, sexual assault or stalking, HACSM will document acceptance of the statement or evidence in the individual's file.

Failure to Provide Documentation [24 CFR 5.2007(c)]

In order to deny relief for protection under VAWA, HACSM will provide the individual requesting relief with a written request for documentation of abuse. If the individual fails to provide the documentation within 14 business days from the date of receipt, or such longer time as HACSM may allow, the HACSM may deny relief for protection under VAWA.

Confidentiality [24 CFR 5.2007(b)(4)]

All information provided to HACSM regarding domestic violence, dating violence, or stalking, including the fact that an individual is a victim of such violence or stalking, will be retained in confidence. This means that the HACSM (1) may not enter the information into any shared database, (2) may not allow employees or others to access the information unless they are explicitly authorized to do so and have a need to know the information for purposes of their work, and (3) may not provide the information to any other entity or individual, except to the extent that the disclosure is (a) requested or consented to by the individual in writing, (b) required for use in an eviction proceeding, or (c) otherwise required by applicable law.

If disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, HACSM will inform the victim before disclosure occurs so that safety risks can be identified and addressed.

X. TERMINATION OF ASSISTANCE

Family Has Completed the Time-Limited MTW Programs

Assistance for all new families who enter HACSM's time-limited MTW programs either through referral, as determined by HACSM, or via the HACSM waiting-list, will automatically end at the program term.

Family No Longer Requires Assistance

As a family's income increases, the amount of the housing assistance payment decreases. If the amount of assistance provided by HACSM is reduced to zero, the family's assistance terminates automatically 90 days after the last HAP payment.

If a participating family receiving zero assistance experiences a change in circumstances that would result in a HAP payment to the owner, the family must notify HACSM of the change and request an interim reexamination before the expiration of the 90-day period.

Family Exceeds Asset Limits

Participants will be determined ineligible for the program if they have experienced an increase in assets, valuing more than \$100,000 in assets, or have gained ownership interest in a suitable home in which they have a legal right to reside (see Chapter 7 for further details).

If a participating family is determined ineligible due to the above reason, HACSM will continue assistance for 90 days from the determination prior to terminating assistance.

If a participating family experiences a change in asset value during the 90 days, the family must notify HACSM of the change and request an interim before the expiration of the 90-day period.

Family Chooses to Terminate Assistance

The family may request that HACSM terminate housing assistance payments on behalf of the family at any time.

The request to terminate assistance should be made in writing and signed by the head of household, spouse, or co-head.

If no written notice is received, but some other form of notification is received (verbal from family, verbal or written from owner), HACSM staff will document the file accordingly and send a confirmation notice to the family and the owner within 10 business days of the notification, but no later than the proposed termination effective date.

Family Absence from the Unit

The family may be absent from the unit for brief periods. However, the family cannot be absent from the unit for a period of more than 90 consecutive calendar days for any reason. Absence in this context means that no member of the family is residing in the unit.

If the family is absent from the unit for more than 90 consecutive calendar days, the family's assistance will be terminated and notice of termination will be sent in accordance with policies set forth in this plan.

XI. MANDATORY TERMINATION OF ASSISTANCE

HACSM will terminate assistance in the following circumstances:

- If any household member has ever been convicted of the manufacture or production of methamphetamine on the premises of federally-assisted housing.
- The family is evicted from a unit assisted under the Voucher program for a serious or repeated violation of the lease. Serious and repeated lease violations will include, but not be limited to, nonpayment of rent, disturbance of neighbors, destruction of property, or living or housekeeping habits that cause damage to the unit or premises and criminal activity. Generally, the criterion to be used will be whether or not the reason for the eviction was the fault of the tenant or guests.

Incidents of actual or threatened domestic violence, dating violence, sexual assault, or stalking may not be construed as serious or repeated violations of the lease by the victim or threatened victim of such violence or stalking.

A family will be considered *evicted* if the family moves after a legal eviction order has been issued, whether or not physical enforcement of the order was necessary.

If a family moves after the owner has given the family an eviction notice for serious or repeated lease violations but before a legal eviction order has been issued, termination of assistance is not mandatory. However, the HACSM will

determine whether the family has committed serious or repeated violations of the lease based on available evidence and may terminate assistance or take any alternative measures. Upon consideration of such alternatives and factors, the HACSM may, on a case-by-case basis, choose not to terminate assistance.

- Any family member fails to sign and submit any consent form they are required to sign for a regular or interim reexamination.
- The family fails to submit required documentation within the required timeframe concerning any family member's citizenship or immigration status; a family submits evidence of citizenship and eligible immigration status in a timely manner, but United States Citizenship and Immigration Services (USCIS) primary and secondary verification does not verify eligible immigration status of the family; or a family member, as determined by the HACSM, has knowingly permitted another individual who is not eligible for assistance to reside (on a permanent basis) in the unit. For the latter reason, such termination must be for a period of at least 24 months. This does not apply to ineligible non-citizens already in the household where the family's assistance has been prorated.
- If a participant family fails to disclose the complete and accurate social security numbers of each household member and the documentation necessary to verify each social security number.

However, if the family is otherwise eligible for continued program assistance, and HACSM determines that the family's failure to meet the SSN disclosure and documentation requirements was due to circumstances that could not have been foreseen and were outside of the family's control, HACSM may defer the family's termination and provide the opportunity to comply with the requirement within a period not to exceed 90 calendar days from the date HACSM determined the family to be noncompliant.

- HACSM will immediately terminate program assistance for deceased single member households.
- If a student enrolled at an institution of higher education is under the age of 24, is not a veteran, is not married, does not have dependent children, and is not residing with his/her parents in a Voucher assisted household, HACSM must terminate the student's assistance if, at the time of reexamination, either the student's income or the income of the student's parents (if applicable) exceeds the applicable income limit.

If a participant household consists of both eligible and ineligible students, the eligible students shall not be terminated, but must be issued a voucher to move with continued assistance in accordance with program regulations and HACSM policies or must be given the opportunity to lease in place if the terminated ineligible student members elect to move out of the assisted unit.

- If any household member is currently engaged in any illegal use of a drug or has a pattern of illegal drug use that interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents. *Currently engaged in* is defined as any use of illegal drugs during the previous six months.

- If any household member's abuse or pattern of abuse of alcohol threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.

HACSM will terminate a family's assistance if any household member has violated the family's obligation not to engage in any drug-related or violent criminal activity during participation in the HCV program.

Drug-related criminal activity is defined by HUD as the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug. *Drug* means a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

- HACSM exercises its discretion to adhere to Federal law which prohibits the use of marijuana as a drug-related criminal activity.

Violent criminal activity means any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

- Should HACSM discover that a member of an assisted household was subject to a lifetime (sex offender) registration requirement at admission and was erroneously admitted after June 25, 2001, HACSM will immediately terminate assistance for the household member.

In this situation, HACSM will offer the family the opportunity to remove the ineligible family member from the household. If the family is unwilling to remove that individual from the household, HACSM will terminate assistance for the household.

Upon consideration of all factors or alternatives, HACSM may, on a case-by-case basis, decide not to terminate assistance.

XII. OTHER AUTHORIZED REASONS FOR TERMINATION OF ASSISTANCE

HACSM **may** terminate a family's assistance if:

- The family has failed to comply with any family obligations under the program.
- Any family member has been evicted from federally-assisted housing in the last three years;
- Any PHA has terminated assistance under the program for any member of the family within the last three years;
- Any family member has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program;
- The family currently owes rent or other amounts to any PHA in connection with Section 8 or public housing assistance under the 1937 Act;
- The family has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease;

- The family has breached the terms of a repayment agreement entered into with the HACSM;
- A family member has engaged in or threatened violent or abusive behavior toward HACSM personnel. *Abusive or violent behavior towards HA personnel* includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered abusive or violent behavior. *Threatening* refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.

VAWA 2013 explicitly prohibits PHAs from considering incidents of, or criminal activity directly related to, domestic violence, dating violence, sexual assault, or stalking as reasons for terminating the assistance of a victim of such abuse.

Additionally, per the alternative requirements listed in the *Federal Register* notice dated December 29, 2014, PHAs are no longer permitted to terminate assistance to a family due to the family's failure to meet its obligations under the Family Self-Sufficiency (FSS) contract of participation [FR Notice 12/29/14].

Upon consideration of all factors or alternatives, HACSM may, on a case-by-case basis, decide not to terminate assistance.

XIII. ALTERNATIVES TO TERMINATION OF ASSISTANCE

Change in Household Composition

As a condition of continued assistance, the head of household must certify that the culpable family member has vacated the unit and will not be permitted to visit or to stay as a guest in the assisted unit. The family must present evidence of the former family member's current address upon HACSM request.

Repayment of Family Debts

If a family owes amounts to HACSM, as a condition of continued assistance, HACSM will require the family to repay the full amount or to enter into a repayment agreement, within 30 days of receiving notice from HACSM of the amount owed.

XIV. CRITERIA FOR DECIDING TO TERMINATE ASSISTANCE

HACSM will use the concept of "the preponderance of the evidence" as the standard for making termination decisions.

Preponderance of the evidence is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence

Consideration of Circumstances

HACSM will consider the following factors when making its decision:

- The seriousness of the case, especially with respect to how it would affect other residents;

- The effects that termination of assistance may have on other members of the family who were not involved in the action or failure;
- The extent of participation or culpability of individual family members, including whether the culpable family member is a minor or a person with disabilities, or a victim of domestic violence, dating violence, sexual assault, or stalking;
- The length of time since the violation occurred, the family's recent history and the likelihood of favorable conduct in the future;
- In the case of drug or alcohol abuse, whether the culpable household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program or has otherwise been rehabilitated successfully;

HACSM will require the applicant to submit evidence of the household member's current participation in or successful completion of a supervised drug or alcohol rehabilitation program, or evidence of otherwise having been rehabilitated successfully.

Reasonable Accommodation

If the family includes a person with disabilities, HACSM's decision to terminate the family's assistance is subject to consideration of reasonable accommodation in accordance with 24 CFR Part 8.

If a family indicates that the behavior of a family member with a disability is the reason for a proposed termination of assistance, HACSM will determine whether the behavior is related to the disability. If so, upon the family's request, HACSM will determine whether alternative measures are appropriate as a reasonable accommodation. HACSM will only consider accommodations that can reasonably be expected to address the behavior that is the basis of the proposed termination of assistance. See Chapter 2 for a discussion of reasonable accommodation.

XV. TERMINATIONS RELATED TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

This section describes the protections against termination of assistance that the Violence against Women Act of 2013 (VAWA) provides for victims of domestic violence, dating violence, sexual assault, or stalking.

VAWA Protections against Termination

VAWA provides four specific protections against termination of HCV assistance for victims of domestic violence, dating violence, sexual assault or stalking. (*Note:* The second, third, and fourth protections also apply to terminations of tenancy or occupancy by owners participating in the HCV program, as do the limitations discussed under the next heading.)

First, VAWA provides that a PHA may not terminate assistance to a family that moves out of an assisted unit in violation of the lease, with or without prior notification to the PHA, if the move occurred to protect the health or safety of a family member who is or has been the victim of domestic violence, dating violence, sexual assault, or stalking and who reasonable believed he or she was imminently threatened by harm from further violence if he or she remained in the unit [24 CFR 982.354(b)(4)].

Second, it provides that an incident or incidents of actual or threatened domestic violence, dating violence, sexual assault, or stalking may not be construed either as a serious or repeated lease violation by the victim or as good cause to terminate the assistance of the victim [24 CFR 5.2005(c)(1)].

Third, it provides that criminal activity directly related to domestic violence, dating violence, sexual assault, or stalking may not be construed as cause for terminating the assistance of a tenant if a member of the tenant's household, a guest, or another person under the tenant's control is the one engaging in the criminal activity and the tenant or affiliated individual or other individual is the actual or threatened victim of the domestic violence, dating violence, sexual assault, or stalking [24 CFR 5.2005(c)(2)].

Fourth, it gives PHAs the authority to terminate assistance to any tenant or lawful occupant who engages in criminal acts of physical violence against family members or others without terminating assistance to, or otherwise penalizing, the victim of the violence [24 CFR 5.2009(a)].

Limitations on VAWA Protections [24 CFR 5.2005(d) and (e)]

VAWA does not limit the authority of a PHA to terminate the assistance of a victim of abuse for reasons unrelated to domestic violence, dating violence, sexual assault, or stalking so long as the PHA does not subject the victim to a more demanding standard than it applies to other program participants [24 CFR 5.2005(d)(1)].

Likewise, VAWA does not limit the authority of a PHA to terminate the assistance of a victim of domestic violence, dating violence, sexual assault, or stalking if the PHA can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the assisted property if the victim is not terminated from assistance [24 CFR 5.2005(d)(2)].

HUD regulations define *actual and imminent threat* to mean words, gestures, actions, or other indicators of a physical threat that (a) is real, (b) would occur within an immediate time frame, and (c) could result in death or serious bodily harm [24 CFR 5.2005(d)(2) and (e)]. In determining whether an individual would pose an actual and imminent threat, the factors to be considered include:

- The duration of the risk
- The nature and severity of the potential harm
- The likelihood that the potential harm will occur
- The length of time before the potential harm would occur

In order to demonstrate an actual and imminent threat, the PHA must have objective evidence of words, gestures, actions, or other indicators. Even when a victim poses an actual and imminent threat, however, HUD regulations authorize a PHA to terminate the victim's assistance "only when there are no other actions that could be taken to reduce or eliminate the threat".

Documentation of Abuse

When an individual facing termination of assistance for reasons related to domestic violence, dating violence, sexual assault, or stalking claims protection under VAWA, HACSM will request the individual provide documentation supporting the claim. The documentation must include one of the following elements:

1. A completed and signed HUD-approved certification form (HUD-50066, Certification of Domestic Violence, Dating Violence, or Stalking), which must include the name of the perpetrator
2. A federal, state, tribal, territorial, or local police report or court record documenting the domestic violence, dating violence, or stalking;
3. Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, or stalking, or the effects of such abuse. This person may be an employee, agent, or volunteer of a victim service provider; an attorney; or a medical professional. The person signing the documentation must attest under penalty of perjury to the person's belief that the incidents in question are bona fide incidents of abuse. The victim must also sign the documentation.

An individual may satisfy the request for documentation by providing any of the above forms of documentation. When a victim submits third-party documentation (items 2 and 3 above), HACSM will not request that the victim also complete HUD-50066 (item 1). Also, when a victim submits a completed, signed HUD-50066, HACSM will not ask the victim to provide third-party documentation.

HACSM may, with respect to any specific case, waive the above-stated requirements for verification and provide the benefits of this policy based on the victim's statement or other corroborating evidence.

The individual claiming victim status must submit the requested documentation within 14 business days after receipt of HACSM's written request or must request an extension within that time frame. HACSM may, at its discretion, extend the deadline for 10 business days.

If the individual provides the requested documentation within 14 business days, or any HACSM-approved extension, HACSM will reconsider its denial of assistance decision in light of the documentation.

If the individual does not provide the requested documentation within 14 business days, or any HACSM-approved extension, HACSM will proceed with denial of the family's assistance in accordance with applicable law, program regulations, and the policies in this plan.

If presented with conflicting certification documents from members of the same household, HACSM will attempt to determine which is the true victim by requiring each of them to provide third-party documentation in accordance with 24 CFR 5.2007(b)(2) or (3) and by following HUD guidance on how such determinations should be made.

Terminating the Assistance of a Domestic Violence Perpetrator

Although VAWA provides protection against termination of assistance for victims of domestic violence, it does not provide protection for perpetrators. VAWA gives the PHA the explicit authority to “terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others...without terminating assistance to, or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant.” This authority is not dependent on a bifurcated lease or other eviction action by an owner against an individual family member. Further, this authority supersedes any local, state, or other federal law to the contrary. However, if the PHA chooses to exercise this authority, it must follow any procedures prescribed by HUD or by applicable local, state, or federal law regarding termination of assistance. This means that the PHA must follow the same rules when terminating assistance to an individual as it would when terminating the assistance of an entire family [3/16/07 *Federal Register* notice on the applicability of VAWA to HUD programs].

If the perpetrator remains in the unit, the PHA continues to pay the owner until the PHA terminates the perpetrator from the program. The PHA must not stop paying HAP until 30 days after the owner bifurcates the lease to evict the perpetrator. The PHA may pay HAP for the full month if the 30-day period will end mid-month [Notice PIH 2017-08].

If the perpetrator is the only participant eligible to receive assistance, the PHA will provide any remaining participant a chance to establish eligibility for the program. If the remaining participant cannot do so, the PHA will provide them with 30 days to establish eligibility for another housing program prior to termination of the HAP contract.

Confidentiality

All information provided to HACSM regarding domestic violence, dating violence, or stalking, including the fact that an individual is a victim of such violence or stalking, will be retained in confidence. This means that the HACSM (1) may not enter the information into any shared database, (2) may not allow employees or others to access the information unless they are explicitly authorized to do so and have a need to know the information for purposes of their work, and (3) may not provide the information to any other entity or individual, except to the extent that the disclosure is (a) requested or consented to by the individual in writing, (b) required for use in an eviction proceeding, or (c) otherwise required by applicable law.

If disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, HACSM will inform the victim before disclosure occurs so that safety risks can be identified and addressed.

XVI. TERMINATION NOTICE

HUD regulations require PHAs to provide written notice of termination of assistance to a family only when the family is entitled to an informal hearing. However, since the family’s HAP contract and lease will also terminate when the family’s assistance terminates [form HUD-52641], it is a good business practice to provide written

notification to both owner and family anytime assistance will be terminated, whether voluntarily or involuntarily.

If a family whose assistance is being terminated is entitled to an informal hearing, the notice of termination that the PHA sends to the family must meet the additional HUD and PHA notice requirements. VAWA 2013 expands notification requirements to require PHAs to provide notice of VAWA rights and the HUD 5382 form whenever a PHA terminates a household's housing benefits.

Still other notice requirements apply in two situations:

- If a criminal record is the basis of a family's termination, the PHA must provide a copy of the record to the subject of the record and the tenant so that they have an opportunity to dispute the accuracy and relevance of the record [24 CFR 982.553(d)(2)].
- If immigration status is the basis of a family's termination, the special notice requirements must be followed.

XVII. TERMINATION OF TENANCY BY THE OWNER

Termination of an assisted tenancy is a matter between the owner and the family; the HACSM is not directly involved. However, the owner is under some constraints when terminating an assisted tenancy. Termination of tenancy for certain reasons will also result in termination of assistance as discussed in this section.

During the term of the lease, the owner is not permitted to terminate the tenancy except for serious or repeated violations of the lease, certain violations of state or local law, or other good cause.

Serious or Repeated Lease Violations

The owner is permitted to terminate the family's tenancy for serious or repeated violations of the terms and conditions of the lease, except when the violations are related to incidents of actual or threatened domestic violence, dating violence, sexual assault, or stalking and the victim is protected from eviction by the Violence against Women Act of 2013. A serious lease violation includes failure to pay rent or other amounts due under the lease. However, HACSM's failure to make a HAP payment to the owner is not a violation of the lease between the family and the owner.

Violation of Federal, State, or Local Law

The owner is permitted to terminate the tenancy if a family member violates federal, state, or local law that imposes obligations in connection with the occupancy or use of the premises.

Criminal Activity or Alcohol Abuse

The owner may terminate tenancy during the term of the lease if any *covered person*—meaning any member of the household, a guest or another person under the tenant's control—commits any of the following types of criminal activity (for applicable definitions see 24 CFR 5.100):

- Any criminal activity that threatens the health or safety of, or the right to peaceful enjoyment of the premises by, other residents (including property management staff residing on the premises);
- Any criminal activity that threatens the health or safety of, or the right to peaceful enjoyment of their residences by, persons residing in the immediate vicinity of the premises;
- Any violent criminal activity on or near the premises; or
- Any drug-related criminal activity on or near the premises.

However, in the case of criminal activity directly related to domestic violence, dating violence, sexual assault, or stalking, if the tenant or an affiliated individual is the victim, the criminal activity may not be construed as cause for terminating the victim's tenancy.

The owner may terminate tenancy during the term of the lease if any member of the household is:

- Fleeing to avoid prosecution, custody, or confinement after conviction for a crime or an attempt to commit a crime that is a felony under the laws of the place from which the individual flees, or that, in the case of the State of New Jersey, is a high misdemeanor; or
- Violating a condition of probation or parole imposed under federal or state law.

The owner may terminate tenancy during the term of the lease if any member of the household has engaged in abuse of alcohol that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.

Evidence of Criminal Activity

The owner may terminate tenancy and evict by judicial action a family for criminal activity by a covered person if the owner determines the covered person has engaged in the criminal activity, regardless of whether the covered person has been arrested or convicted for such activity and without satisfying the standard of proof used for a criminal conviction. This is the case except in certain incidents where the criminal activity directly relates to domestic violence, dating violence, sexual assault, or stalking, and the tenant or an affiliated individual is the victim or threatened victim of the domestic violence, dating violence, sexual assault, or stalking.

Other Good Cause

During the initial lease term, the owner may not terminate the tenancy for "other good cause" unless the owner is terminating the tenancy because of something the family did or failed to do. During the initial lease term or during any extension term, other good cause includes the disturbance of neighbors, destruction of property, or living or housekeeping habits that cause damage to the unit or premises.

After the initial lease term, "other good cause" for termination of tenancy by the owner includes:

- Failure by the family to accept the offer of a new lease or revision;

- The owner's desire to use the unit for personal or family use, or for a purpose other than as a residential rental unit; or
- A business or economic reason for termination of the tenancy (such as sale of the property, renovation of the unit, or desire to lease the unit at a higher rent).

After the initial lease term, the owner may give the family notice at any time, in accordance with the terms of the lease.

Eviction

The owner must give the tenant a written notice that specifies the grounds for termination of tenancy during the term of the lease. The tenancy does not terminate before the owner has given this notice, and the notice must be given at or before commencement of the eviction action.

The notice of grounds may be included in, or may be combined with, any owner eviction notice to the tenant.

Owner eviction notice means a notice to vacate, or a complaint or other initial pleading used under state or local law to commence an eviction action. The owner may only evict the tenant from the unit by instituting a court action. The owner must give HACSM a copy of any eviction notice at the same time the owner notifies the family. The family is also required to give HACSM a copy of any eviction notice.

If the eviction action is finalized in court, the owner must provide the HACSM with documentation related to the eviction, including notice of the eviction date, as soon as possible

XVIII. DECIDING WHETHER TO TERMINATE TENANCY

An owner who has grounds to terminate a tenancy is not required to do so and may consider all of the circumstances relevant to a particular case before making a decision. These might include:

- The nature of the offending action;
- The seriousness of the offending action;
- The effect on the community of the termination, or of the owner's failure to terminate the tenancy;
- The extent of participation by the leaseholder in the offending action;
- The effect of termination of tenancy on household members not involved in the offending activity;
- The demand for assisted housing by families who will adhere to lease responsibilities;
- The extent to which the leaseholder has shown personal responsibility and taken all reasonable steps to prevent or mitigate the offending action;
- The effect of the owner's action on the integrity of the program.

The owner may require a family to exclude a household member in order to continue to reside in the assisted unit, where that household member has participated in or been culpable for action or failure to act that warrants termination.

In determining whether to terminate tenancy for illegal use of drugs or alcohol abuse by a household member who is no longer engaged in such behavior, the owner may consider whether such household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program or has otherwise been rehabilitated successfully (42 U.S.C. 13661). For this purpose, the owner may require the tenant to submit evidence of the household member's current participation in, or successful completion of, a supervised drug or alcohol rehabilitation program or evidence of otherwise having been rehabilitated successfully.

The owner's termination of tenancy actions must be consistent with the fair housing and equal opportunity provisions in 24 CFR 5.105.

An owner's decision to terminate tenancy for incidents related to domestic violence, dating violence, sexual assault, or stalking is limited by the Violence against Women Act of 2013 (VAWA) and the conforming regulations in 24 CFR Part 5, Subpart L.

Chapter 13

OWNERS

I. INTRODUCTION

Owners play a major role in the Voucher program by supplying decent, safe, and sanitary housing for participating families.

Owners have numerous responsibilities under the program, including screening and leasing to families, maintaining the dwelling unit, enforcing the lease, and complying with various contractual obligations.

II. OWNER RECRUITMENT AND RETENTION

Recruitment

HACSM is responsible for ensuring that very low-income families have access to all types and ranges of affordable housing in its jurisdiction, particularly housing outside areas of poverty or minority concentration. A critical element in fulfilling this responsibility is for the HACSM to ensure that enough owners, representing all types and ranges of affordable housing in the jurisdiction, are willing to participate in the Voucher program.

HACSM will conduct owner outreach to ensure that owners are familiar with the program and its advantages. Outreach strategies may include, but are not limited to:

- Distributing printed material about the program to property owners and managers
- Contacting property owners and managers by phone or in-person
- Participating in community-based organizations comprised of private property and apartment owners and managers
- Developing working relationships with owners and real estate brokers associations

Outreach strategies will be monitored for effectiveness and adapted accordingly as change in the program and market occurs.

Retention

In addition to recruiting owners to participate in the Voucher program, HACSM must also provide the kind of customer service that will encourage participating owners to remain active in the program.

All HACSM activities that may affect an owner's ability to lease a unit will be processed as rapidly as possible, in order to minimize vacancy losses for owners.

HACSM will give special attention to helping new owners succeed through activities such as:

- Providing the owner with a designated contact person;
- Coordinating inspection and leasing activities between HACSM, the owner, and the family;
- Providing written information about how the program operates, including answers to frequently asked questions;

Additional services may be undertaken on an as-needed basis, and as resources permit.

III. OWNER RESPONSIBILITIES

The basic owner responsibilities in the Voucher program are outlined in the regulations as follows:

- Complying with all the owner's obligations under the housing assistance payments (HAP) contract and the lease
- Performing all management and rental functions for the assisted unit, including selecting a voucher holder to lease the unit, and deciding if the family is suitable for tenancy of the unit
- Maintaining the unit in accordance with Housing Quality Standards (HQS), including performance of ordinary and extraordinary maintenance
- Complying with equal opportunity requirements
- Preparing and furnishing HACSM with information required under the HAP contract
- Collecting the security deposit, the tenant rent, and any charges for unit damage by the family
- Enforcing tenant obligations under the dwelling lease
- Paying for utilities and services that are not the responsibility of the family as specified in the lease
- Allowing reasonable modifications to a dwelling unit occupied or to be occupied by a disabled person [24 CFR 100.203]
- Complying with the Violence Against Women Reauthorization Act of 2013 (VAWA) when screening prospective Voucher tenants or terminating the tenancy of a Voucher family

IV. OWNER QUALIFICATIONS

HACSM does not formally approve an owner to participate in the Voucher program. However, there are several criteria where HACSM may deny approval of an assisted tenancy based on past owner behavior, conflict of interest, or other owner-related issues. No owner has a right to participate in the Voucher program.

Owners Barred from Participation

HACSM will not approve the assisted tenant if it has been informed that the owner has been debarred, suspended, or subject to a limited denial of participation under 24 CFR part 24. HUD may direct HACSM not to approve a tenancy request if a court or administrative agency has determined that the owner violated the Fair Housing Act or other federal equal opportunity requirements, or if such an action is pending.

Conflict of Interest

HACSM will not approve a tenancy in which any of the following classes of persons has any interest, direct or indirect, during tenure or for one year thereafter:

- Any present or former member or officer of HACSM (except a participant commissioner)
- Any employee of HACSM, or any contractor, subcontractor or agent of the HACSM, who formulates policy or who influences decisions with respect to the programs
- Any public official, member of a governing body, or State or local legislator, who exercises functions or responsibilities with respect to the programs
- Any member of the Congress of the United States

HUD may waive the conflict of interest requirements, except for members of Congress, for good cause. HACSM must submit a waiver request to the appropriate HUD Field Office for determination.

Leasing to Relatives

HACSM will not approve a tenancy if the owner is the parent, child, grandparent, grandchild, sister, or brother of any member of the family. HACSM may make an exception as a reasonable accommodation for a family member with a disability. The owner is required to certify that no such relationship exists. This restriction applies at the time the family initially receives assistance under the Voucher program for occupancy of a particular unit. Current contracts on behalf of owners and families that are related may continue, but any new leases or contracts for these families may not be approved.

Owner Actions That May Result in Disapproval of a Tenancy Request

HACSM may refuse to approve a request for tenancy if any of the following are true:

- The owner or his/her representative has violated obligations under a HAP contract under Section 8 of the 1937 Act (42 U.S.C. 1437f);
- HACSM has been informed by HUD (or otherwise) that the owner has been disbarred, suspended or subject to a limited denial of participation under 24 CFR Part 24;
- HUD has informed HACSM that the Federal Government has instituted an administrative or judicial action against the owner for violation of the Fair Housing Act or other federal equal-opportunity requirements and such action is pending;

- The owner or his/her representative has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;
- The owner or his/her representative has engaged in any drug-related criminal activity or violent criminal activity;
- The owner or his/her representative has a history or practice of non-compliance with the HQS for units leased under the tenant-based programs, or with applicable housing standards for units leased with project-based Section 8 assistance or leased under any other federal housing program;
- The owner or his/her representative has been threatening, abusive, belligerent or confrontational with HACSM staff and behaves in a manner that disrupts the normal Housing Authority operations;
- The owner or his/her representative has a history or practice of harassing, retaliatory, or illegal activities towards tenants;
- The owner or his/her representative has a history or practice of renting units that fail to meet state or local housing codes;
- The owner or his/her representative has not paid state or local real estate taxes, fines, or assessment.
- The owner or his/her representative has a history or practice of failing to terminate tenancy of tenants of units assisted under Section 8 or any other federally assisted housing program for activity engaged in by the tenant, any member of the household, a guest or another person under the control of any member of the household that:
 - a. Threatens the right to peaceful enjoyment of the premises by other residents;
 - b. Threatens the health or safety of other residents, of employees of the HACSM, or of owner employees or other persons engaged in management of the housing;
 - c. Threatens the health or safety of, or the right to peaceful enjoyment of their residences, by persons residing in the immediate vicinity of the premises; or
 - d. Is drug-related criminal activity or violent criminal activity;

In considering whether to disapprove owners for any of the discretionary reasons listed above, HACSM will consider any mitigating factors. Such factors may include, but are not limited to, the seriousness of the violation in relation to program requirements, the impact on the ability of families to lease units under the program, health and safety of participating families, among others. Upon consideration of such circumstances, HACSM may, on a case-by-case basis, choose to approve an owner.

Legal Ownership of Unit

HACSM will only enter into a contractual relationship with the legal owner or his/her representative (with proper management agreement or written authorization) of a qualified unit. No tenancy will be approved without *acceptable* documentation of legal ownership (e.g. deed of trust, proof of taxes paid for most recent year).

HACSM will require owners to complete and execute tax identification certifications in accordance with IRS requirements. HACSM will comply with IRS regulations in income reporting and back-up withholding.

Non-Discrimination

The owner must not discriminate against any person because of race, color, religion, sex, national origin, age, familial status, disability, marital status or sexual orientation in connection with any actions or responsibilities under the Voucher program and the HAP contract with HACSM.

The owner must cooperate with HACSM and with HUD in conducting any equal opportunity compliance reviews and complaint investigations in connection with the Voucher program and the HAP contract with HACSM.

V. HAP CONTRACTS

The HAP contract represents a written agreement between HACSM and the owner of the dwelling unit occupied by a HCV assisted family. The contract spells out the owner's responsibilities under the program, as well as the Housing Authority's obligations. Under the HAP contract, HACSM agrees to make housing assistance payments to the owner on behalf of the family approved by HACSM to occupy the unit.

When HACSM has determined that the unit meets program requirements and the tenancy is approvable, HACSM and the owner will execute the HAP contract.

HAP Contract Payments

During the term of the HAP contract, and subject to the provisions of the HAP contract, HACSM will make monthly HAP payments to the owner on behalf of the family, at the beginning of each month. If a lease term begins after the first of the month, the HAP payment for the first month is prorated for a partial month.

The amount of the HAP payment (subsidy) is determined according to the HACSM policies described in Chapter 7, and is subject to change during the term of the HAP contract. HACSM will notify the owner and the family in writing of any changes in the HAP payment.

HAP payments will be made only during the lease term, and only while the family is residing in the unit.

The monthly HAP payment by HACSM is credited toward the monthly rent to owner under the family's lease. The total of the rent paid by the tenant and the HAP payment is equal to the rent to owner as specified in the lease.

The family is not responsible for payment of the HAP payment, and HACSM is not responsible for payment of the family share of rent.

The family's share of the rent cannot be more than the difference between the total rent to the owner and the HAP payment. The owner must not demand or accept any rent payment from the tenant in excess of this maximum. The owner must not charge the tenant extra amounts for items customarily included in rent in the locality or provided at no additional cost to unsubsidized tenants in the premises.

For deceased single member households or a household where the remaining household member is a live-in aide, HACSM will discontinue HAP to the owner no later than the first of the following month after the month in which the death occurred. The owner is **not** entitled to HAP for any month following the month in which the death occurred. There are no exceptions to this policy.

If the owner receives any excess HAP from HACSM, the excess amount must be returned immediately. If HACSM determines that the owner is not entitled to all or a portion of the HAP, HACSM may deduct the amount of overpayment from any amounts due to the owner, including amounts due under any other Voucher contract.

Late HAP Payments

HACSM is responsible for making HAP payments promptly when due to the owner, in accordance with the terms of the HAP contract. After the first two calendar months of the HAP contract term, the HAP contract provides for late penalties if HACSM fails to make the HAP payment on time.

Penalties for late HAP payments can only be imposed if 1) the penalties are in accordance with generally accepted local rental market practices and law governing penalties for late payment by tenants; 2) it is the owner's normal business practice to charge late payment penalties for both assisted and unassisted families; and 3) the owner charges the assisted family for late payment of the family's share of the rent.

HACSM is not required to pay a late payment penalty if HUD determines that the payment is late for reasons beyond HACSM's control. In addition, late payment penalties are not required if the HACSM intentionally delays or denies payment as a remedy to an owner breach of the HAP contract.

Owner Certification of Compliance

Unless the owner complies with all provisions of the HAP contract, the owner is not entitled to receive housing assistance payments under the HAP contract.

By endorsing the monthly check from HACSM, the owner certifies to compliance with the terms of the HAP contract. This includes certification that the owner is maintaining the unit and premises in accordance with HQS; that the contract unit is leased to the tenant family and, to the best of the owner's knowledge, the family resides in the unit as the family's only residence; the rent to owner does not exceed rents charged by the owner for comparable unassisted units on the premises; and that the owner does not receive (other than rent to owner) any additional payments or other consideration for rent of the contract unit during the HAP term.

Termination of HAP Payments

HACSM will continue making housing assistance payments to the owner in accordance with the HAP contract as long as the tenant continues to occupy the unit and the HAP contract is not violated.

HAP payments terminate when the HAP contract terminates or when the tenancy is terminated in accordance with the terms of the lease.

If the owner has initiated eviction proceedings against the family and the family continues to reside in the unit, HACSM will continue to make housing assistance payments to the owner until the owner has obtained a court judgment or other process allowing the owner to evict the tenant.

The owner must inform HACSM when the owner has initiated eviction proceedings against the family and the family continues to reside in the unit.

The owner must inform HACSM when the owner has obtained a court judgment or other process allowing the owner to evict the tenant and provide HACSM with a copy of such judgment or determination.

After the owner has obtained a court judgment or other process allowing the owner to evict the tenant, HACSM will continue to make HAP payments to the owner until the family actually moves from the unit or until the family is physically evicted from the unit, whichever is earlier. The owner must inform HACSM of the date when the family actually moves from the unit or the family is physically evicted from the unit.

Breach of HAP Contract

Any of the following actions by the owner constitutes a breach of the HAP contract:

- If the owner violates any obligations under the HAP contract including failure to maintain the unit in accordance with HQS;
- If the owner has violated any obligation under any other HAP contract under Section 8;
- If the owner has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;
- For projects with mortgages insured by HUD or loans made by HUD, if the owner has failed to comply with the regulation for the applicable program; or if the owner has committed fraud, bribery or any other corrupt or criminal act in connection with the mortgage or loan;
- If the owner has engaged in drug-related criminal activity
- If the owner has committed any violent criminal activity

HACSM rights and remedies against the owner under the HAP contract include recovery of any HAP overpayment, suspension of housing assistance payments, abatement or reduction of the housing assistance payment, termination of the payment or termination the HAP contract. HACSM may also obtain additional relief by judicial order or action.

HACSM will notify the owner of its determination and provide in writing the reasons for the determination. The notice may require the owner to take corrective action by an established deadline. HACSM will provide the owner with written notice of any reduction in housing assistance payments or the termination of the HAP contract.

Before HACSM invokes a remedy against an owner, it will evaluate all information and documents available to determine if the contract has been breached. If relevant, HACSM will conduct an audit of the owner's records pertaining to the tenancy or unit.

If it is determined that the owner has breached the contract, HACSM will consider all of the relevant factors including the seriousness of the breach, the effect on the family, the owner's record of compliance and the number and seriousness of any prior HAP contract violations.

HAP Contract Term and Terminations

The term of the HAP contract runs concurrently with the term of the dwelling lease, beginning on the first day of the initial term of the lease and termination on the last day of the term of the lease, including any lease term extensions.

The HAP contract and the housing assistance payments made under the HAP contract terminate if:

- The owner or the family terminates the lease;
- The lease expires;
- HACSM terminates the HAP contract;
- HACSM terminates assistance for the family;
- The family moves from the assisted unit. In this situation, the owner is entitled to keep the housing assistance payment for the month when the family moves out of the unit;
- 90 calendar days have elapsed since HACSM made the last housing assistance payment to the owner;
- The family is absent from the unit for longer than the maximum period permitted by HACSM;
- The Annual Contributions Contract (ACC) between HACSM and HUD expires;
- HACSM elects to terminate the HAP contract. HACSM may elect to terminate the HAP contract in each of the following situations:
 - Available program funding is not sufficient to support continued assistance for families in the program;
 - The unit does not meet HQS size requirements due to change in family composition;
 - The unit does not meet HQS;
 - The family breaks up;
 - The owner breaches the HAP contract

If HACSM terminates the HAP contract, it will give the owner and the family written notice. The notice will specify the reasons for the termination and the effective date of the termination. Once a HAP contract is terminated, no further HAP payments will be made under that contract.

The HAP contract terminates at the end of the calendar month that follows the calendar month in which HACSM gives written notice to the owner. The owner is not entitled to any housing assistance payment after this period and must return to HACSM any housing assistance payment received after this period.

If the family moves from the assisted unit into a new unit, even if the new unit is in the same building or complex as the assisted unit, the HAP contract for the assisted unit terminates. A new HAP contract is required.

When the family moves from an assisted unit into a new unit, the term of the HAP contract for the new unit may begin in the same month in which the family moves out of its old unit. This is not considered a duplicative subsidy.

Change in Ownership / Assignment of the HAP Contract

The HAP contract cannot be assigned to a new owner without the prior written consent of HACSM.

An owner under a HAP contract must notify HACSM in writing prior to a change in the legal ownership of the unit. The owner must supply all information as requested by HACSM.

Prior to approval of assignment to a new owner, the new owner must agree to be bound by and comply with the HAP contract. The agreement between the new owner and the former owner must be in writing and in a form that HACSM finds acceptable. The new owner must provide HACSM with a copy of the executed agreement.

In order to process payment, the new owner must provide a written certification to HACSM that includes:

- A copy of the escrow statement or other document showing the transfer of title and recorded deed;
- A copy of the owner's IRS Form W-9 or Request for Taxpayer Identification Number and Certification;
- The effective date of the HAP contract assignment;
- A written agreement to comply with the terms of the HAP contract; and
- A certification that the new owner is not a prohibited relative.

If the new owner does not agree to an assignment of the HAP contract, or fails to provide the necessary documents, HACSM will terminate the HAP contract with the old owner.

Chapter 14

SPECIAL HOUSING TYPES

I. INTRODUCTION

HACSM may permit a family to use any of the special housing types discussed in this chapter. However, HACSM is not required to permit families receiving assistance in its jurisdiction to use these housing types, except that it will permit use if needed as a reasonable accommodation for a person with a disability. HACSM also may limit the number of families who receive assistance in these housing types and cannot require families to use a particular housing type. No special funding is provided for special housing types.

For the purposes of this chapter, special housing types may include single room occupancy (SRO), shared housing, and manufactured homes where the family owns the home and leases the space.

II. SINGLE ROOM OCCUPANCY

Single room occupancy (SRO) units provide living and sleeping space for the exclusive use of the occupant but require the occupant to share sanitary and/or food preparation facilities with others. More than one person may not occupy an SRO unit. HCV regulations do not limit the number of units in an SRO facility, but the size of a facility may be limited by local ordinances.

When providing Voucher assistance in an SRO unit, a separate lease and HAP contract are executed for each assisted person, and the standard form of the HAP contract is used.

Housing Quality Standards (HQS)

HQS requirements described in Chapter 8 apply to SRO housing except as modified below.

- **Access:** Access doors to the SRO unit must have working locks for privacy. The occupant must be able to access the unit without going through any other unit. Each unit must have immediate access to two or more approved means of exit from the building, appropriately marked and leading to safe and open space at ground level. The SRO unit must also have any other means of exit required by State or local law.
- **Fire Safety:** All SRO facilities must have a sprinkler system that protects major spaces. "Major spaces" are defined as hallways, common areas, and any other areas specified in local fire, building, or safety codes. SROs must also have hard-wired smoke detectors, and any other fire and safety equipment required by state or local law.

Sanitary facilities and space and security standards must meet local code requirements for SRO housing. In the absence of local code standards the requirements discussed below apply [24 CFR 982.605].

- *Sanitary Facilities:* At least one flush toilet that can be used in privacy, a lavatory basin, and a bathtub or shower in proper operating condition must be provided for each six persons (or fewer) residing in the SRO facility. If the SRO units are leased only to men, flush urinals may be substituted for up to one half of the required number of toilets. Sanitary facilities must be reasonably accessible from a common hall or passageway and may not be located more than one floor above or below the SRO unit. They may not be located below grade unless the SRO units are located on that level.
- *Space and Security:* An SRO unit must contain at least 110 square feet of floor space, and at least four-square feet of closet space with an unobstructed height of at least five feet, for use by the occupant. If the closet space is less than four square feet, the habitable floor space in the SRO unit must be increased by the amount of the deficiency. Exterior doors and windows accessible from outside the SRO unit must be lockable.

Because no children live in SRO housing, the housing quality standards applicable to lead-based paint do not apply.

III. SHARED HOUSING

Families will be permitted to use shared housing only in the following situations:

1. Shared Housing is needed as a reasonable accommodation so that the program is readily accessible to a person with disabilities.
2. Shared Housing is needed to expand housing opportunity for the family.

Shared housing is a single housing unit occupied by an assisted family and another resident or residents. The shared unit consists of both common space for use by the occupants of the unit and separate private space for each assisted family.

An assisted family may share a unit with other persons assisted under the program or with other unassisted persons. The owner of a shared housing unit may reside in the unit, but housing assistance cannot be paid on behalf of the owner. The owner of the residence cannot be related by blood or marriage to the assisted family.

Although other regulations permit the leasing of a rental unit from certain relatives when needed as a reasonable accommodation for a person's disability, HUD has not established a similar regulatory provision to allow an assisted person to share a home with a relative. HACSM defines relatives related by blood or marriage to the assisted family as the parent, child, grandparent, grandchild, sister, or brother of any member of the family.

If approved by HACSM, a live-in aide may reside with the family to care for a person with disabilities. HACSM will approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

When providing Voucher assistance in shared housing, a separate lease and HAP contract are executed for each assisted family. The lease agreement must be between the property owner and the program participant, and HACSM will only contract with the property owner. The standard form of the HAP contract is used.

The rents paid for families living in shared housing are subject to generally applicable standards for rent reasonableness. The rent paid to the owner for the assisted family must not exceed the pro-rata portion of the reasonable rent for the shared unit. In determining reasonable rent, HACSM should consider whether sanitary and food preparation areas are private or shared.

To calculate the family's subsidy amount, HACSM will use the Tiered Subsidy Table amount based on the lesser of the Voucher size or the number of bedrooms rented. There is a minimum tenant rent of \$100.

Housing Quality Standards

HACSM will not give approval to reside in shared housing unless the entire unit, including the portion of the unit available for use by the assisted family under its lease, meets the housing quality standards.

HQS requirements described in Chapter 8 apply to shared housing except for the requirements stated below.

- *Facilities Available for the Family:* Facilities available to the assisted family, whether shared or private, must include a living room, a bathroom, and food preparation and refuse disposal facilities.
- *Space and Security:* The entire unit must provide adequate space and security for all residents (whether assisted or unassisted). Each unit must contain private space for each assisted family, plus common space for shared use by the residents of the unit. Common space must be appropriate for shared use by the residents.

The private space for each assisted family must contain at least one bedroom for each two persons in the family. The number of bedrooms in the private space of an assisted family must not be less than the family unit size. A zero-bedroom or one-bedroom unit may not be used for shared housing.

IV. MANUFACTURED HOMES

A manufactured home is a manufactured structure, transportable in one or more parts, which is built on a permanent chassis, and designed for use as a principal place of residence. Voucher-assisted families may occupy manufactured homes in two different ways.

(1) HACSM will permit a family to rent a manufactured home already installed on a space. In this instance, program rules are the same as when a family rents any other residential housing, except that there are special HQS requirements as provided below.

(2) HACSM will permit an otherwise eligible family that owns a manufactured home to rent a space for the manufactured home and receive Voucher assistance with the rent for the space.

Family Income

In determining the annual income of families leasing manufactured home spaces, the value of the family's equity in the manufactured home in which the family resides is not counted as a family asset.

Rent Reasonableness

Initially, and annually thereafter HACSM will determine that the rent for the manufactured home space is reasonable based on rents for comparable manufactured home spaces. HACSM will consider the location and size of the space, and any services and maintenance to be provided by the owner. By accepting the monthly HAP check, the owner certifies that the rent does not exceed rents charged by the owner for comparable unassisted spaces in the manufactured home park or elsewhere.

Housing Quality Standards

Under either type of occupancy described above, the manufactured home must meet all HQS performance requirements and acceptability criteria discussed in Chapter 8 of this plan. In addition, the following requirement applies:

- *Manufactured Home Tie-Down:* A manufactured home must be placed on the site in a stable manner and must be free from hazards such as sliding or wind damage. The home must be securely anchored by a tie-down device that distributes and transfers the loads imposed by the unit to appropriate ground anchors to resist overturning and sliding.

Chapter 15

SECTION 8 HOMEOWNERSHIP PLAN

I. INTRODUCTION

A Section 8 Homeownership Program is hereby established pursuant to the HUD Final Rule dated September 12, 2000 (effective date October 12, 2000) and its changes to 24 CFR Parts 5, 903 and 982.

The Section 8 Homeownership Plan consists of the required and optional policies to administer the program.

The Housing Authority of the County of San Mateo (hereinafter referred to as HACSM) shall provide Section 8 Homeownership assistance up to 25 of the units allocated in HACSM's Section 8 Housing Choice Voucher Program. If this number is achieved, HACSM may suspend offering the Section 8 Homeownership option. HACSM shall not set aside a portion of its funding solely for this program, as it is simply permitting this option with a limit of up to 25 of its units. HACSM shall offer the Section 8 Homeownership Program to both non-elderly/disabled and to elderly/disabled families and may establish a Homeownership Program waiting list of interested participants.

For purposes of administering the Section 8 Homeownership Program, HACSM may establish partnerships with local agencies to assist in the implementation of the program by providing services, support and expertise in various areas. Such partnerships may be revised as HACSM determines necessary to best administer the homeownership program.

This program will provide assistance generally for first-time homebuyers or for families acquiring shares in a cooperative. The assistance may be used to purchase a home that is existing or under construction at the time HACSM determines that the family is eligible for Section 8 Homeownership assistance. If needed, HACSM may request a waiver from HUD to include new construction that has not started at the time of HACSM approval for a participant.

The Homeownership Option may be utilized in two types of housing:

- A single unit property owned by the family. Homes previously occupied under a lease-purchase agreement are eligible; or
- A single dwelling unit in a cooperative or condominium. One or more family members hold membership shares in the cooperative or condominium association.

HACSM shall encourage participants in the Family Self-Sufficiency (FSS) program to make homeownership a goal, if appropriate, and to utilize the Section 8 Homeownership Program. Likewise, participants and voucher holders who are interested in the Section 8 Homeownership Program will be required to participate in the FSS Program, unless the family can clearly demonstrate their readiness for homeownership.

II. GENERAL

The homeownership option is used to assist a family residing in a home purchased and owned by one or more members of the family.

HACSM will approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

HACSM may make homeownership available to all who qualify or restrict homeownership to families or purposes defined by the HACSM. HACSM may also limit the number of families assisted with homeownership.

HACSM provides homeownership assistance in the form of monthly payments.

A family that includes a person who was an adult member of a family that previously received either form of homeownership assistance may not receive the other form from any PHA.

HACSM will offer monthly homeownership assistance payments to qualified families according to the policies contained in this chapter.

III. MONTHLY HOMEOWNERSHIP ASSISTANCE PAYMENTS

HACSM will offer monthly homeownership assistance only to participating families who:

- Have been a participant in HACSM's Section 8 Program for at least one year or are approved by HACSM to port in from another jurisdiction upon verification of completion of FSS, a pre-approval letter from an appropriate lending institution and a history of compliance.
- Are currently enrolled in the Family Self-Sufficiency (FSS) Program and in compliance with the FSS contract or are graduates of the HACSM's FSS Program or are porting in from another PHA upon successful participation in their FSS program. Elderly or disabled families are exempted from the FSS participation requirement.
- Have a credit score that will qualify for a mortgage.
- Have established a checking and savings account.

IV. MONTHLY HOMEOWNERSHIP ASSISTANCE: ELIGIBILITY REQUIREMENTS

[24 CFR 982.627]

The family must meet all of the requirements listed below before the commencement of homeownership assistance.

- The family has been admitted to the Section 8 Voucher program.
- The family must satisfy any first-time homeowner requirements.
- The family must meet the Federal minimum income requirement. The family must have a gross annual income equal to the Federal minimum wage multiplied by 2000, based on the income of adult family members who will own the home.
- For disabled families, the minimum income requirement is equal to the current SSI monthly payment for an individual living alone, multiplied by 12.
- For elderly or disabled families, welfare assistance payments for adult family members who will own the home will be included in determining whether the family meets the minimum income requirement.
- The family must demonstrate that it has been pre-qualified or pre-approved for financing.
- The family must meet the Federal minimum employment requirement.
- At least one adult family member who will own the home must be currently employed full time and must have been continuously employed for one year prior to homeownership assistance.

HUD regulations define “full time employment” as not less than an average of 30 hours per week.

A family member will be considered to have been continuously employed even if that family member has experienced a break in employment, provided that the break in employment did not exceed 30 calendar days; and did not occur within the 6 month period immediately prior to the family’s request to utilize the homeownership option; and has been the only break in employment within the past 12 calendar months.

The Federal minimum employment requirement does not apply to elderly or disabled families.

Any family member who was an adult member of a family that previously defaulted on a mortgage obtained through the homeownership option is barred from receiving future homeownership assistance.

HACSM will impose the following additional initial requirements:

- The family has not violated any Family Obligations within the last three years.
- The family is not within the initial 1-year period of a HAP Contract.
- The family does not owe money to the HACSM or any other PHA.

Before commencement of homeownership assistance, the family must execute a statement in which the family agrees to comply with all family obligations under the homeownership option.

V. HOMEOWNERSHIP COUNSELING REQUIREMENTS [24 CFR 982.630]

When the family has been determined eligible, they must attend and complete homeownership counseling sessions within two years of purchasing a home. These counseling sessions will be conducted by HACSM staff or other HACSM-approved housing counseling agency. Such counseling shall be consistent with HUD-approved housing counseling.

The following topics will be included in the homeownership counseling sessions:

1. Home maintenance (including care of the grounds);
2. Budgeting and money management;
3. Credit counseling;
4. How to negotiate the purchase price of a home;
5. How to obtain homeownership financing and loan pre-approvals, including a description of types of financing that may be available, and the pros and cons of different types of financing;
6. How to find a home, including information about homeownership opportunities, schools, and transportation in the HACSM jurisdiction;
7. Advantages of purchasing a home in an area that does not have a high concentration of low-income families and how to locate homes in such areas;
8. Information about Real Estate Settlement Procedures Act, state and Federal truth-in-lending laws, and how to identify and avoid loans with oppressive terms and conditions;
9. The legal role of the real estate agent and how to choose one;
10. The search, inspection, disclosure, negotiation, finance and contract processes;
11. How to choose a lender

12. How to choose an appropriate inspector;
13. How to determine the prospective growth in housing values in a particular neighborhood;
14. How to locate down payment funds;
15. How to choose the best home insurance;
16. Home warranties and warranty service

VI. ELIGIBLE UNITS [24 CFR 982.628]

The unit must meet all of the following requirements:

- The unit must meet HUD's "Eligible Housing" requirements. The unit may not be any of the following:
 - A public housing or Indian housing unit;
 - A unit receiving Section 8 project-based assistance;
 - A nursing home, board and care home, or facility providing continual psychiatric, medical or nursing services;
 - A college or other school dormitory;
 - On the grounds of penal, reformatory, medical, mental, or similar public or private institutions.
- The unit was already existing or under construction at the time the family was determined eligible for homeownership assistance.
- The unit is a one-unit property or a single dwelling unit in a cooperative or condominium.
- The unit has been inspected by HACSM and by an independent inspector designated by the family.
- The unit meets HUD Housing Quality Standards.
- The unit may be a home where the family will not own fee title to the real property (such as a manufactured home), if the home has a permanent foundation and the family has the right to occupy the site for at least 40 years.

HACSM will not approve the seller of the unit if it has been informed that the seller is debarred, suspended, or subject to a limited denial of participation. HACSM may disapprove the seller for any reason provided for disapproval of an owner in the voucher program.

VII. HACSM SEARCH AND PURCHASE REQUIREMENTS [24 CFR 982.629]

HACSM has established the maximum time that will be allowed for a family to locate and purchase a home.

The family must obtain pre-qualified or pre-approval for financing by a lender prior to homeownership option is determined.

The family's deadline date for locating a home to purchase will be 120 calendar days from the date the family's eligibility for the homeownership option is determined.

The family must purchase the home within 120 calendar days of locating a home to purchase.

HACSM will require periodic reports on the family's progress in finding and purchasing a home. Such reports will be provided by the family at intervals of 30 calendar days.

If the family is unable to purchase a home within the maximum time limit and had not moved out the subsidized unit, HACSM will allow the family to remain in the Housing Choice Voucher Program.

If a current homeownership participant decides to sell their first home in order to purchase another, the participant must communicate with their homeownership coordinator, regarding on-going residence in their original home and the voucher relocation 90-day timeline.

VIII. INSPECTION AND CONTRACT [24 CFR 982.631]

The unit must meet Housing Quality Standards and must also be inspected by an independent professional inspector selected and paid by the family.

The independent inspection must cover major building systems and components. The inspector must be qualified to identify physical defects and report on property conditions, including major building systems and components. These systems and components include, but are not limited to:

- Foundation and structure;
- Housing interior and exterior;
- Roofing;
- Plumbing, electrical and heating systems.

The independent inspector must not be a HACSM employee or contractor. HACSM will not require the family to use an independent inspector selected by HACSM, but HACSM has established the following standards for qualification of inspectors selected by the family:

- A member of American Society of Home Inspectors or a similar national organization

- Bonded and insured

Copies of the independent inspection report will be provided to the family and HACSM within 48 hours of completion. Based on the information in this report, the family and HACSM will determine whether any pre-purchase repairs are necessary.

HACSM may disapprove the unit for homeownership assistance because of information in the report.

The family must enter into a contract of sale with the seller of the unit. A copy of the contract must be given to the HACSM. The contract of sale must specify the price and terms of sale and provide that the purchaser will arrange for a pre-purchase independent inspection of the home. The contract must also:

- Provide that the purchaser is not obligated to buy the unit unless the inspection is satisfactory;
- Provide that the purchaser is not obligated to pay for necessary repairs; and
- Contain the seller's certification that he or she has not been debarred, suspended or subject to a limited denial of participation.

IX. FINANCING [24 CFR 982.632]

The family is responsible for securing financing. Financing must be guaranteed by the State or Federal government, comply with secondary mortgage market underwriting requirements, or comply with generally accepted private sector underwriting standards.

HACSM assumes no responsibility for the finance arrangements. Participants are encouraged to apply all principles identified during the housing counseling and training sessions.

If the purchase of the home is financed with FHA mortgage insurance, such financing is subject to FHA mortgage insurance requirements.

HACSM may review lender qualifications and loan terms before authorizing homeownership assistance. Loan terms may comply with the secondary market's Community or Affordable Lending Guidelines.

HACSM may disapprove proposed financing if it determines that the debt is unaffordable.

HACSM will prohibit the following forms of financing:

- balloon payment mortgages
- variable interest rate loans
- seller financing on a case-by-case basis
- negative adjusted rate mortgages

Participants are required to have 3% of the purchase price of the home as a down payment. One percent (1%) of the purchase price must come from the family's own resources. The 3% down payment is the program requirement for HACSM; however, HACSM informs families that mortgage lenders might have a higher requirement for loan qualification purposes.

X. CONTINUED ASSISTANCE [24 CFR 982.633]

Homeownership assistance may only be paid while the family is residing in the home. The family or lender is not required to refund homeownership assistance for the month when the family moves out.

The family must comply with the following obligations:

1. The family must comply with the terms of the mortgage securing debt incurred to purchase the home, or any refinancing of such debt.
2. The family may not convey or transfer ownership of the home, except for purposes of financing, refinancing, or pending settlement of the estate of a deceased family member. Use and occupancy of the home are subject to CFR 982.551 (h) and (i).
3. The family must supply information to HACSM or HUD as specified in CFR 982.551(b). The family must further supply any information required by HACSM or HUD concerning mortgage financing or refinancing, sale or transfer of any interest in the home, or homeownership expenses at least 30 days prior to the change.
4. The family must notify HACSM before moving out of the home.
5. The family must notify HACSM if the family defaults on the mortgage used to purchase the home.
6. No family member may have any ownership interest in any other residential property.
7. The family must attend and complete ongoing homeownership counseling as needed when identified by HACSM.
8. The home must pass a HUD Housing Quality Standards (HQS) inspection.
9. The members of the family must not commit fraud, bribery or any other corrupt or criminal act in connection with the program.
10. The family or members of an assisted family may not receive any other type of housing subsidy for the same or a different unit under any federal, State or local housing assistance program.
11. The family must supply any information requested by HACSM or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition.

XI. MAXIMUM TERM OF HOMEOWNERSHIP ASSISTANCE [24 CFR 982.634]

Except in the case of elderly or disabled families, the maximum term of homeownership assistance is:

- 15 years, if the initial mortgage term is 20 years or longer, or
- 10 years in all other cases.

The elderly exception only applies if the family qualified as elderly at the start of homeownership assistance. The disabled exception applies if, at any time during receipt of homeownership assistance, the family qualifies as disabled.

If the family ceases to qualify as elderly or disabled during the course of homeownership assistance, the maximum term becomes applicable from the date assistance commenced. However, such a family must be afforded at least 6 months of homeownership assistance after the maximum term becomes applicable.

If the family receives homeownership assistance for different homes, or from different PHA's, the total is subject to the maximum term limitations.

XII. HOMEOWNERSHIP ASSISTANCE PAYMENTS AND HOMEOWNERSHIP EXPENSES [24 CFR 982.635]

In determining the amount of the homeownership assistance payment, HACSM will use the same Tiered Subsidy Table (TST) as described in this plan for the Voucher program (see Chapter 7).

The monthly homeownership assistance payment is the lower of the TST amount or the monthly homeownership expenses minus \$50.00.

HACSM will pay the homeownership assistance payment either directly to a lender on behalf of the family or may, upon HACSM approval, make payments to the family either by check or direct deposit for their subsidy amount.

Some homeownership expenses are allowances or standards determined by the HACSM in accordance with HUD regulations. These allowances are used in determining expenses for all homeownership families and are not based on the condition of the home.

Homeownership expenses include:

- Principal and interest on mortgage debt.
- Mortgage insurance premium.
- Taxes and insurance.
- HACSM allowance for maintenance expenses.

- Principal and interest on mortgage debt incurred to finance costs for major repairs, replacements, or improvements for the home.
- If the home is a cooperative or condominium, expenses also include operating expenses or maintenance fees assessed by the homeowner association.

XIII. PORTABILITY [24 CFR 982.636, 982.353(b) and (c), 982.552, 982.553]

HACSM endeavors to increase the stability of the neighborhoods within its jurisdiction through the Section 8 Homeownership Program. As such, HACSM does not anticipate any participants utilizing the portability feature.

Subject to the restrictions on portability included in HUD regulations and HACSM policy, the family may exercise portability if the receiving PHA is administering a voucher homeownership program and accepting new homeownership families.

The receiving housing authority may absorb the family into its voucher program, or bill HACSM. The receiving housing authority arranges for housing counseling and the receiving housing authority's homeownership policies apply.

XIV. MOVING WITH CONTINUED ASSISTANCE [24 CFR 982.637]

A family receiving homeownership assistance may move with continued tenant-based assistance. The family may move with voucher rental assistance or with voucher homeownership assistance. Continued tenant-based assistance for a new unit cannot begin so long as any family member holds title to the prior home.

HACSM prohibits more than one move by the family during any one-year period.

HACSM will require the family to complete additional homeownership counseling prior to moving to a new unit with continued assistance under the homeownership option. The family must meet all initial requirements of the homeownership program except the requirement to be a first-time homeowner.

HACSM will deny permission to move with continued rental or homeownership assistance if the HACSM determines that it does not have sufficient funding to provide continued assistance.

XV. DENIAL OR TERMINATION OF ASSISTANCE [24 CFR 982.638]

Termination of homeownership assistance is governed by the policies for the Housing Voucher program contained in Chapter 12 of the Administrative Plan. However, the provisions of CFR 982.551 (c) through (j) are not applicable to homeownership.

HACSM will terminate homeownership assistance if the family is dispossessed from the home due to a judgment or order of foreclosure. HACSM will not permit such a family to move with voucher rental assistance.

HACSM will terminate homeownership assistance and will not receive a Section 8 Housing Voucher if the family violates any of the family obligations contained in this section.

HACSM will terminate homeownership assistance and will not receive a Section 8 Housing Voucher if the family violates any of the following family obligations:

- Transfer or conveyance of ownership of the home;
- Providing requested information to HACSM or HUD;
- Notifying HACSM before moving out of the home.

XVI. DEFINITIONS (As Applicable to the Homeownership Plan)

Cooperative Housing: Owned by a corporation or association, and where a member of the corporation or association has the right to reside in a particular unit, and to participate in management of the housing.

Cooperative member: A family of which one or more members own membership shares in a cooperative.

Family: A person or group of persons, as determined by the HACSM, approved to reside in a unit with assistance under the program.

First-time Homeowner: A family of which no member has any present ownership interest in a residence of any family member during the three (3) years before commencement of homeownership assistance for the family. The term "first time homeowner" includes a single parent or displaced homemaker who, while married, owned a home with his or her spouse, or resided in a home owned by his or her spouse.

Home: A dwelling unit for which the HACSM pays homeownership assistance.

Homeownership assistance: Assistance for a family under the homeownership option. There are two alternative and mutually exclusive forms of homeownership assistance by the HACSM for a family: monthly homeownership assistance payments, or a single down payment assistance grant. Either form of homeownership assistance may be paid to the family, or to a mortgage lender on behalf of the family.

Interest in the home: (1) In the case of assistance for a homeowner, *interest in the home* includes title to the home, any lease or other right to occupy the home, or other present interest in the home; or (2) In the case of assistance for a cooperative member, *interest in the home* includes ownership of membership shares in the cooperative, any lease or other right to occupy the home, or other present interest in the home.

Membership shares: Refers to shares in a cooperative. By owning such cooperative shares, the share-owner has the right to reside in the particular unit in the cooperative, and the right to participate in management of the housing.

Present ownership interest: Includes title, in whole or in part, to a residence, or ownership, in whole or in part, of membership shares in a cooperative. *Present ownership interest* does not include the right to purchase title to the residence under a lease-purchase agreement.

Special housing types: Includes single room occupancy housing, shared housing, manufactured homes, cooperative housing (excluding families that are not cooperative members) and the homeownership option.

Statement of homeowner obligations: The family's agreement to comply with program obligations.

Chapter 16

FAMILY SELF-SUFFICIENCY ACTION PLAN

MTW Waiver: *HACSM is authorized to operate any of its existing self-sufficiency and training programs, including its Family Self-Sufficiency (FSS) Program and any successor programs exempt from certain HUD program requirements. These may include those requirements governing program size or participation, including whether to establish escrow accounts and other rent incentives and whether to establish mandatory self-sufficiency participation requirements. If HACSM receives dedicated funding for an FSS coordinator, such funds must be used to employ a self-sufficiency coordinator. In developing and operating such programs, HACSM is authorized to establish strategic relationships and partnerships with local private and public agencies and service providers to leverage expertise and funding. However, notwithstanding the above, any funds granted pursuant to a competition must be used in accordance with the NOFA and the approved application and work plan. This authorization waives certain provisions of Section 23 of the 1937 Act and 24 C.F.R. 984 as necessary to implement the Agency's Annual MTW Plan.*

I. INTRODUCTION

The purpose of the FSS program is to promote the development of local strategies to coordinate the use of the Section 8 Voucher housing assistance program(s) with public and private resources to enable eligible families to achieve economic independence and self-sufficiency.

The objectives of the FSS program are to reduce the dependency of Section 8 participants on welfare and other public assistance programs and enhance economic independence through community coordinated efforts including but not limited to education, job training, savings, child care, personal financial management, counseling, and other related social service assistance.

II. PROGRAM COORDINATING COMMITTEE (PCC)

HACSM has established an FSS Program Coordinating Committee (PCC) as required in CFR 984.202., whose functions are to assist HACSM in securing commitments of public and private resources for the operation of the FSS program within HACSM's jurisdiction, including assistance in developing the Action Plan and in implementing the program.

PCC Membership

The PCC is comprised of a broad representation of community public and private organizations as well as program participants and representatives of HACSM.

In addition, the Committee composition may include, but is not limited to, representation from the following agencies:

- Employment and Job Training
 - Human Services Agency
 - Regional Occupational Program
- Child Care
 - Children and Family Services
 - Child Care Coordinating Council
- Education
 - San Mateo County Community Colleges
- Financial Services:
 - Meriwest Credit Corporation
 - San Mateo Credit Union
- Family and Health Services:
 - Human Service Agency
- Homeownership Education
 - 1st Time Home Buyers, Dept. of Housing, County of San Mateo

III. OUTREACH EFFORTS

Currently, FSS outreach efforts focus primarily on Section 8 Housing Voucher recipients as participation in the FSS program is not mandatory for Voucher recipients.

HACSM may utilize the following methods to recruit current Voucher Program participants of the availability and advantages of participating in the FSS Program:

- Include FSS Program information at orientation briefings and annual reexaminations
- Post FSS Program information in the HACSM lobby
- Conduct FSS orientations at the HACSM office
- Provide FSS Program information to the community at large

IV. ASSURANCES OF NON-INTERFERENCE WITH RIGHTS OF NON-PARTICIPATING FAMILIES

During recruitment efforts, HACSM shall provide assurances to Voucher families that their election not to participate in the FSS will in no way affect their admission, continued assistance, and right to occupancy in accordance with the Voucher program.

V. FSS PARTICIPANT SELECTION PROCEDURES

Effective July 1, 2013, up to 800 vouchers of HACSM's voucher allocation are eligible for the time-limited assistance Moving-To-Work (MTW) vouchers.

Participation in the FSS Program is mandatory for the Moving-To-Work Self-Sufficiency Program participants.

HACSM shall select FSS participants without regard to race, color, religion, sex, sexual orientation, disability, familial status or national origin and shall comply fully with applicable Civil Rights laws. HACSM shall select a program size determined by HUD requirements, the existing funding availability, and current HACSM staff capacity.

In addition to currently participating in the Section 8 Housing Assistance Program(s), families also must meet the following additional requirements:

1. The family must be in compliance with all the Family's Obligations as stated on the voucher, including not owing money to HACSM or is current with the repayment agreement.
2. The head of household must agree to seek and maintain employment.
3. The head of household must sign an FSS Contract of Participation (COP).
4. The head of household, and all adult members, must agree to set short and long term goals, and commit to working towards meeting those goals.
5. The head of household must agree to meet at least annually with his/her FSS Coordinator to review these goals.
6. Families may participate only once. Exceptions may be made on a case by case basis and only if termination of the previous COP is with good cause. No exceptions shall be made if the family has been distributed escrow fund balance.
7. Remaining family members of a family who participated in the FSS Program are not eligible to assume the COP and may not participate in the FSS Program if the family has been distributed escrow fund balance.

When space is available, HACSM shall accept eligible families into the FSS Program on a first come first serve basis. HACSM does not keep a waiting list for FSS Program applicants.

HACSM will conduct orientation with interested families. At the orientation, the family is given a general overview of the program and details on the roles and responsibilities of FSS participants, as well as the role of the HACSM. A description of supportive services, escrow accounts, program policies, expectations, and requirements for successful completion of the program is provided. A needs assessment is conducted to develop an Individual Training and Services Plan (ITSP) for achieving self-sufficiency.

VI. CONTRACT OF PARTICIPATION

Each family selected is required to enter into a contract with HACSM that outlines the participant's goals, individualized training and service plan, rights and responsibilities pursuant to the Section 8 FSS program requirements, resources and services provided and specific activities, including target dates, to be completed by the FSS program participant. The COP shall require that the FSS family comply with the terms and conditions of the Section 8 program. In addition to stating the rights and responsibilities of the participant, the contract will include an Individual Training and Services Plan (ITSP) as defined in Section VII and VIII of this plan.

Term of Contract

All Voucher families selected for participation in the FSS program will be required to sign a five-year COP. All MTW Self-Sufficiency families will be required to sign a COP with a term that is up to the term limit of the MTW program.

The contract will be successfully completed when the HACSM determines that the family has fulfilled all of its responsibilities under the contract, or the subsidy payment becomes zero for 90 days.

Upon mutual consent, changes to the terms of the ITSP may be initiated by the FSS participant or Coordinator at any time. Notwithstanding any difficulties concerning compliance with the ITSP or any other FSS requirement, a Housing Voucher FSS participant may choose to withdraw voluntarily from FSS at any time. An FSS participant withdrawing from the FSS program will not lose any rights as a Housing Voucher participant, as long as other requirements of the Voucher program are met.

The early withdrawal option is not available to MTW Self-Sufficiency participants as FSS participation is mandatory. Therefore, termination of COP will result in termination of Section 8 rental assistance for MTW participants.

VII. INCENTIVES TO ENCOUAGE PARTICIPATION

FSS Individual Training and Service Plan

HACSM will assist each FSS participant to develop an Individual Training and Service Plan (ITSP) to help the participant determine the actions necessary to become self-sufficient. In addition, the contract must include obtaining employment and leaving welfare assistance at least 12 months prior to the end of contract term as final goals.

The FSS Coordinator and the participant may mutually agree to modify an existing ITSP as long as the new activities will enhance the participant's ability to achieve their self-sufficiency goals.

Training, Education, and Workshops

Through the PCC and other forums, HACSM will link FSS participants with job training, educational, and social service agencies to provide the supportive services necessary to develop self-sufficiency. In addition, FSS participants will be provided with information on homeownership opportunities.

Escrow Accounts

HACSM will award a flat escrow amount to FSS participants who have successfully completed their COP and are in compliance with their Housing Voucher family obligations.

FSS participants will need to provide proof that they have: 1) increased their earned income, 2) fulfilled their educational goals that enhanced their ability to succeed or advance in the workplace, 3) participated in a HACSM-approved budget class, 4) achieved increase in savings, and 5) improved their credit score.

See Section IX below for further detail about escrow accounts.

VIII. FSS ACTIVITIES AND SUPPORTIVE SERVICES

Assessment and Referral

Inquiries from potential participants and referrals to the FSS program are handled by FSS Coordinators. They explain the intent and structure of the program which is to maximize the participant's earnings through meaningful, full-time employment. The FSS Coordinators are trained to assist the family in assessing their strengths and needs. Individuals who need more education and/or training before seeking or returning to work are appropriately referred to the necessary supportive services.

For clients who are not working when they join the FSS program, the assessment will focus on the immediate barriers to employment and longer-range career goals. For those with jobs, the assessment will address needs and resources related to job stability, retention and career advancement. The assessment will identify the family's resources and needs in such areas as work experience, job search and retention skills, education, training, childcare and transportation. The assessment will also address such issues as physical and mental health, parenting, budgeting and household management, English language skills, coping skills and other skills necessary to gain and sustain employment. Several key objectives will guide the assessment process covering the many issues faced during a participant's preparation for and entry into employment, including, but not limited to the following:

- Determine whether the participant is ready to look for work, including whether the participant has the skills needed for the type of employment sought and whether additional training would enhance the participant's long-term employability.

- Determine which service needs the family can meet themselves and which will require outside assistance.
- Encourage participants to identify and build on the positive life skills, strengths, and capabilities they already possess.
- Establish priorities among identified needs.

The assessment will provide the basis for developing the family's ITSP. The ITSP will outline steps towards long-term independence from public assistance, establish interim goal timeframes, identify potential barriers, and anticipate strategies for overcoming barriers. The ITSP also outlines FSS program commitments to support the participant efforts, and the roles and responsibilities of program staff in helping participants reach their goals. The ITSP, like the assessment, will be reviewed periodically; staff and participants may choose to revise ITSPs as appropriate.

Services and Family Advocacy

The primary goal of the HACSM approach to the FSS program is to help clients clarify their vocational goals, link and refer them to necessary services, and provide the ongoing support they need to maintain their focus and motivation.

Thus, the intake interview is the foundation of a client's participation in FSS. It is during this interview that the Coordinator lays the groundwork for developing a successful long-term relationship with the client. The objective is to build a relationship based upon respect for the client, an assessment of the client's needs and appreciation for their strengths, and an understanding of any barriers to employment and services necessary to overcome them.

Although staff will be supportive and share some responsibility for coordinating and arranging services, ultimately the participant will be encouraged to assume responsibility for obtaining the services needed to implement their strategy for self-sufficiency. Staff will convey a consistent message that participants need to take control of, and assume responsibility for their working lives. This acceptance of responsibility will be critical to participant success in the workplace.

Service Referrals

Following the development of the ITSP, the coordinators begin assisting participants to identify the resources needed to begin implementing their plans for reaching self-sufficiency. Participants seeking further education are referred for additional academic assessment if needed; those who are still identifying their employment goals may be referred for in-depth testing and career counseling. Depending on the participant's interests and prior education, referrals may be made to local providers of basic education (GED), vocational or technical education, English as a Second Language (ESL) course, and/or academic training. Participants may also receive referrals for supportive services, such as childcare and transportation assistance, personal or family counseling, or medical services.

To make effective use of the education, training, and support services available to FSS-eligible families, FSS staff compiles, maintains, and updates a directory of local service providers. Coordinators will make every effort to follow up with participants and service providers regarding the outcomes of referrals. Heavy reliance is placed on clients reporting if they are unable to access the referred services so that, if needed, intervention can take place on their behalf.

FSS participants will meet with the FSS Coordinator as often as necessary but no less than once annually to evaluate progress towards the goals and objectives listed in ITSP.

IX. MAINTENANCE OF ESCROW ACCOUNTS

Calculation of Escrow

Effective July 1, 2009, HACSM will use the following schedule in determining escrow credit:

1. \$1,000 per family who has increased their annual earned income a minimum of \$1,200 from program entry to graduation.
2. \$100 for each completed educational goal such as a GED, a degree from an accredited school/college, a vocational certificate, etc. The maximum escrow credit for achieving educational goals will be \$300 per family.
3. \$100 per family for completing a HACSM-approved budget class.
4. \$1,500 per family for increasing their savings by an additional \$1,500 or from program entry to graduation.
5. \$1.00 for each credit score point improved. The escrow credit for improving credit score is limited to one adult family member, per family.

FSS participants may qualify for one or more of the escrow credits stated above.

Effective October 1, 2013, HACSM will use the following schedule in determining escrow credit:

1. Up to \$1,000 per family who meet one of the following:
 - a. If employed and receiving more than \$2,000 gross annual income at program entry, realize a 15% increase in annual gross income or \$1500 increase in annual gross income, whichever is lower.
 - b. If annual gross income is \$0 - \$2000 at program entry (or on assistance-only), must realize an increase in annual gross income of \$10,000.
2. \$500 per attainment of a degree or certificate program, that would further their employment readiness in their chosen field, from an accredited institution. Examples include: a GED, an Associate, Bachelor, and/or Master's degree, or other vocational program. Maximum escrow credit of \$1,000.

3. \$25 per class, workshop, or course that would enrich the individual and provide additional skills for job readiness and/or employment. Maximum escrow credit of \$250.
4. \$250 per completed step in families "Path to Citizenship." Maximum escrow credit of \$500.
5. Budgeting/Savings. Maximum escrow credit of \$500.
 - a. Step 1: Complete an HACSM-sponsored Financial Education Course after program entry. (\$25 escrow credit)
 - b. Step 2: Prepare and track personal budget for six months following completion of Financial Education Course. (\$100 escrow credit)
 - c. Step 3: Establish (open) a savings account within the first three years of program entry (\$25 escrow credit).
 - d. Step 4: Establish a pattern of savings (\$400 escrow credit)
 - i. Increase the savings balance by a minimum of \$1500 during the term of assistance
 - ii. During the final 12 consecutive months of participation, make a deposit of at least \$25 each month for a minimum of 10 of the 12 months, and do not make any withdrawals that will cause the deposit amount to be less than \$25.
 - iii. Note: In all cases, the savings should be untouched, except in situations of extreme need or in support of other self-sufficiency goals.
6. \$1.00 for each credit score point improved. Maximum escrow credit of \$250. (Note: The escrow credit for improving credit score is limited to one adult family member, per family).
7. \$250 for each Personal Participant Accomplishment from ITSP (and not already included in the above credit schedule). Maximum escrow credit of \$500. These escrow credits are an acknowledgement of the unique family circumstances and the steps completed to become economically self-sufficient.

Escrow Reports to Families

Because escrows are only calculated and credited at the end of the contract term, there will be no escrow reports to the FSS families.

For cumulated escrow fund balance prior to July 1, 2009, escrow account reports will be sent to each FSS family at least annually. The report will include the escrow balance, the amount of interest earned, and any deductions made from the account for the period.

Forfeiture of Escrow Funds

A FSS family has no right to any escrow funds if the family's COP is terminated, declared null and void, or HACSM determines the family did not successfully graduate from the FSS program. For escrow balance accrued prior to July 1, 2009, HACSM will close the family's escrow account and will treat forfeited escrow funds as program receipts under the Section 8 program guidelines, or in accordance with HUD regulations at the time of the forfeiture.

Escrow Disbursements

Escrow will be calculated and credited at the end of the FSS contract term and only if the family provides credible and verifiable documentation showing they qualify for the escrow credit. The maximum escrow credit and pay out at graduation will be \$3,500 per family plus any accrued balances prior to July 1, 2009 (if applicable). Because escrows are calculated and credited at the end of the FSS Contract term, there will be no interim withdrawals during the term of COP.

Succession to FSS Escrow Account

Other family members have no succession right to the FSS escrow account if the FSS head of household left the assisted unit. If the FSS head of household fulfilled all the terms and conditions of the COP and ITSP, HACSM may disburse escrow balance to the FSS head of household upon receiving written request 30 days prior to his/her departure from the unit. At which time, an exit interview must be conducted by the FSS Coordinator. If the COP and ITSP obligations were not fulfilled or the FSS head of household failed to request escrow disbursement in writing 30 days prior to his/her departure, the escrow fund is considered forfeited.

X. TERMINATION AND GRIEVANCE PROCEDURES

The COP is automatically terminated if:

- The family Section 8 assistance is terminated
- The family is at zero HAP for three (3) consecutive months (90 days)
- The family requests early termination
- The family moves to a different jurisdiction during the first 12 months of the FSS participation

The contract may be terminated for terms and conditions listed below:

- Failure to meet the obligations under the COP or ITSP without good cause
- Failure to comply with the COP requirements because the family has moved outside the jurisdiction of HACSM
- Such other act as is deemed inconsistent with the purpose of the FSS program

The FSS participant will be notified by mail of decisions affecting the family's participation in the FSS program. The notification will include the reasons for the

decision and the HACSM policies and HUD regulations supporting it. If the participant disagrees with the decision, an appeal may be made in accordance with the procedures stated in the Informal Hearing section of this Plan.

At the discretion of HACSM, the FSS Coordinator may schedule a pre-hearing conference with the participation to discuss whether an agreement can be reached to cure the violations without terminating the family's FSS participation. However, if the participant disagrees with the conference outcomes, he/she is still entitled to an informal hearing.

XI. PORTABILITY

Port Out

For non-MTW Self-Sufficiency program participants, after the first twelve (12) months of the FSS participation, the FSS family may move outside the HACSM jurisdiction with continued FSS participation. Because escrow is calculated and credited at the end of COP, there will be no transfer of escrow monies to the receiving housing authority at port out.

If the FSS family moves during the first twelve (12) months of the FSS participation, the COP will be automatically terminated.

A relocating FSS family may participate in the FSS program of the receiving housing authority if the receiving housing authority accepts the family into its FSS program. If the receiving housing authority does not accept the family into its FSS program, the family may continue with the HACSM FSS Program if servicing the COP and ITSP is practical and doable. If servicing the COP and ITSP is not practical or doable, the COP will be terminated.

For MTW Self-Sufficiency program participants, see Chapter 24 – Hardship Policy for MTW Initiatives.

XII. MONITORING PROGRAM PERFORMANCE

HACSM staff and management are responsible for monitoring and assessing FSS program performance on a regular basis. Key indicators tracked on a regular basis are:

- Total enrollment
- Number of clients enrolled in any given month
- Number of households with increase in income
- Number of households with employment income
- Number of households achieved educational goals
- Number and amount of escrow pay out for the period

Chapter 17

MTW SELF-SUFFICIENCY PROGRAM

I. INTRODUCTION

The Housing Authority of the County of San Mateo (HACSM) has been a participant in HUD's Moving to Work (MTW) demonstration program since the execution of its MTW Agreement in May 2000. Under the original MTW Agreement with the U.S. Department of Housing and Urban Development (HUD), HACSM was authorized to design and carry out a demonstration program for 300 families receiving tenant-based assistance. The demonstration exempts HACSM from most of the regulatory requirements that would otherwise apply to these families.

In December 2007, HUD developed and offered HACSM a new Amended and Restated MTW agreement. The purpose of establishing the new agreement was to provide consistent, clear, and standardized language for all MTW agencies. While the new agreement preserved HACSM's funding, it also gave HACSM the opportunity to undertake additional program re-design based on the unique needs of our local community.

Effective July 1, 2013, HACSM received HUD approval to expand the number of vouchers in the time-limited self-sufficiency program up to 800 vouchers.

The goals and objectives of HACSM in developing its MTW Program are the same as that of HUD:

- Provide incentives and assistance to families to become economically self-sufficient
- Reduce program costs and achieve greater cost effectiveness
- Increase housing choice for low-income families

To promote incentives to families to become economically self-sufficient, HACSM provides case management services to MTW Self-Sufficiency participants to obtain employment, secure reliable child care, complete educational goals, improve credit ratings, establish savings, and participate in homeownership counseling. MTW participants are included in the FSS program and as such are eligible for potential escrow payments. Successful graduates in the MTW Self-Sufficiency Program receive the escrow fund balance at the end of their term.

This chapter states provisions unique to the Five-Year MTW Self-Sufficiency program. For items not addressed in this chapter, the Housing Voucher Program policies shall apply as stated in other chapters of this plan.

II. PARTICIPANT SELECTION

1. Admission

The Five-Year MTW Self-Sufficiency program has two components. The first component is to assist eligible individuals and families with their rent payments. The second component is to provide and coordinate a full range of supportive services for the individuals and families so that they may obtain self-sufficiency at the end of their contract term. The program relies upon the existing supportive services offered in San Mateo County. Some of these services are job training and placement, child care, transportation, education, homeownership education, alcohol and drug rehabilitation, domestic violence counseling, and other services that promote self-sufficiency.

Effective July 1, 2013, all new applicants from the Voucher waiting list who are determined to be eligible for the program are automatically enrolled in the Five-Year MTW Self-Sufficiency program.

2. Eligibility

The applicants must meet the same income and other eligibility requirements as the Housing Voucher Program applicants. In addition, applicants must meet the following MTW Self-Sufficiency eligibility requirements:

- Applicants must agree to participate in the self-sufficiency component of the program.
- Applicants must agree to participate in the required case management with the goal of becoming self-sufficient.
- Applicants must agree to enter into a Contract of Participation Contract (COP) with HACSM. The COP is based on the family's self-sufficiency goal plan that describes a realistic process for achieving economic self-sufficiency within the five-year term of the Contract.

3. Preference

HACSM has established a system of preferences for the selection of individuals or families admitted to the program. These preferences are based on local housing needs and priorities and are consistent with the program goals and objectives. The selection preferences affect only the order of selecting

applicants. They do not make any individual or family ineligible which would otherwise be eligible. See Chapter 4 for additional information regarding tenant selection from the waiting list.

III. WAITING LIST

All new applicants from the HACSM Voucher waiting list will automatically be enrolled in the Five-year MTW Self-Sufficiency program.

HACSM may close its waitlist at any time.

IV. TIME-LIMITED ASSISTANCE

As of July 1, 2011, new participants to the MTW Self-Sufficiency Program have a maximum of 60 months (five years) of rental assistance.

When applicants receive their vouchers, they will be given an MTW addendum describing time limits on MTW assistance and other aspects of the program that differ from the Housing Voucher Program. MTW families will also be required to sign a statement regarding time remaining in the program at each annual reexamination.

V. HARDSHIP EXCEPTIONS

See Chapter 24 for MTW Self-Sufficiency participants who may want to request a hardship exception.

VI. PORTABILITY

MTW Self-Sufficiency program participants may only use their rental assistance in the County of San Mateo. These MTW vouchers are not portable.

See Chapter 24 for HACSM's Hardship Policy.

VII. VOUCHER ISSUANCE

All applicants selected to receive MTW vouchers will receive a briefing on how the program operates and what he/she, as an applicant, must do to achieve and maintain eligible status. Whether delivered individually or in a group setting, the briefing will contain all pertinent information about the voucher program in general and the MTW program in particular. The staff member conducting the

briefing will place special emphasis on non-traditional aspects of the program, particularly:

- The time limited feature of the program.
- The fact that MTW vouchers are not portable.
- The requirement for participation in the self-sufficiency component of the program by the head of household and all other adult members of the household.
- The requirement of having case management.
- The requirement that all minors who will turn or have turned 18 by program exit will be included in the case management services.
- The HACSM Hardship Policy.

To ensure that the applicant fully understands the differences between an MTW voucher and a Housing Voucher, the applicant must sign the MTW Voucher Addendum.

VIII. SUBSIDY CALCULATION

All definitions in subsidy calculation used in the Housing Voucher Program will apply to MTW Self-Sufficiency participants (see Chapter 7).

IX. ESCROW CALCULATION

The basic premise of the MTW escrow calculation, credit, and pay out are the same as the Section 8 FSS program. See chapter 16 of this Plan for further information.

X. TERMINATION OF ASSISTANCE

MTW participants may have their assistance terminated for failure to comply with the self-sufficiency activities or the COP.

Chapter 18

HOUSING READINESS PROGRAM

I. INTRODUCTION

The Housing Authority of the County of San Mateo (HACSM) has been a participant in HUD's Moving to Work (MTW) demonstration program since the execution of its MTW Agreement in May 2000. The demonstration exempts HACSM from many of the regulatory requirements that would otherwise apply to these families.

This chapter states provisions unique to the MTW Housing Readiness Program (HRP). For items not addressed in this chapter, the Housing Voucher Program policies shall apply as stated in other chapters of this Plan.

II. PARTICIPANT SELECTION

Admission

The MTW-HRP has two components. The first component is to assist eligible individuals and families with their rent payments. The second component is to provide and coordinate a full range of supportive services for the individuals and families so that they may obtain self-sufficiency at the end of the contract term. The program relies upon the existing supportive services offered in San Mateo County. Some of these services are job training and placement, child care, transportation, education, homeownership education, alcohol and drug rehabilitation, domestic violence counseling, and other services that promote self-sufficiency.

Eligibility

The applicants must meet the same income and other eligibility requirements as the Housing Voucher Program applicants. In addition, applicants must meet the following HRP eligibility requirements:

- Applicants must be homeless as defined by HACSM's policy;
- The applicant must be receiving case management services from a HACSM-approved Community Based Assistance Program, and the applicant must follow the requirements of those programs;
- Applicants must agree to participate in the required case management, throughout the duration of their participation, with the goal of becoming self-sufficient.

HACSM Homeless Definition:

Applicants are considered homeless if they are:

- In places not meant for human habitation, such as cars, parks, sidewalks, abandoned buildings (on the street).
- In an emergency shelter.
- In transitional or supportive housing for homeless persons who originally came from the streets or emergency shelters.
- In any of the above places but spending a short time (up to 30 consecutive days) in a hospital or other institution.
- Being discharged within 30 calendar days from an institution, such as a mental health or substance abuse treatment facility or a jail/prison, in which the person has been a resident for more than 30 consecutive days and no subsequent residence has been identified and the person lacks the resources and support networks needed to obtain housing.
- Fleeing a domestic violence housing situation and no subsequent residence has been identified and lacks the resources and support networks needed to obtain housing.

Preference

HACSM has established a system of preferences for the selection of individuals or families admitted to the program. These preferences are based on local housing needs and priorities and are consistent with the program goals and objectives. The selection preferences affect only the order of selecting applicants. They do not make any individual or family ineligible which would otherwise be eligible. Preference will be given to individuals and families that:

- Have members who reside, work, or are hired to work in San Mateo County.
- Are not a prior MTW participant.
- Are currently receiving case management services from an HACSM-approved CBO.

One preference point will be given for each of the verifiable preferences. HACSM will select families with the highest total preference points for eligibility interviews first. Families who have the same total preference points will be selected based on the time and date that the completed referral packet was received by HACSM.

Applicants who claim a preference must submit verifiable documents with their referral packet. Below are some examples of acceptable documents:

- Residency: signed lease, utility bills, governmental benefit notices prior to becoming homeless.
- Certification from supportive service agencies.

- First time program participant: HACSM will use its database to verify this preference.

III. TIME-LIMITED ASSISTANCE

Participants in the MTW Housing Readiness Program have up to 60 months (five years) of rental assistance.

When applicants receive their vouchers, they will be given an MTW addendum describing time limits on MTW assistance and other aspects of the program that differ from the Housing Voucher Program. MTW families will also be required to sign a statement regarding time remaining in the program at each reexamination.

IV. PORTABILITY

MTW Housing Readiness program participants may only use their rental assistance in the County of San Mateo. The HRP vouchers are not portable.

V. VOUCHER ISSUANCE

All applicants selected to receive MTW-HRP vouchers will receive a briefing on how the program operates and what he/she as an applicant must do to achieve and maintain eligible status. Whether delivered individually or in a group setting, the briefing will contain all pertinent information about the voucher program in general and the MTW program in particular. The staff member conducting the briefing will place special emphasis on non-traditional aspects of the program, particularly:

- The time limited feature of the program.
- The fact that MTW-HRP vouchers are not portable.
- The requirement of having case management.
- The HACSM hardship policy.

To ensure that the applicant fully understands the differences between an MTW-HRP voucher and a Housing Voucher, the applicant must sign the MTW Voucher Addendum.

VI. SUBSIDY CALCULATION

All definitions in subsidy calculation used in the Housing Voucher Program will apply to MTW-HRP participants (see Chapter 7).

VII. TERMINATION OF ASSISTANCE

In addition to compliance with Voucher program polices, MTW-HRP participants may have their assistance terminated for failure to comply with case management services.

Chapter 19

INFORMAL REVIEWS AND HEARINGS

I. INTRODUCTION

Both applicants and participants have the right to disagree with, and appeal, certain decisions of HACSM that may adversely affect them. HACSM decisions that may be appealed by applicants and participants are discussed in this chapter.

The process for applicant appeals of HACSM decisions is called the “informal review”. For participants (or applicants denied admission because of citizenship issues), the appeal process is called an “informal hearing”.

II. INFORMAL REVIEWS

Informal reviews are provided for program applicants. An applicant is someone who has applied for admission to the program but is not yet a participant in the program. Informal reviews are intended to provide a “minimum hearing requirement” and will not be as elaborate as the informal hearing requirements.

HACSM will give an applicant the opportunity for an informal review of a decision denying assistance. Denial of assistance includes:

- Denying listing on the HACSM waiting list
- Denying or withdrawing a voucher
- Refusing to enter into a HAP contract or approve a lease;
- Refusing to process or provide assistance under portability procedures

Informal reviews are not required and will *not* be provided for the following reasons:

- Discretionary administrative determinations by HACSM
- General policy issues or class grievances
- A determination of the family unit size under HACSM subsidy standards
- HACSM determination not to approve an extension of a voucher term
- HACSM determination not to grant approval of the tenancy
- HACSM determination that the unit is not in compliance with the HQS
- HACSM determination that the unit is not in accordance with the HQS due to family size or composition

Notice to the Applicant

HACSM will give an applicant prompt notice of a decision denying assistance. The notice will contain a brief statement of the reasons for HACSM's decision and state that the applicant may request an informal review of the decision and the process to request one.

Scheduling an Informal Review

If the applicant requests an informal review, the request must be made in writing by an authorized member or representative of the family. The request must be delivered to HACSM either in person, by first class mail, fax, or e-mail by the close of the business day (5:00 PM), no later than the designated deadline date stated in the notice of denial of assistance.

If the informal review will be conducted remotely, at the time HACSM notifies the family of the informal review, the family will be informed:

- Regarding the processes to conduct a remote informal review.
- That if the family or any individual witness has any technological, resource, or accessibility barriers preventing them from fully accessing the remote informal review, the family may inform HACSM and HACSM will assist the family in either resolving the issues or allow the family to participate in an in-person informal review, as appropriate.

Informal Review Procedures

The informal review will be conducted by a person other than the one who made or approved the decision under review, or a subordinate of this person.

The applicant will be provided an opportunity to present written or oral objections to the decision of HACSM.

Remote Informal Reviews [Notice PIH 2020-32]

There is no requirement that informal reviews be conducted in-person and, as such, HUD allows PHAs to conduct all or a portion of their informal review remotely either over the phone, via video conferencing, or through other virtual platforms. If the PHA chooses to conduct remote informal reviews, applicants may still request an in-person informal review, as applicable.

Ensuring Accessibility for Persons with Disabilities and LEP Individuals

As with in-person informal reviews, the platform for conducting remote informal reviews must be accessible to persons with disabilities and the informal review must be conducted in accordance with Section 504 and accessibility requirements. This includes ensuring any information, websites, emails, digital notifications, and other virtual platforms are accessible for persons with vision, hearing, and other disabilities. Further, providing effective communication in a digital context may require the use of individualized auxiliary aids or services, such as audio description, captioning, sign language and other types of interpreters, keyboard accessibility, accessible documents, screen reader

support, and transcripts. Auxiliary aids or services must be provided in accessible formats, in a timely manner, and in such a way to protect the privacy and independence of the individual. PHAs may never request or require that individuals with disabilities provide their own auxiliary aids or services, including for remote informal hearings.

PHAs are required to make reasonable accommodations in policies, practices, and procedures to ensure persons with disabilities have a full and equal opportunity to participate in and benefit from all aspects of the informal review process. See Chapter 2 for a more detailed discussion of reasonable accommodation requirements.

If no method of conducting a remote informal review is available that appropriately accommodates an individual's disability, HACSM may not hold against the individual his or her inability to participate in the remote informal review, and HACSM should consider whether postponing the remote informal review to a later date is appropriate or whether there is a suitable alternative.

Due to the individualized nature of disability, the appropriate auxiliary aid or service necessary, or reasonable accommodation, will depend on the specific circumstances and requirements.

As with in-person reviews, Limited English Proficiency (LEP) requirements also apply to remote informal reviews, including the use of interpretation services and document translation.

Conducting Remote Informal Reviews

The PHA must ensure that the lack of technology or inability to use technology for remote informal reviews does not pose a disadvantage to families that may not be apparent to the PHA. The PHA should determine through a survey or other means if these barriers exist prior to conducting the remote informal review and, if the family does not have the proper technology to fully participate, either postpone the informal review or provide an alternative means of access.

As with in-person informal reviews, the PHA must provide all materials presented, whether paper or electronic, to the family prior to the remote informal review. The family must also be provided with an accessible means by which to transmit their own evidence.

The PHA must ensure that the applicant has the right to hear and be heard. All PHA policies and processes for remote informal reviews must be conducted in accordance with due process requirements and be in compliance with HUD regulations at 24 CFR 982.554 and guidance specified in Notice PIH 2020-32.

Informal Review Decision [24 CFR 982.554(b)]

HACSM will notify the applicant of its final decision, including a brief statement of the reasons for the final decision.

In rendering a decision, the HACSM will evaluate the following matters:

Whether or not the grounds for denial were stated factually in the notice to the family.

The validity of the grounds for denial of assistance. If the grounds for denial are not specified in the regulations, then the decision to deny assistance will be overturned.

The validity of the evidence. The PHA will evaluate whether the facts presented prove the grounds for denial of assistance. If the facts prove that there are grounds for denial, and the denial is required by HUD, the PHA will uphold the decision to deny assistance.

If the facts prove the grounds for denial, and the denial is discretionary, the PHA will consider the recommendation of the person conducting the informal review in making the final decision whether to deny assistance.

The PHA will notify the applicant of the final decision, including a statement explaining the reason(s) for the decision. The notice will be mailed to the applicant and his or her representative, if any.

If the decision to deny is overturned as a result of the informal review, processing for admission will resume.

If the family fails to appear for their informal review, the denial of admission will stand, and the family will be so notified.

III. INFORMAL HEARINGS FOR PARTICIPANTS

HACSM will offer an informal hearing for certain determinations relating to the individual circumstances of a participant family. A participant is defined as a family that has been admitted to HACSM's Voucher program and is currently assisted in the program. The purpose of the informal hearing is to consider whether HACSM's decisions related to the family's circumstances are in accordance with the law, HUD regulations and HACSM policies.

HACSM will not terminate a family's assistance until the time allowed for the family to request an informal hearing has elapsed, and any requested hearing has been completed. Termination of assistance for a participant may include any or all of the following:

- Refusing to enter into a HAP contract or approve a lease
- Terminating housing assistance payments under an outstanding HAP contract
- Refusing to process or provide assistance under portability procedures

Decisions Subject to Informal Hearing

HACSM will give participants an opportunity for an informal hearing in the following circumstances:

- A determination of the family's annual or adjusted income, and the use of such income to compute the housing assistance payment (subsidy amount);
- A determination of the family unit size under HACSM's subsidy standards;
- A determination to terminate assistance for a participant family because of the family's actions or failure to act
- A determination to terminate assistance because the participant has been absent from the assisted unit for longer than the maximum period permitted under HACSM policy and HUD rules
- A determination to terminate a family's Family Self-Sufficiency contract, withhold supportive services, or propose forfeiture of the family's escrow account [24 CFR 984.303(i)]

Circumstances for which an informal hearing is not required are as follows:

- Discretionary administrative determinations by HACSM
- General policy issues or class grievances
- HACSM's determination not to approve an extension or suspension of a voucher term
- HACSM's determination not to approve a unit or tenancy
- HACSM's determination that a unit selected by the applicant is not in compliance with HQS
- HACSM's determination that the unit is not in accordance with HQS because of family size
- A determination by HACSM to exercise or not to exercise any right or remedy against an owner under a HAP contract

Remote Informal Hearings [Notice PIH 2020-32]

There is no requirement that informal hearings be conducted in-person, and as such, HUD allows PHAs to conduct all or a portion of their informal hearings remotely either over the phone, via video conferencing, or through other virtual platforms. If the PHA chooses to conduct remote informal hearings, applicants may still request an in-person informal hearing, as applicable.

Ensuring Accessibility for Persons with Disabilities and LEP Individuals

As with in-person informal hearings, the platform for conducting remote informal hearings must be accessible to persons with disabilities and the informal hearings must be conducted in accordance with Section 504 and accessibility requirements. This includes ensuring any information, websites, emails, digital notifications, and other virtual platforms are accessible for persons with vision,

hearing, and other disabilities. Further, providing effective communication in a digital context may require the use of individualized auxiliary aids or services, such as audio description, captioning, sign language and other types of interpreters, keyboard accessibility, accessible documents, screen reader support, and transcripts. Auxiliary aids or services must be provided in accessible formats, in a timely manner, and in such a way to protect the privacy and independence of the individual. PHAs may never request or require that individuals with disabilities provide their own auxiliary aids or services, including for remote informal hearings.

PHAs are required to make reasonable accommodations in policies, practices, and procedures to ensure persons with disabilities have a full and equal opportunity to participate in and benefit from all aspects of the informal hearing process. See Chapter 2 for a more detailed discussion of reasonable accommodation requirements.

If no method of conducting a remote informal hearing is available that appropriately accommodates an individual's disability, the PHA may not hold against the individual his or her inability to participate in the remote informal hearing, and the PHA should consider whether postponing the remote hearing to a later date is appropriate or whether there is a suitable alternative.

Due to the individualized nature of disability, the appropriate auxiliary aid or service necessary, or reasonable accommodation will depend on the specific circumstances and requirements.

As with in-person reviews, Limited English Proficiency (LEP) requirements also apply to remote informal hearings, including the use of interpretation services and document translation. See Chapter 2 for a more thorough discussion of accessibility and LEP requirements, all of which apply in the context of remote informal hearings.

Conducting Informal Hearings Remotely

The PHA must ensure that the lack of technology or inability to use technology for remote informal hearings does not pose a disadvantage to families that may not be apparent to the PHA. The PHA should determine through a survey or other means if these barriers exist prior to conducting the remote informal hearing and, if the family does not have the proper technology to fully participate, either postpone the informal hearing or provide an alternative means of access.

As with in-person informal hearings, the PHA must provide all materials presented, whether paper or electronic, to the family prior to the remote informal hearing. The family must also be provided with an accessible means by which to transmit their own evidence.

The PHA's essential responsibility is to ensure informal hearings meet the requirements of due process and comply with HUD regulations. Therefore, all PHA policies and processes for remote informal hearings will be conducted in accordance with due process requirements and will be in compliance with HUD

regulations at 24 CFR 982.555 and the guidance for conducting remote hearings specified in Notice PIH 2020-32.

IV. INFORMAL HEARING PROCEDURES

Notice to the Family

When HACSM makes a decision that is subject to informal hearing procedures, HACSM will inform the family of its right to an informal hearing at the same time that it informs the family of the decision.

For decisions related to the family's annual or adjusted income and the determination of the family unit size, HACSM will notify the family that they may ask for an explanation of the basis of the determination, and that if they do not agree with the decision, they may request an informal hearing on the decision.

For decisions related to the termination of the family's assistance, the notice will contain a brief statement of the reasons for the decision, a statement that if the family does not agree with the decision, the family may request an informal hearing on the decision, and a statement of the deadline for the family to request an informal hearing.

Scheduling an Informal Hearing

A request for an informal hearing must be made in writing by an authorized member or representative of the family. The request must be delivered to HACSM either in person or by first class mail, fax, or e-mail by the close of the business day (5:00 PM), no later than the designated deadline date in the notice to terminate assistance (generally, 14 calendar days from the date of the notice).

After an informal hearing date has been set, either party may request that the hearing be rescheduled by submitting a request, in writing, at least three working days prior to the scheduled date of the hearing. Each party is entitled to one continuance as of right for up to 15 working (i.e., non-holiday, non-weekend) days and need not provide a reason for the request to reschedule. With the concurrence of both parties, a continuance of longer than 15 days may be granted. If the family fails to appear at a rescheduled hearing, they will forfeit their right to an informal hearing.

The family and HACSM will only be allowed to reschedule the hearing once. If the family misses the rescheduled hearing appointment, the HACSM decision to terminate assistance will stand.

If the family does not appear at the scheduled hearing and does not contact the HACSM to reschedule within the allotted time frame, the HACSM decision to terminate assistance will stand.

Pre-Hearing Right to Discovery

Participants and HACSM are permitted pre-hearing discovery rights. The family will be given the opportunity to examine, before the hearing, any HACSM documents that are directly relevant to the hearing. The family will be allowed to copy any such documents at their own expense. If HACSM does not make the document available for examination on request of the family, HACSM cannot rely on the document at the hearing.

For the purpose of informal hearings, *documents* include records and regulations.

Documents will be shared electronically whenever possible.

The family must request discovery of HACSM documents no later than 5:00 p.m. three (3) full business days (no less than 72 hours) prior to the scheduled hearing date.

HACSM will request the opportunity to examine at the HACSM offices before the hearing, any family documents that are directly relevant to the hearing. HACSM will be allowed to copy any such document at the HACSM's expense. If the family does not make the document available for examination on request of the HACSM, the family may not rely on the document at the hearing. The participant must make the documents available no later than 5:00 pm three (3) full business days (no less than 72 hours) prior to the scheduled hearing date.

If the hearing will be conducted remotely, HACSM will compile a hearing packet, consisting of all documents HACSM intends to produce at the informal hearing. HACSM will mail or email copies of the hearing packet to the family, the family's representatives, if any, and the hearing officer at least three days before the scheduled remote informal hearing. The original hearing packet will be in the possession of the HACSM representative and retained by HACSM.

Participant's Right to Bring Counsel

At its own expense, the family may be represented by a lawyer or other representative at the informal hearing.

Informal Hearing Officer

Informal hearings will be conducted by a person or persons approved by HACSM, other than the person who made or approved the decision or a subordinate of the person who made or approved the decision.

Recording of the Hearing

Hearings may be audio recorded or transcribed at the expense of HACSM.

HACSM will keep the audio recording for 90 days from the date of “Notice of Final Decision”. The family may request a copy of the recording at its own expense.

Conduct at Hearings

The hearing officer is responsible to manage the order of business and to ensure that hearings are conducted in a professional and businesslike manner. Attendees are expected to comply with all hearing procedures established by the hearing officer and guidelines for conduct. Any person demonstrating disruptive, abusive or otherwise inappropriate behavior will be excused from the hearing at the discretion of the hearing officer.

Evidence

HACSM and the family will be given the opportunity to present evidence and question any witnesses. In general, all evidence is admissible at an informal hearing. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

Any evidence to be considered by the hearing officer must be presented at the time of the hearing. There are four categories of evidence:

- 1. Oral evidence:** The testimony of witnesses.
- 2. Documentary evidence:** A writing which is relevant to the case, for example, a letter written to the HACSM. Writings include all forms of recorded communication or representation, including letters, words, pictures, sounds, videotapes or symbols or combinations thereof.
- 3. Demonstrative evidence:** Evidence created specifically for the hearing and presented as an illustrative aid to assist the hearing officer, such as a model, a chart or other diagram.
- 4. Real evidence:** A tangible item relating directly to the case.

Hearsay Evidence is evidence based not on a witness’ personal knowledge. In and of itself, hearsay evidence carries no weight when making a finding of fact. The hearing officer may include hearsay evidence when considering their decision if it is corroborated by other evidence. Even though hearsay evidence is generally admissible in a hearing, the hearing officer will not base a hearing decision on hearsay alone unless there is clear probative value and credibility of the evidence, and the party seeking the change has met the burden of proof.

If either HACSM or the family fail to comply with the discovery requirements described above, the hearing officer will refuse to admit such evidence.

The hearing officer has the authority to overrule any objections to evidence other than the failure of a party to comply with discovery.

Hearing Officer's Decision

The hearing officer will issue a written decision summary, stating briefly the reasons for the decision. Factual determinations relating to the individual circumstances of the family will be based on a preponderance of evidence presented at the hearing. Generally, a copy of the written decision will be provided to the family and HACSM within 30 days after the hearing.

Failure of the hearing officer to render a decision within the stipulated time period because of extenuating circumstances shall not invalidate the decision when rendered.

Notice of Final Decision

HACSM is not bound by the decision of the hearing officer for matters in which HACSM is not required to provide an opportunity for a hearing, decisions that exceed the authority of the hearing officer, decisions that conflict with or contradict HUD regulations, requirements, or are otherwise contrary to federal, state or local laws.

If HACSM determines it is not bound by the hearing officer's decision in accordance with HUD regulations, HACSM will promptly notify the family of the determination and the reason for the determination.

Within 15 days of its receipt of the informal hearing decision from the hearing officer, HACSM will provide a Notice of Final Decision to the family and their representative (if applicable).

The Notice will state: 1) whether or not HACSM adopts the decision or finding; 2) the date HACSM makes its final decision; 3) the date the HACSM decision will be effective and implemented; and 4) any appeal rights the family may have.

The Notice will be sent by first-class mail, with a "Proof of Service by Mail" enclosed.

Chapter 20

FAMILY OR OWNER DEBTS TO HACSM

I. INTRODUCTION

When an action or inaction of an owner or participant results in the overpayment of housing assistance, HACSM will hold the owner or participant liable to return any overpayments to HACSM.

When an owner or participant refuses to repay monies owed to HACSM, it will utilize other available collection alternatives including, but not limited to, the following:

- Collection agencies
- Small claims court
- Civil law suit
- State income tax set-off program

II. REPAYMENT POLICY

Owner Debts to HACSM

Any amount due to HACSM by an owner must be repaid by the owner within 30 days of HACSM determination of the debt.

If the owner fails to repay the debt within the required time frame and is entitled to future HAP payments, HACSM will reduce the future HAP payments by the amount owed until the debt is paid in full.

If the owner refuses to repay the debt, and does not have future HAP payments, HACSM will ban the owner from future participation in the program and pursue other modes of collection.

Family Debts to HACSM

Any amount due to HACSM by a program participant must be repaid by the family. If the family is unable to repay the debt within 30 days, HACSM will offer to enter into a repayment agreement in accordance with the policies below.

If the family refuses to repay the debt, enter into a repayment agreement, or breaches a repayment agreement, HACSM will terminate the assistance upon notification to the family and pursue other modes of collection.

Repayment Agreement

The term *repayment agreement* refers to a formal document signed by a tenant and provided to the HACSM in which a tenant or owner acknowledges a debt in a specific amount and agrees to repay the amount due at specific time periods.

Down Payment Requirement

Prior to the execution of a repayment agreement, the family must pay the first installment amount owed.

Payment Procedures

The maximum length of time HACSM will enter into a payment agreement with a family is three (3) years.

The minimum monthly amount of payment for any repayment agreement is \$50.00.

The family will be required to pre-pay the down payment (first installment) amount owed prior to execution of the payment agreement.

Payments shall only be made by money order or cashier's check.

Execution of the Agreement

The head of household and spouse/co-head (if applicable) must sign the repayment agreement.

Due Dates

All payments are due by the close of business on the designated due date. If the due date does not fall on a business day, the due date is the close of business on the first business day after the due date.

Late or Missed Payments

If a payment is not received by the end of the business day on the date due, and prior approval for the missed payment has not been given by HACSM, HACSM will send the family a delinquency notice giving the family 10 business days to make the late payment. If the payment is not received by the due date of the delinquency notice, it will be considered a breach of the agreement and HACSM will terminate assistance in accordance with policies in Chapter 12.

If a family receives three (3) delinquency notices for unexcused late payments in a 12-month period, the repayment agreement will be considered in default, and HACSM will terminate assistance in accordance with policies in Chapter 12.

No Offer of Repayment Agreement

HACSM generally will not enter into a repayment agreement with a family if there is already a repayment agreement in place with the family or if the amount owed by the family exceeds the federal or state threshold for criminal prosecution.

Repayment Agreements Involving Improper Payments

Notice PIH 2010-19 requires certain provisions to be included in any repayment agreement involving amounts owed by a family because it underreported or failed to report income:

- A reference to the items in the family briefing packet that state the family's obligation to provide true and complete information at every reexamination and the grounds on which HACSM may terminate assistance because of a family's action or failure to act
- A statement clarifying that each month the family not only must pay to HACSM the monthly payment amount specified in the agreement but must also pay to the owner the family's monthly share of the rent to owner
- A statement that the terms of the repayment agreement may be renegotiated if the family's income decreases or increases
- A statement that late or missed payments constitute default of the repayment agreement and may result in termination of assistance

Chapter 21

QUALITY ASSURANCE

I. INTRODUCTION

Quality assurance measures are vital components in the administration of HACSM housing programs. To that extent, HACSM is committed to ensuring that subsidy funds made available to HACSM are spent in accordance with requirements and that HACSM develops comprehensive administrative policies and procedures that offer clear and consistent structure.

II. QUALITY ASSURANCE MEASURES

HACSM quality assurance measures include the following:

- Training – conduct staff training to increase and enhance their skills and competence in the respective areas of responsibility. Work guides and internal forms are designed to increase accuracy and uniformity.
- Procedures – develop internal procedures to offer consistency in the application of applicable regulations in a clear and concise manner relative to each subject matter.
- Auditing – supervisory and/or compliance personnel oversee performance standards by auditing administrative tasks related to new admissions, new contracts, Housing Quality Standards (HQS) inspections, HQS enforcement, recertification, occupancy and customer service. Audit checklists are designed to provide supervisory personnel with quality control mechanisms to ensure program rules and requirements are uniformly applied in the administration of the program.
- HACSM employees are expected to provide quality service to all of its clients: applicants, participants and owners, business associates and co-workers, and to treat clients in a polite and respectful manner. Should a client be dissatisfied with a service provided or have another concern or complaint, an employee is expected to give the matter prompt attention.

When a customer service-related complaint cannot be resolved at the direct service level, or if it is desired by the client, it should be referred to the appropriate supervisor or manager for review. HACSM will make every effort to fairly evaluate and address the issues raised by clients and will use feedback to make improvements, as appropriate to the situation.

HACSM's auditing practices along with policies and procedures for administrative tasks are designed to provide a comprehensive approach to ensure HACSM

personnel uniformly apply program requirements to the various job functions with accuracy and consistency to achieve the required quality control.

III. RECORD KEEPING AND MANAGEMENT

HACSM will maintain complete and accurate accounts and other records for the program in accordance with HUD requirements, in a manner that permits a speedy and effective audit. All such records will be made available to HUD or the Comptroller General of the United States upon request.

All applicant and participant information will be kept in a secure location and access will be limited to authorized HACSM staff.

HACSM staff will not discuss personal family information unless there is a business reason to do so. Inappropriate discussion of family information or improper disclosure of family information by staff will result in disciplinary action.

IV. RECORD RETENTION

During the term of each assisted lease, and for at least three years thereafter, HACSM will keep:

- A copy of the executed lease;
- The HAP contract; and
- The application from the family.

In addition, HACSM will keep the following records for at least three years:

- Records that provide income, racial, ethnic, gender, and disability status data on program applicants and participants;
- An application from each ineligible family and notice that the applicant is not eligible;
- HUD-required reports;
- Unit inspection reports;
- Lead-based paint records as required by 24 CFR 35, Subpart B.
- Accounts and other records supporting HACSM budget and financial statements for the program;
- Records to document the basis for HACSM determination that rent to owner is a reasonable rent (initially and during the term of a HAP contract); and
- Other records specified by HUD.

Notice PIH 2014-20 requires PHAs to keep records of all complaints, investigations, notices, and corrective actions related to violations of the Fair Housing Act or the equal access final rule.

The PHA must keep confidential records of all emergency transfer requested by victims of domestic violence, dating violence, sexual assault, and stalking under the PHA's Emergency Transfer Plan, as well as the outcomes of such requests, and retain the records for a period of three years [24 CFR 5.2002(e)(12)].

If an informal hearing to establish a family's citizenship status is held, longer retention requirements apply for some types of documents.

Privacy Act Requirements [24 CFR 5.212 and Form-9886]

The collection, maintenance, use, and dissemination of social security numbers (SSN), employer identification numbers (EIN), any information derived from these numbers, and income information of applicants and participants must be conducted, to the extent applicable, in compliance with the Privacy Act of 1974, and all other provisions of Federal, State, and local law.

Applicants and participants, including all adults in the household, are required to sign a consent form, HUD-9886, Authorization for Release of Information. This form incorporates the Federal Privacy Act Statement and describes how the information collected using the form may be used, and under what conditions HUD or the PHA may release the information collected.

Upfront Income Verification (UIV) Records

PHAs that access data through HUD's Enterprise Income Verification (EIV) system are required to adopt and follow specific security procedures to ensure that all EIV data is protected in accordance with federal laws, regardless of the media on which the data is recorded (e.g. electronic, paper). These requirements are contained in the HUD-issued document, *Enterprise Income Verification (EIV) System, Security Procedures for Upfront Income Verification data*.

Criminal Records

The PHA may only disclose the criminal conviction records which the PHA receives from a law enforcement agency to officers or employees of the PHA, or to authorized representatives of the PHA who have a job-related need to have access to the information [24 CFR 5.903(e)].

The PHA must establish and implement a system of records management that ensures that any criminal record received by the PHA from a law enforcement agency is maintained confidentially, not misused or improperly disseminated, and destroyed, once the purpose for which the record was requested has been accomplished, including expiration of the period for filing a challenge to the PHA action without institution of a challenge or final disposition of any such litigation [24 CFR 5.903(g)].

The PHA must establish and implement a system of records management that ensures that any sex offender registration information received by the PHA from a State or local agency is maintained confidentially, not misused or improperly disseminated, and destroyed, once the purpose for which the record was requested has been

accomplished, including expiration of the period for filing a challenge to the PHA action without institution of a challenge or final disposition of any such litigation. However, a record of the screening, including the type of screening and the date performed must be retained [Notice PIH 2012-28]. This requirement does not apply to information that is public information or is obtained by a PHA other than under 24 CFR 5.905.

Medical/Disability Records

PHAs are not permitted to inquire about the nature or extent of a person's disability. The PHA may not inquire about a person's diagnosis or details of treatment for a disability or medical condition. If the PHA receives a verification document that provides such information, the PHA should not place this information in the tenant file. The PHA should destroy the document.

Chapter 22

PROJECT-BASED VOUCHERS

MTW Waiver: Some of the activities in this chapter are authorized in HACSM's MTW Agreement, Attachment C, Paragraph D (4) and 7(a)(b)(c) and waives certain provisions of Sections 8 (o)(6), 8(o)(8), 8(o)(13)(B and D), 8(o)(13)(J) and 8(o)(16) of the 1937 Act and 24 CFR 982 and CFR Part 983. In addition, some of the activities in this chapter are authorized in HACSM's MTW Agreement, Attachment D, for broader use of funds.

I. INTRODUCTION

The Project-Based Voucher (PBV) program allows PHAs that already administer a tenant-based voucher program to take up to 20 percent of its authorized units and attach the funding to specific units rather than using it for tenant-based assistance [24 CFR 983.6].

This chapter describes HUD regulations and HACSM policies related to the project-based voucher (PBV) program and its administration.

II. GENERAL REQUIREMENTS [24 CFR 983.5]

PBV assistance may be attached to existing housing or newly constructed or rehabilitated housing [24 CFR 983.52]. If PBV units are already selected for project-based assistance either under an agreement to enter into HAP Contract (Agreement) or a HAP contract, HACSM is not required to reduce the number of these units if the amount of budget authority is subsequently reduced. However, HACSM is responsible for determining the amount of budget authority that is available for project-based vouchers and ensuring that the amount of assistance that is attached to units is within the amounts available, regardless of whether the PHA has vouchers available for project-basing [FR Notice 1/18/17].

Using its MTW authority, HACSM will operate a project-based voucher program using up to 35 percent of its budget authority for project-based assistance.

Additional Project-Based Units [FR Notice 1/18/17]

A PHA may project-base an additional 10 percent of its units above the usual 20 percent program limit, if the units:

- Are specifically made available to house individuals and families that meet the definition of homeless under section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302).
- Are specifically made available to house families that are comprised of or include a veteran.
 - *Veteran* means an individual who has served in the United States Armed Forces.
- Provide supportive housing to persons with disabilities or elderly persons as defined in 24 CFR 5.403.

- Are located in a census tract with a poverty rate of 20 percent or less, as determined in the most recent American Community Survey Five-Year Estimates.

Only units that are under a HAP contract that was first executed on or after April 18, 2017, are covered by the 10 percent exception.

Units Not Subject to the PBV Program Limitation [FR Notice 1/18/17]

PBV units under the RAD program and HUD-VASH PBV set-aside vouchers do not count toward the 20 percent limitation when PBV assistance is attached to them.

In addition, units that were previously subject to certain federal rent restrictions or were receiving another type of long-term housing subsidy provided by HUD are not subject to the cap. In order to be excepted, the unit must meet the following conditions:

The unit must be covered under a PBV HAP contract that first became effective on or after 4/18/17.

Tenant-Based vs. Project-Based Voucher Assistance [24 CFR 983.2]

Much of the tenant-based voucher program regulations also apply to the PBV program. Consequently, many of the PHA policies related to tenant-based assistance also apply to PBV assistance. The provisions of the tenant-based voucher regulations that do not apply to the PBV programs are listed at 24 CFR 983.2.

Relocation Requirements [24 CFR 983.7]

Any persons displaced as a result of implementation of the PBV program will be provided relocation assistance in accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA)[42 U.S.C. 4201-4655] and implementing regulations at 49 CFR part 24.

The cost of required relocation assistance may be paid with funds provided by the owner, local public funds, or funds available from other sources. HACSM may not use voucher program funds to cover relocation costs, except that HACSM may use their administrative fee reserve to pay for relocation expenses after all other program administrative expenses are satisfied, and provided that payment of the relocation benefits is consistent with state and local law. Use of the administrative fee for these purposes must also be consistent with other legal and regulatory requirements, including the requirement in 24 CFR 982.155 and other official HUD issuances.

The acquisition of real property for a PBV project is subject to the URA and 49 CFR part 24, subpart B. It is the responsibility of HACSM to ensure the owner complies with these requirements.

Equal Opportunity Requirements [24 CFR 983.8]

HACSM will comply with all equal opportunity requirements under federal law and regulations in its implementation of the PBV program. This includes the requirements and authorities cited at 24 CFR 5.105(a). In addition, HACSM will comply with the PHA Plan certification on civil rights and affirmatively furthering fair housing, submitted in accordance with 24 CFR 903.7(o).

III. PBV OWNER PROPOSALS

With certain exceptions, a PHA must describe the procedures for owner submission of PBV proposals and for PHA selection of PBV proposals [24 CFR 983.51]. Before selecting a PBV proposal, the PHA must determine that the PBV proposal complies with HUD program regulations and requirements, including a determination that the property is eligible housing [24 CFR 983.53 and 983.54], complies with the cap on the number of PBV units per project [24 CFR 983.56], and meets the site selection standards [24 CFR 983.57]. The PHA may not commit PBVs until or unless it has followed the proposal selection requirements defined in 24 CFR 983.51 [Notice PIH 2011-54].

Owner Proposal Selection Procedures [24 CFR 983.51]

HACSM will select PBV proposals by either of the following two methods.

- HACSM request for PBV Proposals. HACSM may solicit proposals by using a request for proposals (RFP) to select proposals on a competitive basis. HACSM may not limit proposals to a single site or impose restrictions that explicitly or practically preclude owner submission of proposals for PBV housing on different sites.
- HACSM may select proposals that were previously selected based on a competition. This may include selection of a proposal for housing assisted under a federal, state, or local government housing assistance program that was subject to a competition in accordance with the requirements of the applicable program, community development program, or supportive services program that requires competitive selection of proposals (e.g., HOME, and units for which competitively awarded LIHTCs have been provided), where the proposal has been selected in accordance with such program's competitive selection requirements within three years of the PBV proposal selection date, and the earlier competitive selection proposal did not involve any consideration that the project would receive PBV assistance. HACSM need not conduct another competition.
- HACSM may select projects under its MTW authority without engaging in a competitive process. Projects selected must be approved by the HACSM Board of Commissioners and are subject to HUD's requirements regarding environmental and subsidy layering reviews, if applicable.

Units Selected Non-Competitively [FR Notice 1/18/17]

For certain public housing projects where the PHA has an ownership interest or control and will spend a minimum amount per unit on rehabilitation or construction, the PHA may select a project without following one of the first two processes above.

Solicitation and Selection of PBV Proposals [24 CFR 983.51(c)]

HACSM procedures for selecting PBV proposals will be designed and actually operated to provide broad public notice of the opportunity to offer PBV proposals for consideration by HACSM. The public notice procedures may include publication of the public notice in a local newspaper of general circulation and other means designed and actually operated to provide broad public notice. The public notice of the HACSM

request for PBV proposals will specify the submission deadline. Detailed application and selection information will be provided at the request of interested parties.

HACSM Request for Proposals for Rehabilitated and Newly Constructed Units

- HACSM will advertise its Request for Proposals (RFP) for rehabilitated and newly constructed housing in local newspapers of general circulation, online publications, and/or the Department of Housing web site.
- In order for the proposal to be considered, the owner must submit the proposal to HACSM by the published deadline date, and the proposal must respond to all requirements as outlined in the RFP. Incomplete proposals and late proposals will not be reviewed.
- HACSM will rate and rank proposals for rehabilitated and newly constructed housing using the following criteria:
 - Owner experience and capability to build or rehabilitate housing as identified in the RFP;
 - Extent to which the project furthers HACSM's goal of deconcentrating poverty and expanding housing and economic opportunities;
 - If applicable, the extent to which services for special populations are provided on site or in the immediate area for occupants of the property;
 - New constructions that will be restricted to low or very-low income occupancy;
 - Projects that are situated along public transportation corridors;
 - Projects that are owned or developed by non-profit organizations that have a solid record of effective property management;
 - Projects that have completed feasibility/readiness reviews to commence construction.

HACSM Requests for Proposals for Existing Housing Units

- HACSM will advertise its request for proposals (RFP) for existing housing in local newspapers of general circulation and/or the Department of Housing web site.
- Owner proposals will be evaluated using the following criteria:
 - Experience as an owner in the tenant-based voucher program and owner compliance with the owner's obligations under the tenant-based program;
 - Extent to which the project furthers HACSM's goal of deconcentrating poverty and expanding housing and economic opportunities;
 - If applicable, extent to which services for special populations are provided on site or in the immediate area for occupants of the property; and
 - Extent to which units are occupied by families that are eligible to participate in the PBV program.

HACSM Selection of Proposals Subject to a Previous Competition under a Federal, State, or Local Housing Assistance Program

- HACSM will accept proposals for PBV assistance from owners that were competitively selected under another federal, state or local housing assistance program, including projects that were competitively awarded Low-Income Housing Tax Credits (LIHTC) on an ongoing basis.
 - HACSM may periodically advertise that it is accepting proposals, in local newspapers of general circulation and the Department of Housing web site.
- In addition to, or in place of advertising, HACSM may also directly contact specific owners that have already been selected for Federal, state, or local housing assistance based on a previously held competition, to inform them of available PBV assistance.
- HACSM will evaluate each proposal on its merits using the following factors:
 - Extent to which the project furthers HACSM's goal of deconcentrating poverty and expanding housing and economic opportunities; and
 - Extent to which the proposal complements other local activities such as the redevelopment of a public housing site under the HOPE VI program, the HOME program, CDBG activities, other development activities in a HUD-designated Enterprise Zone, Economic Community, or Renewal Community.

HACSM Selection of Projects under MTW Authority without Engaging in a Competitive Process

HACSM may select projects under MTW authority without engaging in a competitive process. Projects that may be selected for project-based voucher assistance without engaging in a competitive process include:

- Properties owned directly or indirectly by HACSM that are not Public Housing;
- HACSM Public Housing units that are being permanently removed from the Public Housing program inventory.

A PBV award to projects selected without engaging in a competitive process will be approved by the HACSM Board of Commissioners.

PHA-Owned Units [24 CFR 983.51(e) and 983.59, Notice PIH 2015-05, and FR Notice 1/18/17]

PHA-owned units may be assisted under the PBV program only if the HUD field office or HUD-approved independent entity reviews the selection process and determines that PHA-owned units were appropriately selected based on the selection procedures specified in the PHA administrative plan. If the PHA selects a proposal for housing that is owned or controlled by the PHA, the PHA must identify the entity that will review the PHA proposal selection process and perform specific functions with respect to rent determinations and inspections.

Under its MTW authority, HACSM may select projects without engaging in a competitive process. Projects that may be selected for project-based voucher assistance without engaging in a competitive process include:

- Properties owned directly or indirectly by HACSM that are not Public Housing;
- HACSM Public Housing units that are being permanently removed from the Public Housing program inventory.

In the case of PHA-owned units, the term of the HAP contract and any HAP contract renewal must be agreed upon by the PHA and a HUD-approved independent entity. In addition, an independent entity must determine the rent to owner, the redetermined rent to owner, and reasonable rent. Housing quality standards inspections must also be conducted by an independent entity.

The independent entity that performs these program services may be the unit of general local government for the HACSM jurisdiction (unless HACSM is itself the unit of general local government or an agency of such government) or another HUD-approved public or private independent entity.

HACSM may only compensate the independent entity from HACSM ongoing administrative fee income (including amounts credited to the administrative fee reserve). HACSM may not use other program receipts to compensate the independent entity for its services. HACSM and any independent entity may not charge the family any fee for the appraisal or the services provided by the independent entity.

HACSM Notice of Owner Selection [24 CFR 983.51(d)]

HACSM will give prompt written notice to the party that submitted a selected proposal and HACSM will notify in writing all owners that submitted proposals that were not selected and advise such owners of the name of the selected owner.

HACSM will publish its notice for selection of PBV proposals for two consecutive days in the same newspapers it used to solicit the proposals. The announcement will include the name of the owner that was selected for the PBV program. HACSM will also post the notice of owner selection on its web site.

HACSM will make available to any interested party its rating and ranking sheets and documents that identify HACSM's basis for selecting the proposal. These documents will be available for review by the public and other interested parties for one month after publication of the notice of owner selection. HACSM will not make available sensitive owner information that is privileged, such as financial statements and similar information about the owner.

HACSM will make these documents available for review at its office during normal business hours. There will be a nominal charge per page for the cost of reproduction of allowable documents.

Housing Type [24 CFR 983.52]

HACSM may attach PBV assistance for units in existing housing or for newly constructed or rehabilitated housing developed under and in accordance with an agreement to enter into a housing assistance payments contract that was executed prior to the start of construction. A housing unit is considered an existing unit for purposes of the PBV program, if, at the time of notice of HACSM selection, the units substantially comply with HQS. Units for which new construction or rehabilitation began after the owner's proposal submission but prior to the execution of the HAP do not subsequently qualify as existing housing. Units that were newly constructed or rehabilitated in violation of program requirements also do not qualify as existing housing.

HACSM will decide what housing type, new construction, rehabilitation, or existing housing, will be used to develop project-based housing. HACSM's choice of housing type will be reflected in its solicitation for proposals.

Prohibition of Assistance for Certain Units

Ineligible Housing Types [24 CFR 983.53]

HACSM cannot attach or pay PBV assistance to shared housing units; units on the grounds of a penal reformatory, medical, mental, or similar public or private institution; nursing homes or facilities providing continuous psychiatric, medical, nursing services, board and care, or intermediate care (except that assistance may be provided in assisted living facilities); units that are owned or controlled by an educational institution or its affiliate and are designated for occupancy by students; manufactured homes; and transitional housing. In addition, HACSM will not attach or pay PBV assistance for a unit occupied by an owner and HACSM will not select or enter into an agreement to enter into a HAP contract or HAP contract for a unit occupied by a family ineligible for participation in the PBV program. A member of a cooperative who owns shares in the project assisted under the PBV program is not considered an owner for purposes of participation in the PBV program. Finally, PBV assistance may not be attached to units for which construction or rehabilitation has started after the proposal submission and prior to the execution of an AHAP.

Subsidized Housing [24 CFR 983.54]

HACSM will not attach or pay PBV assistance to units in any of the following types of subsidized housing:

- A public housing unit;
- A unit subsidized with any other form of Section 8 assistance;
- A unit subsidized with any governmental rent subsidy;
- A unit subsidized with any governmental subsidy that covers all or any part of the operating costs of the housing;
- A unit subsidized with Section 236 rental assistance payments (unless it's a unit subsidized with Section 236 interest reduction payments);

- A Section 202 project for non-elderly with disabilities;
- Section 811 project-based supportive housing for persons with disabilities;
- Section 202 supportive housing for the elderly;
- A Section 101 rent supplement project;
- A unit subsidized with any form of tenant-based rental assistance;
- A unit with any other duplicative federal, state, or local housing subsidy, as determined by HUD or HACSM in accordance with HUD requirements.

Subsidy Layering Requirements [24 CFR 983.55, FR Notice 11/24/08, FR Notice 7/9/10, and FR Notice 6/25/14]

HACSM may provide PBV assistance only in accordance with HUD subsidy layering regulations [24 CFR 4.13] and other requirements.

The subsidy layering review is intended to prevent excessive public assistance by combining (layering) housing assistance payment subsidy under the PBV program with other governmental housing assistance from federal, state, or local agencies, including assistance such as tax concessions or tax credits.

Subsidy layering requirements do not apply to existing housing. A further subsidy layering review is not required for new construction or rehabilitation if HUD’s designee has conducted a review that included a review of PBV assistance in accordance with the PBV subsidy layering guidelines.

HACSM will submit the necessary documentation to HUD for a subsidy layering review. Except in cases noted above, HACSM may not enter into an agreement to enter into a HAP contract or AHAP until HUD, or a HUD-approved housing credit agency (HCA), has conducted any required subsidy layering review and determined that the PBV assistance is in accordance with HUD subsidy layering requirements. However, in order to satisfy applicable requirements, HCAs must conduct subsidy layering reviews in compliance with the guidelines set forth in the *Federal Register* notice published July 9, 2010.

The HAP contract must contain the owner's certification that the project has not received and will not receive (before or during the term of the HAP contract) any public assistance for acquisition, development, or operation of the housing other than assistance disclosed in the subsidy layering review in accordance with HUD requirements.

Cap on Number of PBV Units in Each Project

In general, PHAs may not select a proposal to provide PBV assistance for units in a project or enter into an agreement to enter into a HAP or AHAP contract to provide PBV assistance for units in a project, if the total number of dwelling units in the project that will receive PBV assistance during the term of the PBV HAP contract is more than 25 units or 25 percent of the number of dwelling units (assisted or unassisted) in the project.

HACSM may enact its MTW authority and project-base up to 50% of the number of dwelling units (assisted or unassisted) in the project.

Exceptions to 25 Percent per Project Cap [FR Notice 1/18/17]

Exceptions are allowed and PBV units are not counted against the 25 percent per project cap if:

- The units are exclusively for elderly families
- The units are for households eligible for supportive services available to all families receiving PBV assistance in the project
- The project is located in a census tract with a poverty rate of 20 percent or less, as determined in the most recent American Community Survey Five-Year estimates

For these projects, the project cap is the greater of 25 units or 40 percent (instead of 25 percent) of the units in the project [FR Notice 7/14/17]; or HACSM may enact its MTW authority and project-base up to 50% of the number of dwelling units (assisted or unassisted) in the project.

The Housing Opportunity Through Modernization Act of 2016 (HOTMA) eliminated the project cap exemption for projects that serve disabled families and modified the exception for supportive services. Projects where these caps were implemented prior to HOTMA may continue to use the former exemptions and may renew their HAP contracts under the old requirements, unless the PHA and owner agree to change the conditions of the HAP contract. However, this change may not be made if it would jeopardize an assisted family's eligibility for continued assistance in the project.

Supportive Services

The types of supportive services offered to families for a project to qualify for the exception are those intended to promote self-sufficiency, including:

- Outreach
- Case management, counseling
- Health care, psychiatric and mental health care, substance abuse treatment
- Life skills, parenting skills
- Child care, transportation, housing search assistance, budgeting
- Employment assistance, job training/placement
- Education, vocational opportunities

The project must make supportive services available to all families receiving PBV assistance in the project, but the family does not actually have to accept and receive supportive services for the exception to apply to the unit, although the family must be eligible to receive the supportive services. It is not necessary that the services be provided at or by the project, but must be reasonably available to families receiving PBV assistance at the project and designed to help families in the project achieve self-sufficiency or live in the community as independently as possible. A PHA may not

require participation in the supportive service as a condition of living in the excepted unit, although such services may be offered.

Projects not Subject to a Project Cap [FR Notice 1/18/17]

PBV units that were previously subject to certain federal rent restrictions or receiving another type of long-term housing subsidy provided by HUD are exempt from the project cap. In other words, 100 percent of the units in these projects may receive PBV assistance. To qualify for the exception, the unit must:

- Be covered by a PBV HAP contract that first became effective on or after 4/18/17; and
- In the five years prior to the date the PHA either issued the RFP under which the project was selected or the PHA selected the project without competition, the unit met at least one of the two following conditions:
 - The unit received Public Housing Capital or Operating Funds, Project-Based Rental Assistance, Housing for the Elderly (Section 202), Housing for Persons with disabilities (Section 811), the Rental Supplement program,
 - The unit was subject to a rent restriction as a result of one of the following HUD loans or insurance programs: Section 236, Section 221(d)(3) or (d)(4) BMIR, Housing for the Elderly (Section 202), or Housing for Persons with Disabilities (Section 811)

Units that were previously receiving PBV assistance are not covered by the exception. Both existing and rehabilitation units are eligible for this exception. Newly constructed units qualify if they meet the definition of *replacement unit* described in FR Notice 1/18/17.

Promoting Partially-Assisted Projects [24 CFR 983.56(c)]

HACSM may establish local requirements designed to promote PBV assistance in partially assisted projects. A *partially assisted project* is a project in which there are fewer units covered by a HAP contract than residential units [24 CFR 983.3].

HACSM may establish a per-project cap on the number of units that will receive PBV assistance or other project-based assistance in a multifamily project containing excepted units or in a single-family building. HACSM may also determine not to provide PBV assistance for excepted units or may establish a per-project cap of less than 50 percent.

Site Selection Standards

Compliance with PBV Goals, Civil Rights Requirements, and HQS Site Standards [24 CFR 983.57(b)]

HACSM will not select a proposal for existing, newly constructed, or rehabilitated PBV housing on a site or enter into an agreement to enter into a HAP contract or HAP contract for units on the site, unless HACSM has determined that PBV assistance for housing at the selected site is consistent with the goal of deconcentrating poverty and

expanding housing and economic opportunities. The standard for deconcentrating poverty and expanding housing and economic opportunities must be consistent with the PHA Plan under 24 CFR 903 and administrative plan.

In addition, prior to selecting a proposal, HACSM must determine that the site is suitable from the standpoint of facilitating and furthering full compliance with the applicable Civil Rights Laws, regulations, and Executive Orders, and that the site meets the HQS site and neighborhood standards at 24 CFR 982.401(l).

It is the HACSM goal to select sites for PBV housing that provide for deconcentrating poverty and expanding housing and economic opportunities. To achieve this goal, HACSM will limit approval of sites for PBV housing in census tracts that have poverty concentrations of 20 percent or less.

However, HACSM will grant exceptions to the 20 percent standard where it determines that the PBV assistance will complement other local redevelopment activities designed to deconcentrate poverty and expand housing and economic opportunities in census tracts with poverty concentrations greater than 20 percent.

Existing and Rehabilitated Housing Site and Neighborhood Standards [24 CFR 983.57(d)]

HACSM will not enter into an agreement to enter into a HAP contract nor enter into a HAP contract for existing or rehabilitated housing until it has determined that the site complies with the HUD required site and neighborhood standards. The site must:

- Be adequate in size, exposure, and contour to accommodate the number and type of units proposed;
- Have adequate utilities and streets available to service the site;
- Promote a greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons;
- Be accessible to social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services equivalent to those found in neighborhoods consisting largely of unassisted similar units; and
- Be located so that travel time and cost via public transportation or private automobile from the neighborhood to places of employment is not excessive.

New Construction Site and Neighborhood Standards [24 CFR 983.57(e)]

In order to be selected for PBV assistance, a site for newly constructed housing must meet the following HUD required site and neighborhood standards:

- The site must be adequate in size, exposure, and contour to accommodate the number and type of units proposed;
- The site must have adequate utilities and streets available to service the site;
- The site must not be located in an area of minority concentration unless HACSM determines that sufficient, comparable opportunities exist for housing for minority families in the income range to be served by the proposed project outside areas of

minority concentration or that the project is necessary to meet overriding housing needs that cannot be met in that housing market area;

- The site must not be located in a racially mixed area if the project will cause a significant increase in the proportion of minority to non-minority residents in the area.
- The site must promote a greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons;
- The neighborhood must not be one that is seriously detrimental to family life or in which substandard dwellings or other undesirable conditions predominate;
- The housing must be accessible to social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services equivalent to those found in neighborhoods consisting largely of unassisted similar units; and
- Except for housing designed for elderly persons, the housing must be located so that travel time and cost via public transportation or private automobile from the neighborhood to places of employment is not excessive.

Environmental Review [24 CFR 983.58]

HACSM activities under the PBV program are subject to HUD environmental regulations in 24 CFR parts 50 and 58. The *responsible entity* is responsible for performing the federal environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). HACSM will not enter into an agreement to enter into a HAP contract nor enter into a HAP contract until it has complied with the environmental review requirements.

In the case of existing housing, the responsible entity that is responsible for the environmental review under 24 CFR part 58 will determine whether or not PBV assistance is categorically excluded from review under the National Environmental Policy Act and whether or not the assistance is subject to review under the laws and authorities listed in 24 CFR 58.5.

HACSM will not enter into an agreement to enter into a HAP contract or a HAP contract with an owner, and HACSM, the owner, and its contractors may not acquire, rehabilitate, convert, lease, repair, dispose of, demolish, or construct real property or commit or expend program or local funds for PBV activities under this part, until the environmental review is completed.

HACSM will supply all available, relevant information necessary for the responsible entity to perform any required environmental review for any site. HACSM will require the owner to carry out mitigating measures required by the responsible entity (or HUD, if applicable) as a result of the environmental review.

IV. DWELLING UNITS

This section identifies the special housing quality standards that apply to the PBV program, housing accessibility for persons with disabilities, and special procedures for conducting housing quality standards inspections.

Housing Quality Standards [24 CFR 983.101]

The housing quality standards (HQS) for the tenant-based program, including those for special housing types, generally apply to the PBV program. HQS requirements for shared housing, manufactured home space rental and the homeownership option do not apply because these housing types are not assisted under the PBV program.

The physical condition standards at 24 CFR 5.703 do not apply to the PBV program.

Lead-based Paint [24 CFR 983.101(c)]

The lead-based paint requirements for the tenant-based voucher program do not apply to the PBV program. Instead, 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 at 24 CFR part 35, subparts A, B, H, and R, apply to the PBV program.

Housing Accessibility for Persons with Disabilities

The housing must comply with program accessibility requirements of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR part 8. HACSM must ensure that the percentage of accessible dwelling units complies with the requirements of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), as implemented by HUD's regulations at 24 CFR 8, subpart C.

Housing first occupied after March 13, 1991, must comply with design and construction requirements of the Fair Housing Amendments Act of 1988 and implementing regulations at 24 CFR 100.205, as applicable. (24 CFR 983.102)

Inspecting Units

Pre-selection Inspection [24 CFR 983.103(a)]

HACSM will examine the proposed site before the proposal selection date. If the units to be assisted already exist, HACSM will inspect all the units before the proposal selection date and will determine whether the units substantially comply with HQS. To qualify as existing housing, units must substantially comply with HQS on the proposal selection date. However, HACSM will not execute the HAP contract until the units fully comply with HQS.

Pre-HAP Contract Inspections [24 CFR 983.103(b), FR Notice 1/18/17]

HACSM will inspect each contract unit before execution of the HAP contract. HACSM will not enter into a HAP contract covering a unit until the unit fully complies with HQS, unless it adopts a policy to enter into a HAP contract for units that fail the initial HQS inspection as a result of only non-life-threatening conditions.

Turnover Inspections [24 CFR 983.103(c)]

Before providing assistance to a new family in a contract unit, HACSM will inspect the unit. HACSM may not provide assistance on behalf of the family until the unit fully complies with HQS.

Local PBV Inspection Process

HACSM generally will inspect all units under lease at least biennially (every other year) to confirm that the units continue to meet HQS; however, HACSM may choose to inspect 20% of PBV units in a project annually.

If the inspected unit or units fail HQS and the deficiencies are not corrected within 30 days upon notification to the project owner, or the HACSM-approved extension period, HACSM will abate HAP for the unit. If the deficiencies are not corrected within 90 days after the abatement notice, HACSM will remove the unit from the PBV contract. No retroactive HAP will be made during the abatement period.

Other Inspections [24 CFR 983.103(e)]

HACSM will inspect contract units whenever needed to determine that the contract units comply with HQS and that the owner is providing maintenance, utilities, and other services in accordance with the HAP contract. HACSM will take into account complaints and any other information coming to its attention in scheduling inspections.

HACSM will conduct follow-up inspections needed to determine if the owner (or, if applicable, the family) has corrected an HQS violation, and will conduct inspections to determine the basis for exercise of contractual and other remedies for owner or family violation of HQS.

In conducting quality assurance (QA) HQS inspections, HACSM will include a representative sample of both tenant-based and project-based units.

Inspecting HACSM-owned Units

HACSM received authorization through its FY2009 MTW Annual Plan that it may inspect HACSM-owned units and will take prompt corrective actions to address any HQS findings. HACSM will retain its inspection reports for HACSM-owned units and not submit the reports to the HUD Field Office.

V. REHABILITATED AND NEWLY CONSTRUCTED UNITS [24 CFR 983.151]

There are specific requirements that apply to PBV assistance for newly constructed or rehabilitated housing that do not apply to PBV assistance in existing housing. This part describes the requirements unique to this type of assistance.

Housing selected for this type of assistance may not at a later date be selected for PBV assistance as existing housing.

Agreement to Enter Into HAP Contract

In order to offer PBV assistance in rehabilitated or newly constructed units, HACSM will enter into an agreement to enter into a HAP contract (Agreement) with the owner of the property. The Agreement must be in the form required by HUD [24 CFR 983.152(a)].

HACSM cannot enter into an Agreement if commencement of construction or rehabilitation has commenced after proposal submission [24 CFR 983.152(c)]. Construction begins when excavation or site preparation (including clearing of the land) begins for the housing. Rehabilitation begins with the physical commencement of rehabilitation activity on the housing.

In the Agreement the owner agrees to develop the PBV contract units to comply with HQS, and HACSM agrees that upon timely completion of such development in accordance with the terms of the Agreement, HACSM will enter into a HAP contract with the owner for the contract units [24 CFR 983.152(a)].

Content of the Agreement [24 CFR 983.152(d)]

At a minimum, the Agreement will describe the following features of the housing to be developed and assisted under the PBV program:

- Site and the location of the contract units;
- Number of contract units by area (size) and number of bedrooms and bathrooms;
- Services, maintenance, or equipment to be supplied by the owner without charges in addition to the rent;
- Utilities available to the contract units, including a specification of utility services to be paid by the owner and utility services to be paid by the tenant;
- An indication of whether or not the design and construction requirements of the Fair Housing Act and section 504 of the Rehabilitation Act of 1973 apply to units under the Agreement. If applicable, any required work item resulting from these requirements must be included in the description of work to be performed under the Agreement;
- Estimated initial rents to owner for the contract units;
- Description of the work to be performed under the Agreement. For rehabilitated units, the description will include the rehabilitation work write up and, where determined necessary by HACSM, specifications and plans. For new construction units, the description will include the working drawings and specifications.
- Any additional requirements for quality, architecture, or design over and above HQS.

Execution of the Agreement [24 CFR 983.153]

The Agreement will be executed promptly after HACSM notice of proposal selection to the selected owner. HACSM cannot enter into the Agreement if construction or rehabilitation has started after proposal submission. Generally, HACSM may not enter into the Agreement with the owner until the subsidy layering review is completed. Likewise, HACSM may not enter into the Agreement until the environmental review is completed and HACSM has received environmental approval. However, HACSM does not need to conduct a subsidy layering review in the case of a HAP contract for existing housing or if the applicable state or local agency has conducted such a review. Similarly, environmental reviews are not required for existing structures unless otherwise required by law or regulation.

Conduct of Development Work

Labor Standards [24 CFR 983.154(b)]

If an Agreement covers the development of nine or more contract units (whether or not completed in stages), the owner and the owner's contractors and subcontractors must pay Davis-Bacon wages to laborers and mechanics employed in the development of housing. The HUD-prescribed form of the Agreement will include the labor standards clauses required by HUD, such as those involving Davis-Bacon wage rates.

The owner, contractors, and subcontractors must also comply with the Contract Work Hours and Safety Standards Act, Department of Labor regulations in 29 CFR part 5, and other applicable federal labor relations laws and regulations.

Owner Disclosure [24 CFR 983.154(d) and (e)]

The Agreement and HAP contract must include a certification by the owner that the owner and other project principals are not on the U.S. General Services Administration list of parties excluded from federal procurement and non-procurement programs.

The owner must also disclose any possible conflict of interest that would be a violation of the Agreement, the HAP contract, or HUD regulations.

Completion of Housing

The Agreement must specify the deadlines for completion of the housing, and the owner must develop and complete the housing in accordance with these deadlines. The Agreement must also specify the deadline for submission by the owner of the required evidence of completion.

Evidence of Completion [24 CFR 983.155(b)]

At a minimum, the owner must submit the following evidence of completion to HACSM in the form and manner required by HACSM:

- Owner certification that the work has been completed in accordance with HQS and all requirements of the Agreement; and
- Owner certification that the owner has complied with labor standards and equal opportunity requirements in development of the housing.

HACSM will determine the need for the owner to submit additional documentation as evidence of housing completion on a case-by-case basis depending on the nature of the PBV project. HACSM will specify any additional documentation requirements in the Agreement to enter into HAP contract.

PHA Acceptance of Completed Units [24 CFR 983.156]

Upon notice from the owner that the housing is completed, HACSM will inspect to determine if the housing has been completed in accordance with the Agreement, including compliance with HQS and any additional requirements imposed under the Agreement. HACSM must also determine if the owner has submitted all required evidence of completion.

If the work has not been completed in accordance with the Agreement, HACSM will not enter into the HAP contract.

If HACSM determines the work has been completed in accordance with the Agreement and that the owner has submitted all required evidence of completion, HACSM will submit the HAP contract for execution by the owner and then execute the HAP contract.

VI. HOUSING ASSISTANCE PAYMENTS CONTRACT (HAP)

HACSM will enter into a HAP contract with an owner for units that are receiving PBV assistance. The purpose of the HAP contract is to provide housing assistance payments for eligible families. Housing assistance is paid for contract units leased and occupied by eligible families during the HAP contract term. With the exception of single-family scattered-site projects, a HAP contract shall cover a single project. If multiple projects exist, each project is covered by a separate HAP contract. The HAP contract must be in the form required by HUD [24 CFR 983.202(a)].

HAP Contract Requirements

Contract Information [24 CFR 983.203]

The HAP contract must specify the following information:

- The total number of contract units by number of bedrooms;
- The project's name, street address, city or county, state and zip code, block and lot number (if known), and any other information necessary to clearly identify the site and the building;
- The number of contract units in each project, the location of each contract unit, the area of each contract unit, and the number of bedrooms and bathrooms in each contract unit;
- Services, maintenance, and equipment to be supplied by the owner and included in the rent to owner;
- Utilities available to the contract units, including a specification of utility services to be paid by the owner (included in rent) and utility services to be paid by the tenant;
- Features provided to comply with program accessibility requirements of Section 504 of the Rehabilitation Act of 1973 and implementing regulations at 24 CFR part 8;
- The HAP contract term;
- The number of units in any project that will exceed the percent per project cap, which will be set-aside for occupancy by qualifying families (elderly and/or disabled families and families receiving supportive services); and
- The initial rent to owner for the first 12 months of the HAP contract term.

Execution of the HAP Contract [24 CFR 983.204]

HACSM will not enter into a HAP contract until each contract unit has been inspected and it has determined that the unit complies with the Housing Quality Standards (HQS).

For existing housing, the HAP contract will be executed promptly after HACSM selects the owner proposal, inspects the housing units, and determines that all units pass HQS.

For newly constructed or rehabilitated housing, the HAP contract will be executed after HACSM has inspected the completed units and has determined that the units have been completed in accordance with the agreement to enter into HAP, and the owner furnishes all required evidence of completion.

Term of HAP Contract [24 CFR 983.205, FR Notice 1/18/17]

HACSM may enter into a HAP contract with an owner for an initial term of no less than one year and no more than 20 years for each contract unit. The length of the term of the HAP contract for any contract unit may not be less than one year, nor more than 20 years. In the case of HACSM-owned units, the term of the HAP contract must be agreed upon by HACSM and the independent entity approved by HUD [24 CFR 983.59(b)(2)]. The term of all PBV HAP contracts will be negotiated with the owner on a case-by-case basis.

At the time of the initial HAP contract term or any time before expiration of the HAP contract, HACSM may extend the term of the contract for an additional term of up to 20 years if HACSM determines an extension is appropriate to continue providing affordable housing for low-income families. A HAP contract extension may not exceed 20 years. HACSM may provide for multiple extensions; however, in no circumstances may such extensions exceed 20 years, cumulatively. Extensions after the initial extension are allowed at the end of any extension term, provided that not more than 24 months prior to the expiration of the previous extension contract HACSM agrees to extend the term, and that such extension is appropriate to continue providing affordable housing for low-income families or to expand housing opportunities. Extensions after the initial extension term shall not begin prior to the expiration date of the previous extension term. Subsequent extensions are subject to the same limitations. All extensions must be on the form and subject to the conditions prescribed by HUD at the time of the extension. In the case of HACSM-owned units, any extension of the term of the HAP Contract must be agreed upon by HACSM and the independent entity approved by HUD [24 CFR 983.59(b)(2)].

When determining whether or not to extend an expiring PBV contract, HACSM will consider several factors including, but not limited to:

- The cost of extending the contract and the amount of available budget authority;
- The condition of the contract units;
- The owner's record of compliance with obligations under the HAP contract and lease(s);
- Whether the location of the units continues to support the goals of deconcentrating poverty and expanding housing opportunities; and
- Whether the funding could be used more appropriately for tenant-based assistance.

Termination by HACSM [24 CFR 983.205(c), FR Notice 1/18/17]

The HAP contract will provide that the term of HACSM's contractual commitment is subject to the availability of sufficient appropriated funding as determined by HUD or by HACSM in accordance with HUD instructions. For these purposes, sufficient funding means the availability of appropriations, and of funding under the ACC from such appropriations, to make full payment of housing assistance payments payable to the owner for any contract year in accordance with the terms of the HAP contract.

In times of insufficient funding, HUD requires that PHAs first take all cost-saving measures prior to failing to make payments under existing PBV HAP contracts.

If it is determined that there may not be sufficient funding to continue housing assistance payments for all contract units and for the full term of the HAP contract, HACSM may terminate the HAP contract by notice to the owner. The termination must be implemented in accordance with HUD instructions.

Termination by Owner [24 CFR 983.205(d)]

If in accordance with program requirements the amount of rent to an owner for any contract unit is reduced below the amount of the rent to owner at the beginning of the HAP contract term, the owner may terminate the HAP contract by giving notice to HACSM. In this case, families living in the contract units must be offered tenant-based assistance.

Statutory Notice Requirements: Contract Termination or Expiration [24 CFR 983.206, FR Notice 1/18/17]

Not less than one year before the HAP contract terminates, or if the owner refuses to renew the HAP contract, the owner must notify HACSM and assisted tenants of the termination. The notice must be provided in the form prescribed by HUD. If the owner does not give timely notice, the owner must permit the tenants in assisted units to remain in their units for the required notice period with no increase in the tenant portion of their rent, and with no eviction as a result of the owner's inability to collect an increased tenant portion of rent. An owner may renew the terminating contract for a period of time sufficient to give tenants one-year advance notice under such terms as HUD may require.

Upon termination or expiration of the contract, a family living at the property is entitled to receive a tenant-based voucher. Tenant-based assistance would not begin until the owner's required notice period ends. The PHA must provide the family with a voucher and the family must also be given the option by the PHA and owner to remain in their unit with HCV tenant-based assistance as long as the unit complies with inspection and rent reasonableness requirements. The family must pay their total tenant payment (TTP) and any additional amount if the gross rent exceeds the applicable payment standard. The family has the right to remain in the project as long as the units are used for rental housing and are otherwise eligible for HCV assistance. The owner may not terminate the tenancy of a family that exercises its right to remain except for serious or repeated lease violations or other good cause. Families that receive a tenant-based voucher at the expiration or termination of the PBV HAP contract are not new admissions to the PHA HCV tenant-based program and are not subject to income

eligibility requirements or any other admission requirements. If the family chooses to remain in their unit with tenant-based assistance, the family may do so regardless of whether the family share would initially exceed 40 percent of the family's adjusted monthly income.

Remedies for HQS Violations [24 CFR 983.208(b)]

HACSM will not make any HAP payment to the owner for a contract unit during any period in which the unit does not comply with HQS. If HACSM determines that a contract does not comply with HQS, it will exercise any of its remedies under the HAP contract, for any or all of the contract units. Available remedies include termination of housing assistance payments, abatement or reduction of housing assistance payments, reduction of contract units, and termination of the HAP contract.

Amendments to the HAP Contract

Substitution of Contract Units [24 CFR 983.207(a)]

At HACSM's discretion and subject to all PBV requirements, the HAP contract may be amended to substitute a different unit with the same number of bedrooms in the same project for a previously covered contract unit. Before any such substitution can take place, HACSM will inspect the proposed unit and determine the reasonable rent for the unit.

Addition of Contract Units [FR Notice 1/18/17]

The PHA and owner may amend the HAP contract to add additional PBV contract units in projects that already have a HAP contract without having to fulfill the selection requirements found at 24 CFR 983.51(b) for those additional PBV units, regardless of when the HAP contract was signed. The additional PBV units, however, are still subject to the PBV program cap and individual project caps. Prior to attaching additional units without competition, the PHA must submit to the local field office information outlined in FR Notice 1/18/17. The PHA must also detail in the administrative plan their intent to add PBV units and the rationale for adding units to the specific PBV project.

HAP Contract Year, Anniversary and Expiration Dates [24 CFR 983.207(b) and 983.302(e)]

The HAP contract year is the period of 12 calendar months preceding each annual anniversary of the HAP contract during the HAP contract term. The initial contract year is calculated from the first day of the first calendar month of the HAP contract term.

The annual anniversary of the HAP contract is the first day of the first calendar month after the end of the preceding contract year.

There is a single annual anniversary and expiration date for all units under a particular HAP contract, even in cases where contract units are placed under the HAP contract in stages (on different dates) or units are added by amendment. The anniversary and expiration dates for all units coincide with the dates for the contract units that were originally placed under contract.

Owner Responsibilities under the HAP [24 CFR 983.210]

When the owner executes the HAP contract, s/he certifies that at such execution and at all times during the term of the HAP contract:

- All contract units are in good condition and the owner is maintaining the premises and contract units in accordance with HQS;
- The owner is providing all services, maintenance, equipment and utilities as agreed to under the HAP contract and the leases;
- Each contract unit for which the owner is receiving HAP, is leased to an eligible family referred HACSM, and the lease is in accordance with the HAP contract and HUD requirements;
- To the best of the owner's knowledge the family resides in the contract unit for which the owner is receiving HAP, and the unit is the family's only residence;
- The owner (including a principal or other interested party) is not the spouse, parent, child, grandparent, grandchild, sister, or brother of any member of a family residing in a contract unit;
- The amount of the HAP the owner is receiving is correct under the HAP contract;
- The rent for contract units does not exceed rents charged by the owner for comparable unassisted units;
- Except for HAP and tenant rent, the owner has not received and will not receive any other payment or consideration for rental of the contract unit; and
- The family does not own or have any interest in the contract unit (does not apply to a family's membership in a cooperative); and
- Repair work on the project selected as an existing project that is performed after HAP execution within such post-execution period as specified by HUD may constitute development activity, and if determined to be development activity, the repair work undertaken shall be in compliance with Davis-Bacon wage requirements.

Additional HAP Requirements

Housing Quality and Design Requirements [24 CFR 983.101(e) and 983.208(a)]

The owner is required to maintain and operate the contract units and premises in accordance with HQS, including performance of ordinary and extraordinary maintenance. The owner must provide all the services, maintenance, equipment, and utilities specified in the HAP contract with HACSM and in the lease with each assisted family. In addition, maintenance, replacement and redecoration must be in accordance with the standard practice for the project as established by the owner.

HACSM may elect to establish additional requirements for quality, architecture, or design of PBV housing. Any such additional requirements must be specified in the Agreement to enter into a HAP contract and the HAP contract. These requirements must be in addition to, not in place of, compliance with HQS.

HACSM will identify the need for any special features on a case-by-case basis depending on the intended occupancy of the PBV project. HACSM will specify any special design standards or additional requirements in the invitation for PBV proposals, the agreement to enter into HAP contract, and the HAP contract.

Vacancy Payments [24 CFR 983.352(b)]

At the discretion of HACSM, the HAP contract may provide for vacancy payments to the owner for a HACSM-determined period of vacancy extending from the beginning of the first calendar month after the move-out month for a period not exceeding two full months following the move-out month. The amount of the vacancy payment will be determined by HACSM and cannot exceed the monthly rent to owner under the assisted lease, minus any portion of the rental payment received by the owner (including amounts available from the tenant's security deposit).

HACSM will decide on a case-by-case basis if it will provide vacancy payments to the owner. The HAP contract with the owner will contain any such agreement, including the amount of the vacancy payment and the period for which the owner will qualify for these payments.

VII. SELECTION OF PBV PROGRAM PARTICIPANTS

Many of the provisions of the tenant-based voucher regulations also apply to the PBV program. This includes requirements related to determining eligibility and selecting applicants from the waiting list. Even with these similarities, there are requirements that are unique to the PBV program. This part describes the requirements and policies related to eligibility and admission to the PBV program.

Eligibility for PBV Assistance [24 CFR 983.251(a) and (b)]

HACSM may select families for the PBV program from those who are participants in HACSM's tenant-based voucher program and from those who have applied for admission to the voucher program. For voucher participants, eligibility was determined at original admission to the voucher program and does not need to be re-determined at the commencement of PBV assistance. For all others, eligibility for admission will be determined at the commencement of PBV assistance.

Applicants for PBV assistance must meet the same eligibility requirements as applicants for the tenant-based voucher program. Applicants must qualify as a family as defined by HUD and HACSM, have income at or below HUD-specified income limits, and qualify on the basis of citizenship or the eligible immigration status of family members [24 CFR 982.201(a) and 24 CFR 983.2(a)]. In addition, an applicant family must provide social security information for family members [24 CFR 5.216 and 5.218] and consent to HACSM's collection and use of family information regarding income, expenses, and family composition [24 CFR 5.230]. HACSM may also not approve a tenant if the owner (including a principal or other interested party) of the unit is the parent, child, grandparent, grandchild, sister, or brother of any member of the family, unless needed as a reasonable accommodation. An applicant family must also meet HUD requirements related to current or past criminal activity.

HACSM will determine an applicant family's eligibility for the PBV program in accordance with the policies in Chapter 3.

In-Place Families [24 CFR 983.251(b)]

An eligible family residing in a proposed PBV contract unit on the date the proposal is selected by HACSM is considered an "in-place family." These families are afforded protection from displacement under the PBV rule. If a unit to be placed under contract (either an existing unit or a unit requiring rehabilitation) is occupied by an eligible family on the date the proposal is selected, the in-place family will be placed on HACSM's waiting list.

Once the family's continued eligibility is determined (HACSM may deny assistance to an in-place family for the grounds specified in 24 CFR 982.552 and 982.553), the family will be given an absolute selection preference and HACSM must refer these families to the project owner for an appropriately sized PBV unit in the project. Admission of eligible in-place families is not subject to income targeting requirements.

This regulatory protection from displacement does not apply to families that are not eligible to participate in the program on the proposal selection date.

Organization of the Waiting List [24 CFR 983.251(c)]

HACSM will establish and manage separate waiting lists for individual projects that are receiving PBV assistance.

HACSM's Project-Based waiting list(s) will be organized in such a manner to allow the agency to accurately identify and select families for assistance in the proper order, according to the admissions policies described in this plan.

Selection from the Waiting List [24 CFR 983.251(c)]

Applicants who will occupy units with PBV assistance will be selected from HACSM's waiting list. HACSM may establish selection criteria or preferences for occupancy of particular PBV units. HACSM may place families referred by the PBV owner on its PBV waiting list.

HACSM may organize the PBV waiting list by time and date of the receipt of the completed application or by random selection (lottery). If HACSM elects random selection to organize a waiting list, applicants who are selected will also be randomly ordered on the list. HACSM will announce the method in which a waiting list is organized at the time when HACSM conducts its outreach activities and in the opening announcement.

Income Targeting [24 CFR 983.251(c)(6)]

At least 75 percent of the families admitted to HACSM's project-based voucher program during HACSM's fiscal year from the waiting list must be extremely-low income families. The income targeting requirement applies to the total of admissions to both programs.

Units with Accessibility Features [24 CFR 983.251(c)(7)]

When selecting families to occupy PBV units that have special accessibility features for persons with disabilities, HACSM will first refer families who require such features to the owner.

Preferences [24 CFR 983.251(d), FR Notice 11/24/08]

HACSM may use the same selection preferences that are used for the tenant-based voucher program, establish selection criteria or preferences for the PBV program as a whole, or for occupancy of particular PBV developments or units. HACSM must provide an absolute selection preference for eligible in-place families as described above (see In-Place Families).

Although HACSM is prohibited from granting preferences to persons with a specific disability, HACSM may give preference to disabled families who need services offered at a particular project or site if the preference is limited to families (including individuals):

- With disabilities that significantly interfere with their ability to obtain and maintain themselves in housing;
- Who, without appropriate supportive services, will not be able to obtain or maintain themselves in housing; and
- For whom such services cannot be provided in a non-segregated setting.

HACSM will use the following preferences to select families from the HACSM's PBV site-based waiting lists. HACSM may selectively apply one or more of the following preferences to the PBV program as a whole or for particular PBV developments:

- **Resident**: Families who live, work, or have been hired to work in San Mateo County at the time of selection from the waiting list. See Chapter 4 for additional definitions.
- **Elderly**: A family whose head, co-head, spouse, or sole member is at least 62 years of age; or two or more persons, each of whom are at least 62; or one or more persons who are at least 62 living with one or more live-in aides.
- **Disabled**: A family whose head, co-head, spouse, or sole member is a person with disabilities as defined by HUD regulations; or two or more persons with disabilities; or one or more persons with disabilities with one or more live-in aides.
- **Dual Demo**: A family whose head, co-head, spouse, or sole member is a person with disabilities or elderly as defined by HUD regulations, and is eligible for Medi-Cal long-term care service and support, and is eligible for In-Home Supportive Services (IHSS) in San Mateo County, and is at risk of entering or currently living in a skilled nursing facility, and is certified from medical professional who will manage long-term care and direct service coordination.
- **Homeless**: Persons who meet one or more of the following of HUD's definition of homeless which is listed in Section 103 of the McKinney Vento Act as amended by HEARTH Act:
 1. 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 begins, including a car, park, abandoned building, bus or train station, airport, or camping ground; or
2. 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
 3. 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; or
 4. An individual or family who 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; AND
 - Has no other residence; AND
 - Lacks the resources or support networks, e.g., family friends, and faith-based or other social networks, to obtain other permanent housing.
- Self-Sufficiency: Families who participate in self-sufficiency programs offered by HACSM, its approved designees, or the PBV project.
 - Supportive Services: Persons with disabilities that significantly interfere with their ability to obtain and maintain housing, and whose needs are mostly matched by the services offered by the PBV project, and who, without the appropriate services, will not be able to obtain or maintain housing.
 - Veteran-HUD-VASH: HACSM does not maintain a PBV waiting list or apply preferences for households that qualify for HUD-VASH as participants are referred for assistance directly from the Veterans Administration.
 - Veteran: A person who has served in the active military, air or naval service of the United States at any time and who shall have been discharged or released therefrom under conditions other than dishonorable.
 - Veteran-VHHP (Veterans Housing and Homelessness Prevention Program): Veterans who are ineligible for VA health care and/or HUD-VASH due to their discharge status.
 - Displaced-Half Moon Village Residents: Previous Half Moon Village residents that were displaced by the Half Moon Village redevelopment.
 - Displaced-Other Residents: A person or persons, residing in a property located within San Mateo County which is owned by HACSM or other non-profit affordable housing providers, who are required to relocate due to major rehabilitation or redevelopment of the property and the rehabilitation or redevelopment is partially or fully funded by HUD or other state and local government agencies.

In advertising such a project, the owner may advertise the project as offering services for a particular type of disability; however, the project must be open to all otherwise eligible disabled persons who may benefit from services provided in the project. In these projects, disabled residents may not be required to accept the particular services offered as a condition of occupancy.

If HACSM has projects with more than 50 percent of the units receiving project-based assistance because those projects include “excepted units” (units specifically made available for elderly or disabled families, or families receiving supportive services), HACSM must give preference to such families when referring families to these units [24 CFR 983.261(b)].

HACSM will provide a selection preference when required by the regulation (e.g., eligible in-place families, qualifying families for “excepted units,” mobility impaired persons for accessible units).

HACSM will provide a selection preference when the available supportive services most match the family’s needs.

As approved in HACSM’s FY2009-2010 MTW Annual Plan, HACSM will permit residents of its Public Housing undergoing the disposition process and who are not eligible to receive a voucher due to exceeding the income limitation of the voucher program, to have the option of remaining in the unit at the higher of the flat rate or market rate for the unit for a maximum of twelve (12) months. At the end of the 12-month period, these residents must vacate the unit; at such time, the unit would convert to a standard project-based unit.

Additionally, after vacating the (formerly) public housing development, should the former resident’s income level in the subsequent six consecutive months decrease to a level that they would be income eligible, they will be allowed to reapply to the Project-Based wait list with a preference.

As approved in HACSM’s FY2014 MTW Annual Plan, HACSM will accept direct referrals from the project owner for eligibility consideration if:

- The unit is a supportive service exception unit; and
- HACSM is unable to provide the project owner eligible applicants that meet the owner selection criteria within 15 business days.

As always, the owner will be required to notify HACSM, in writing, of any rejected applicant and grounds for the rejection.

Families with equal preference will be selected based on time and date of the receipt of their housing application.

Selection Order For Project-Based Developments:

HACSM will select applicants for project-based developments in the following order, except for the specific developments stated separately below:

1. Resident
2. Applicants without preferences

If the waiting is ordered by time and date, the tiebreaker for applicants with the same preference is the time and date when the application was received by HACSM.

If the waiting is ordered by random selection, the tiebreaker for applicants with the same preference is their placement ordered by the lottery.

Specific Developments:

636 El Camino

HACSM will select applicants for 636 El Camino in the following order:

1. Resident and supportive services (HACSM will limit the number of applicants that may qualify for this selection preference to no more than 21 households)
2. Resident
3. Applicants without preferences

Alma Point at Foster Square

HACSM will select applicants for Alma Point at Foster Square in the following order:

1. Resident and Dual Demo (HACSM will limit the number of applicants that may qualify for this selection preference to no more than 5 households.)
2. Resident and Homeless (HACSM will limit the number of applicants that may qualify for this selection preference to no more than 2 households.)
3. Resident
4. Applicants without preferences

Arroyo Green

HACSM will select applicants for Arroyo Green in the following order:

1. Resident and Supportive Services (HACSM will limit the number of applicants that may qualify for this selection preference to no more than 6 households.)
2. Resident and Dual Demo (HACSM will limit the number of applicants that may qualify for this selection preference to no more than 6 households.)
3. Resident
4. Applicants without preferences

Colma Veterans Village

HACSM will select applicants for Colma Veterans Village in the following order. All seven (7) PBV units are subject to this preference policy:

1. Veteran VHHP, Resident, and Homeless
2. Veteran VHHP and Resident

3. Veteran VHHP
4. Resident
5. Applicants without preference

Delaware Pacific

HACSM will select applicants for Delaware Pacific in the following order:

1. Resident and supportive services (HACSM will limit the number of applicants that may qualify for this selection preference to no more than 10).
2. Resident
3. Applicants without preferences

Fair Oaks Commons

HACSM will select applicants for Fair Oaks Commons in the following order:

1. Resident and Supportive Services (HACSM will limit the number of applicants that may qualify for this selection preference to no more than 6 households.)
2. Resident
3. Applicants without preferences

Half Moon Village

HACSM will select applicants for Half Moon Village in the following order:

1. Displaced-Half Moon Village Residents
2. Displaced-Other Residents (HACSM will limit this selection preference to applicants who submitted their pre-applications prior to June 30, 2015)
3. Resident and Dual Demo (HACSM will limit the number of applicants that may qualify for this selection preference to no more than 12 households)
4. Resident
5. Applicants without preferences

Mosaic Garden

HACSM will select applicants for Mosaic Garden in the following order:

1. Resident and Homeless (HACSM will limit the number of applicants that may qualify for this selection preference to no more than 4 households).
2. Resident
3. Applicants without preferences

Redwood Oaks

HACSM will select applicants for Redwood Oaks in the following order:

1. Resident and Support Services (HACSM will limit the number of applicants that may qualify for this selection preference to no more than 11)
2. Resident
3. Applicants without preferences

Rotary Terrace

HACSM will select applicants for Rotary Terrace in the following order. All 8 PBV units are subject to this preference policy:

1. Resident and Dual Demo
2. Resident
3. Applicants without preferences

Sequoia Belle Haven

HACSM will select applicants for Sequoia Belle Haven in the following order:

1. Displaced-Other Residents (HACSM will limit this selection preference to households that were a resident at Gateway Apartments in Menlo Park, CA, and were required to relocate due to redevelopment, and are returning to Sequoia Belle Haven within 60 days of the initial lease-up at Sequoia Belle Haven)
2. Resident and Homeless (HACSM will limit the number of applicants that may qualify for this selection preference to no more than 2 households)
3. Resident and Dual Demo (HACSM will limit the number of applicants that may qualify for this selection preference to no more than 11 households)
4. Resident
5. Applicants without preference

Serenity Senior Housing (formerly known as University Avenue Senior Housing)

HACSM will select applicants for Serenity Housing in the following order:

1. Displaced-Other Residents (HACSM will limit this selection preference to households that were a resident at University Avenue Apartments in East Palo Alto, CA, and were required to relocate due to redevelopment of the complex, and are returning to University Avenue Senior Housing within 60 days of the initial lease-up at University Avenue Senior Housing)
2. Resident and Homeless (HACSM will limit the number of applicants that may qualify for this selection preference to no more than 1 household)

3. Resident
4. Applicants without preference

Sweeney Lane

HACSM will select applicants for Sweeney Lane in the following order:

1. Resident and Homeless (HACSM will limit the number of applicants that may qualify for this selection preference to no more than 2 households)
2. Resident
3. Applicants without preference

Local Referral Process for Supportive Service or Exception Units in PBV complexes

Upon approval of HACSM's FY2015 Moving To Work Annual Plan, HACSM has implemented a local referral process for supportive service or exception units.

Upon notice from the PBV owner that an exception unit is available, HACSM will provide a list of potentially eligible applicants to the owner from its waiting list. If HACSM is unable to provide a list of applicants to the project owner within 15 business days, or upon the owner and/or HACSM eligibility review, that none of the applicants provided by HACSM meet the unit requirements, HACSM will accept direct referrals from the owner or service providers that provide services for the exception units for eligibility determination.

Offer of PBV Assistance

Refusal of Offer [24 CFR 983.251(e)(3)]

HACSM is prohibited from taking any of the following actions against a family who has applied for, received, or refused an offer of PBV assistance:

- Refuse to list the applicant on the waiting list for tenant-based voucher assistance;
- Deny any admission preference for which the applicant qualifies;
- Change the applicant's place on the waiting list based on preference, date, and time of application, or other factors affecting selection under HACSM's selection policy;
- Remove the applicant from the tenant-based voucher waiting list.

Disapproval by Landlord [24 CFR 983.251(e)(2)]

If a PBV owner rejects a family for admission to the owner's units, such rejection may not affect the family's position on the tenant-based voucher waiting list.

Acceptance of Offer [24 CFR 983.252]

Family Briefing

When a family accepts an offer for PBV assistance, HACSM will give the family an oral briefing. The briefing will include information on how the program works and the responsibilities of the family and owner. In addition to the oral briefing, HACSM will provide a briefing packet that explains how it determines the total tenant payment for a family, the family obligations under the program, and applicable fair housing information.

Number of Offers

The owner will offer an applicant a suitable unit. If the applicant refuses the unit without good cause as described below, the applicant's name will be removed from HACSM's PBV waiting list.

If an applicant refuses a unit with good cause, and with HACSM/owner approval, the applicant shall be offered the next available unit suitable to their family size. If an applicant refuses the second offer, the applicant's name will be removed from HACSM's PBV waiting list.

Persons with Disabilities

If an applicant family's head or spouse is disabled, HACSM must assure effective communication, in accordance with 24 CFR 8.6, in conducting the oral briefing and in providing the written information packet. This may include making alternative formats available (see Chapter 2). In addition, the PHA must have a mechanism for referring a family that includes a member with a mobility impairment to an appropriate accessible PBV unit.

Persons with Limited English Proficiency

HACSM will take reasonable steps to assure meaningful access by persons with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166 (see Chapter 2).

Good Cause for Unit Refusal

Applicants may refuse to accept a unit offer for "good cause". Good cause includes situations in which an applicant is willing to move but is unable to do so at the time of the unit offer, or the applicant demonstrates that acceptance of the offer would cause undue hardship not related to considerations of the applicant's race, color, national origin, etc.

Examples of good cause for refusal of a unit offer include, but are not limited to, the following:

- The family demonstrates to HACSM's satisfaction that accepting the offer will place a family member's life, health or safety in jeopardy. The family should offer specific and compelling documentation such as restraining orders or other court orders.

Reasons must be specific to the family. Refusals due to location alone do not qualify for good cause exemption.

- Temporary hospitalization or recovery from illness of the Head of Household, other household members (as listed on final application) or live-in aide necessary to the care of the Head of Household.
- The unit is inappropriate for the applicant's disabilities, or the family does not need the accessible features in the unit offered.

HACSM will require documentation of good cause for unit refusals. In the case of a unit refusal for good cause, the applicant will not be removed from the PBV waiting list. The applicant will remain on the waiting list until the family receives the next offer for which they do not have good cause to refuse.

Unit Refusal without Good Cause

When an applicant rejects a unit offer without good cause, HACSM will remove the applicant's name from the PBV waiting list and send notice to the family of such removal. The notice will inform the family of their right to request an informal review.

The applicant may reapply for assistance if the waiting list is open. If the waiting list is not open, the applicant must wait to re-apply until HACSM opens the waiting list.

Persons with Disabilities

If an applicant family's head or spouse is disabled, HACSM will assure effective communication, in accordance with 24 CFR 8.6, in conducting the oral briefing and in providing the written information packet (see Chapter 2). In addition, HACSM will have a mechanism for referring a family that includes a member with mobility impairment to an appropriate accessible PBV unit.

Persons with Limited English Proficiency

HACSM will take reasonable steps to assure meaningful access by persons with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166 (see Chapter 2).

Owner Selection of Tenants

The owner is responsible for developing written tenant selection procedures that are consistent with the purpose of improving housing opportunities for very low-income families and reasonably related to program eligibility and an applicant's ability to fulfill their obligations under the lease. An owner must promptly notify in writing any rejected applicant of the grounds for any rejection [24 CFR 983.253(b)].

Leasing [24 CFR 983.253(a)]

During the term of the HAP contract, the owner must lease contract units to eligible families that are selected and referred by HACSM from HACSM's waiting list. The

contract unit leased to the family must be the appropriate size unit for the size of the family, based on HACSM's subsidy standards.

Filling Vacancies [24 CFR 983.254(a)]

The owner must promptly notify HACSM of any vacancy or expected vacancy in a contract unit. After receiving such notice, HACSM will make every reasonable effort to promptly refer a sufficient number of families for the owner to fill such vacancies. HACSM and the owner must make reasonable efforts to minimize the likelihood and length of any vacancy.

Reduction in HAP Contract Units Due to Vacancies [24 CFR 983.254(b)]

If any contract units have been vacant for 120 or more days since owner notice of the vacancy, HACSM may give notice to the owner amending the HAP contract to reduce the number of contract units by subtracting the number of contract units (according to the bedroom size) that have been vacant for this period.

If HACSM gives notice to the owner amending the HAP contract, HACSM will provide the notice to the owner within 10 business days of the 120th day of the vacancy. The amendment to the HAP contract will be effective the 1st day of the month following the date of HACSM's notice.

Tenant Screening [24 CFR 983.255]

HACSM Responsibility

HACSM is not responsible or liable to the owner or any other person for the family's behavior or suitability for tenancy.

HACSM will not conduct screening to determine a PBV applicant family's suitability for tenancy unless the PBV unit is HACSM-owned.

HACSM will provide the owner with an applicant family's current and prior address (as shown in HACSM records) and the name and address (if known by HACSM) of the family's current landlord and any prior landlords.

In addition, HACSM may offer the owner other information it may have about a family, including information about the tenancy history of family members or about drug trafficking and criminal activity by family members. HACSM will provide applicant families a description of its policy on providing information to owners, and HACSM will give the same types of information to all owners.

HACSM may not disclose to the owner any confidential information provided in response to a request for documentation of domestic violence, dating violence, sexual assault, or stalking except at the written request or with the written consent of the individual providing the documentation.

Owner Responsibility

The owner is responsible for screening and selection of the family to occupy the owner's unit. When screening families the owner may consider a family's background with respect to the following factors:

- Payment of rent and utility bills;

- Caring for a unit and premises;
- Respecting the rights of other residents to the peaceful enjoyment of their housing;
- Drug-related criminal activity or other criminal activity that is a threat to the health, safety, or property of others; and
- Compliance with other essential conditions of tenancy.

IX. OCCUPANCY

After an applicant has been selected from the waiting list, determined eligible by HACSM, referred to an owner and determined suitable by the owner, the family will sign the lease and occupancy of the unit will begin.

Lease

The tenant must have legal capacity to enter a lease under state and local law. *Legal capacity* means that the tenant is bound by the terms of the lease and may enforce the terms of the lease against the owner.

Form of Lease [24 CFR 983.256(b)]

The tenant and the owner must enter into a written lease agreement that is signed by both parties. If an owner uses a standard lease form for rental units to unassisted tenants in the locality or premises, the same lease must be used for assisted tenants, except that the lease must include a HUD-required tenancy addendum. The tenancy addendum must include, word-for-word, all provisions required by HUD.

Lease Requirements [24 CFR 983.256(c)]

The lease for a PBV unit must specify all of the following information:

- The names of the owner and the tenant;
- The unit rented (address, apartment number, if any, and any other information needed to identify the leased contract unit);
- The term of the lease (initial term and any provision for renewal);
- The amount of the tenant rent to owner, which is subject to change during the term of the lease in accordance with HUD requirements;
- A specification of the services, maintenance, equipment, and utilities that will be provide by the owner; and
- The amount of any charges for food, furniture, or supportive services.

Tenancy Addendum [24 CFR 983.256(d)]

The tenancy addendum in the lease must state:

- The program tenancy requirements;

- The composition of the household as approved by HACSM (the names of family members and any HACSM-approved live-in aide);

All provisions in the HUD-required tenancy addendum must be included in the lease. The terms of the tenancy addendum prevail over other provisions of the lease.

Initial Term and Lease Renewal [24 CFR 983.256(f)]

The initial lease term must be for at least one year. The lease must provide for automatic renewal after the initial term of the lease in either successive definitive terms (e.g. month-to-month or year-to-year) or an automatic indefinite extension of the lease term. For automatic indefinite extensions of the lease term, the lease terminates if any of the following occur:

- The owner terminates the lease for good cause
- The tenant terminates the lease
- The owner and tenant agree to terminate the lease
- HACSM terminates the HAP contract
- HACSM terminates assistance for the family

With the approval of HACSM's disposition application, existing public housing residents at the time of disposition will not be required to stay in their unit for 12 months after conversion to PBV assistance to receive the tenant-based transfer voucher. They may vacate at any time with proper notice to HACSM.

Changes in the Lease [24 CFR 983.256(e)]

If the tenant and owner agree to any change in the lease, the change must be in writing, and the owner must immediately give HACSM a copy of all changes.

Owner Termination of Tenancy [24 CFR 983.257]

With two exceptions, the owner of a PBV unit may terminate tenancy for the same reasons an owner may in the tenant-based voucher program (see 24 CFR 982.310). In the PBV program, terminating tenancy for "good cause" does not include doing so for a business or economic reason, or a desire to use the unit for personal or family use or other non-residential purpose.

Tenant Absence from the Unit [24 CFR 983.256(g) and 982.312(a)]

The lease may specify a maximum period of family absence from the unit that may be shorter than the maximum period permitted by HACSM policy. According to HACSM policy requirements, the family's assistance will be terminated if they are absent from the unit for more than 90 consecutive days.

Continuation of Housing Assistance Payments [24 CFR 982.258]

Housing assistance payments shall continue until the tenant rent equals the rent to owner. The cessation of housing assistance payments at such point will not affect the family's other rights under its lease, nor will such cessation preclude the resumption of payments as a result of later changes in income, rents, or other relevant circumstances

if such changes occur within 90 days following the date of the last housing assistance payment by HACSM. After the 90-day period, the unit shall be removed from the HAP contract.

Security Deposits [24 CFR 983.258]

The owner may collect a security deposit from the tenant. HACSM will prohibit security deposits in excess of private market practice, or in excess of amounts charged by the owner to unassisted tenants.

When the tenant moves out of a contract unit, the owner, subject to state and local law, may use the security deposit, including any interest on the deposit, in accordance with the lease, as reimbursement for any unpaid tenant rent, damages to the unit, or other amounts owed by the tenant under the lease.

The owner must give the tenant a written list of all items charged against the security deposit and the amount of each item. After deducting the amount used to reimburse the owner, the owner must promptly refund the full amount of the balance to the tenant.

If the security deposit does not cover the amount owed by the tenant under the lease, the owner may seek to collect the balance from the tenant. HACSM has no liability or responsibility for payment of any amount owed by the family to the owner.

Moves

Overcrowded, Under-Occupied, and Accessible Units [24 CFR 983.260]

If HACSM determines that a family is occupying a wrong size unit, based on HACSM's subsidy standards, or a unit with accessibility features that the family does not require, and the unit is needed by a family that does require the features, HACSM will promptly notify the family and the owner of this determination, and HACSM will offer the family the opportunity to receive continued housing assistance in another unit.

HACSM will offer the family the following types of continued assistance in the following order, based on the availability of assistance:

- PBV assistance in the same building or project;
- PBV assistance in another project; and
- Tenant-based voucher assistance.

If HACSM offers the family a tenant-based voucher, it will terminate the housing assistance payments for a wrong-sized or accessible unit at the earlier of the expiration of the term of the family's voucher (including any extension granted by HACSM) or the date upon which the family vacates the unit. If the family does not move out of the wrong-sized unit or accessible unit by the expiration of the term of the family's voucher, HACSM will remove the unit from the HAP contract.

If HACSM offers the family another form of assistance that is not a tenant-based voucher, and the family does not accept the offer, does not move out of the PBV unit within a reasonable time as determined by HACSM, or both, HACSM will terminate the housing assistance payments for the unit at the expiration of a reasonable period as determined by HACSM and remove the unit from the HAP contract.

With its MTW authority, if HACSM issues the family a tenant-based voucher, the family will be issued a voucher under HACSM's time-limited MTW Self-Sufficiency program.

If a PBV unit is removed from the HAP contract due to the family no longer qualifies (including zero HAP families) for the PBV unit, HACSM may add the unit back to the HAP contract when the family moves out or replace the unit with another unit with the same bedroom size within the project as soon as one becomes available.

Family Right to Move

Using its MTW authority, HACSM requires the family to reside in the PBV unit for at least 24 months, unless the family is approved for a reasonable accommodation. The family may terminate the lease at any time after the first two years (or 24 months) of occupancy. The family must give advance written notice to the owner in accordance with the lease and provide a copy of such notice to HACSM. If the family wishes to move with continued assistance, the family must contact HACSM to request the rental assistance prior to providing notice to terminate the lease.

If the family terminates the lease in accordance with the above requirements, HACSM will offer the family the opportunity for continued assistance under HACSM's time-limited MTW Self-Sufficiency Program and subject to all terms and conditions of the program (see Chapter 17). If MTW Self-Sufficiency assistance or other comparable assistance is not immediately available upon termination of the family's lease in the PBV unit, HACSM will give the family priority to receive the next available opportunity for continued assistance under the MTW Self-Sufficiency Program or other comparable programs as stated above. The owner must fill the vacancy immediately with the next eligible family or the unit will be removed from the PBV HAP contract.

If the family terminates the assisted lease before the end of the first two years (24 months), the family relinquishes the opportunity for continued assistance.

HACSM may grant exceptions to the type of assistance a family receives after terminating the lease as a reasonable accommodation. Should the original household member for whom the accommodation request was granted no longer be a part of the household, the type of assistance will be reverted back to the time-limited MTW Self-Sufficiency Program or other comparable program.

Emergency Transfers under VAWA [Notice PIH 2017-08]

Except where special consideration is needed for the project-based voucher program, HACSM will follow VAWA policies as outlined in this Administrative Plan.

HUD requires that the PHA include policies that address when a victim has been living in a unit for less than a year or when a victim seeks to move sooner than a tenant-based voucher is available.

When the victim of domestic violence, dating violence, sexual assault, or stalking has lived in the unit for less than one year, HACSM will provide several options for continued assistance.

- HACSM will first try to transfer the participant to another PBV unit in the same development or transfer to a different development where the HACSM has PBV

units. HACSM will expedite the administrative processes in this case in an effort to conduct the transfer as quickly as possible.

- If no units are available for an internal transfer, or if there is reasonable cause to believe that such a transfer would put the victim in jeopardy, the participant may receive continued assistance through an external transfer to tenant-based rental assistance (HCV) program. Such a decision will be made by the PHA based on the availability of tenant-based vouchers.

Exceptions to the Occupancy Cap

HACSM will not pay housing assistance under a PBV HAP contract for more than the greater of 25 units or 25 percent of the number of dwelling units in a project unless:

- The units are exclusively for elderly families
- The units are for households eligible for supportive services available to all families receiving PBV assistance in the project
- The project is located in a census tract with a poverty rate of 20 percent or less, as determined in the most recent American Community Survey Five-Year estimates
 - For these projects, the project cap is the greater of 25 units or 40 percent (instead of 25 percent) of the units in the project [FR Notice 7/14/17].

If a family at the time of initial tenancy is receiving and while the resident of an excepted unit has received Family Self-Sufficiency (FSS) supportive services or any other service as defined as defined by HACSM and successfully completes the FSS contract of participation or the supportive services requirement, the unit continues to count as an excepted unit for as long as the family resides in the unit. However, if the FSS family fails to successfully complete the FSS contract of participation or supportive services objective and consequently is no longer eligible for the supportive services, the family must vacate the unit within a reasonable period of time established by the PHA, and the PHA shall cease paying HAP on behalf of the family.

Further, when a family (or remaining members of a family) residing in an excepted unit no longer meets the criteria for a “qualifying family” because the family is no longer an elderly family due to a change in family composition, the PHA has the discretion to allow the family to remain in the excepted unit. If the PHA does not exercise this discretion, the family must vacate the unit within a reasonable period of time established by the PHA, and the PHA must cease paying housing assistance payments on behalf of the non-qualifying family.

Individuals in units with supportive services who choose to no longer participate in a service or who no longer qualify for services they qualified for at the time of initial occupancy cannot subsequently be denied continued housing opportunity because of this changed circumstance. A PHA or owner cannot determine that a participant’s needs exceed the level of care offered by qualifying services or require that individuals be transitioned to different projects based on service needs.

If the family fails to vacate the unit within the established time, the unit must be removed from the HAP contract unless the project is partially assisted, and it is possible for the

HAP contract to be amended to substitute a different unit in the project in accordance with program requirements; or the owner terminates the lease and evicts the family. The housing assistance payments for a family residing in an excepted unit that is not in compliance with its family obligations to comply with supportive services requirements will be terminated by HACSM.

HACSM may allow a family that initially qualified for occupancy of an excepted unit based on elderly or disabled family status to continue to reside in a unit, where through circumstances beyond the control of the family (e.g., death of the elderly or disabled family member or long-term or permanent hospitalization or nursing care), the elderly or disabled family member no longer resides in the unit. In this case, the unit may continue to be counted as an excepted unit for as long as the family resides in that unit. Once the family vacates the unit, in order to continue as an excepted unit under the HAP contract, the unit must be made available to and occupied by a qualified family.

X. DETERMINING RENT TO OWNER

The amount of the initial rent to an owner of units receiving PBV assistance is established at the beginning of the HAP contract term. Although for rehabilitated or newly constructed housing, the agreement to enter into HAP Contract (Agreement) states the estimated amount of the initial rent to owner, the actual amount of the initial rent to owner is established at the beginning of the HAP contract term.

During the term of the HAP contract, the rent to owner is redetermined at the owner's request in accordance with program requirements, and at such time that there is a five percent or greater decrease in the published FMR.

Rent Limits [24 CFR 983.301]

Except for certain tax credit units (discussed below), the rent to owner must not exceed the lowest of the following amounts:

- An amount determined by HACSM, not to exceed 110 percent of the applicable fair market rent (or any HUD-approved exception payment standard) for the unit bedroom size minus any utility allowance;
- The reasonable rent; or
- The rent requested by the owner.

Certain Tax Credit Units [24 CFR 983.301(c)]

For certain tax credit units, the rent limits are determined differently than for other PBV units. Different limits apply to contract units that meet all of the following criteria:

- The contract unit receives a low-income housing tax credit under the Internal Revenue Code of 1986;
- The contract unit is not located in a qualified census tract;
- There are comparable tax credit units of the same bedroom size as the contract unit in the same project, and the comparable tax credit units do not have any form of rental assistance other than the tax credit; and

- The tax credit rent exceeds 110 percent of the fair market rent or any approved exception payment standard;

For contract units that meet all of these criteria, the rent to owner must not exceed the lowest of:

- The tax credit rent minus any utility allowance;
- The reasonable rent; or
- The rent requested by the owner.

Definitions

A *qualified census tract* is any census tract (or equivalent geographic area defined by the Bureau of the Census) in which at least 50 percent of households have an income of less than 60 percent of Area Median Gross Income (AMGI), or where the poverty rate is at least 25 percent and where the census tract is designated as a qualified census tract by HUD.

Tax credit rent is the rent charged for comparable units of the same bedroom size in the project that also receive the low-income housing tax credit but do not have any additional rental assistance (e.g., tenant-based voucher assistance).

Reasonable Rent [24 CFR 983.301(e) and 983.302(c)(2)]

HACSM must determine reasonable rent in accordance with 24 CFR 983.303. The rent to owner for each contract unit may at no time exceed the reasonable rent, except in cases where HACSM has elected within the HAP contract not to reduce rents below the initial rent to owner and, upon redetermination of the rent to owner, the reasonable rent would result in a rent below the initial rent. However, the rent to owner must be reduced in the following cases:

- To correct errors in calculations in accordance with HUD requirements
- If additional housing assistance has been combined with PBV assistance after the execution of the initial HAP contract and a rent decrease is required pursuant to 24 CFR 983.55
- If a decrease in rent to owner is required based on changes in the allocation of the responsibility for utilities between owner and tenant

If HACSM has not elected within the HAP contract to establish the initial rent to owner as the rent floor, the rent to owner shall not at any time exceed the reasonable rent.

Use of FMRs, Exception Payment Standards, and Utility Allowances [24 CFR 983.301(f)]

When determining the initial rent to owner, HACSM will use the most recently published FMR in effect and the utility allowance schedule in effect at execution of the HAP contract. When redetermining the rent to owner, HACSM will use the most recently published FMR and the utility allowance schedule in effect at the time of redetermination. At its discretion, HACSM may for initial rent, use the amounts in effect at any time during the 30-day period immediately before the beginning date of the HAP

contract, or for redeterminations of rent, the 30-day period immediately before the redetermination date.

Any HUD-approved exception payment standard amount under the tenant-based voucher program also applies to the project-based voucher program. HUD will not approve a different exception payment standard amount for use in the PBV program.

Likewise, HACSM may not establish or apply different utility allowance amounts for the PBV program. The same utility allowance schedule applies to both the tenant-based and project-based voucher programs.

Redetermination of Rent [24 CFR 983.302]

HACSM will redetermine the rent to owner upon the owner's request or when there is a 10 percent or greater decrease in the published FMR.

Rent Increase

If an owner wishes to request an increase in the rent to owner from HACSM, it must be requested at the annual anniversary of the HAP contract. The request must be in writing and in the form and manner required by HACSM. HACSM may only make rent increases in accordance with the rent limits described previously. There are no provisions in the PBV program for special adjustments (e.g., adjustments that reflect increases in the actual and necessary expenses of owning and maintaining the units which have resulted from substantial general increases in real property taxes, utility rates, or similar costs).

An owner's request for a rent increase must be submitted to HACSM 60 days prior to the anniversary date of the HAP contract and must include the new rent amount the owner is proposing.

HACSM will not approve and the owner will not receive any increase of rent to owner until and unless the owner has complied with requirements of the HAP contract, including compliance with HQS. The owner will not receive any retroactive increase of rent for any period of noncompliance.

Rent Decrease

If there is a decrease in the rent to owner, as established in accordance with program requirements such as a change in the FMR or exception payment standard, or reasonable rent amount, the rent to owner will be decreased regardless of whether the owner requested a rent adjustment, except where HACSM has elected within the HAP contract to not reduce rents below the initial rent under the initial HAP contract.

Notice of Rent Change

The rent to owner is redetermined by written notice by HACSM to the owner specifying the amount of the redetermined rent. HACSM notice of rent adjustment constitutes an amendment of the rent to owner specified in the HAP contract. The adjusted amount of rent to owner applies for the period of 12 calendar months from the annual anniversary of the HAP contract.

HACSM will provide the owner with at least 30 days written notice of any change in the amount of rent to owner.

HACSM-owned Units [24 CFR 983.301(g)]

HACSM-owned PBV units, the initial rent to owner and the annual redetermination of rent at the anniversary of the HAP contract are determined by the independent entity approved by HUD. HACSM must use the rent to owner established by the independent entity.

Reasonable Rent [24 CFR 983.303]

At the time the initial rent is established and all times during the term of the HAP contract, the rent to owner for a contract unit may not exceed the reasonable rent for the unit as determined by HACSM, except where HACSM has elected within the HAP contract to not reduce rents below the initial rent under the initial HAP contract.

When Rent Reasonable Determinations Are Required

HACSM will redetermine the reasonable rent for a unit receiving PBV assistance whenever any of the following occur:

- There is a five percent or greater decrease in the published FMR in effect 60 days before the contract anniversary (for the unit sizes specified in the HAP contract) as compared with the FMR that was in effect one year before the contract anniversary date;
- HACSM approves a change in the allocation of responsibility for utilities between the owner and the tenant;
- The HAP contract is amended to substitute a different contract unit in the same building or project; or
- There is any other change that may substantially affect the reasonable rent.

How to Determine Reasonable Rent

The reasonable rent of a unit receiving PBV assistance will be determined by comparison to rent for other comparable unassisted units. When making this determination, HACSM will consider factors that affect market rent. Such factors include the location, quality, size, type and age of the unit, as well as the amenities, housing services maintenance, and utilities to be provided by the owner.

Comparability Analysis

For each unit, the comparability analysis will use at least three comparable units in the private unassisted market. This may include units in the premises or project that is receiving project-based assistance. The analysis will show how the reasonable rent was determined, including major differences between the contract units and comparable unassisted units, and will be retained by HACSM. The comparability analysis may be performed by HACSM staff or by another qualified person or entity. Those who conduct these analyses or are involved in determining the housing assistance payment based on the analyses may not have any direct or indirect interest in the property.

HACSM-owned Units

For HACSM-owned units, the amount of the reasonable rent must be determined by an independent agency approved by HUD in accordance with PBV program requirements.

The independent entity must provide a copy of the determination of reasonable rent for HACSM-owned units to HACSM and to the HUD field office where the project is located.

Owner Certification of Reasonable Rent

By accepting each monthly housing assistance payment, the owner certifies that the rent to owner is not more than rent charged by the owner for other comparable unassisted units in the premises. At any time, HACSM may require the owner to submit information on rents charged by the owner for other units in the premises or elsewhere.

Effect of Other Subsidy and Rent Control

In addition to the rent limits discussed in previous sections above, other restrictions may limit the amount of rent to owner in a PBV unit. In addition, certain types of subsidized housing are not even eligible to receive PBV assistance.

Other Subsidy [24 CFR 983.304]

To comply with HUD subsidy layering requirements, at the discretion of HUD or its designee, HACSM shall reduce the rent to owner because of other governmental subsidies, including tax credits or tax exemptions, grants, or other subsidized funding.

For units receiving assistance under the HOME program, rents may not exceed rent limits as required by that program.

For units in any of the following types of federally subsidized projects, the rent to owner may not exceed the subsidized rent (basic rent) or tax credit rent as determined in accordance with requirements for the applicable federal program:

- An insured or non-insured Section 236 project;
- A formerly insured or non-insured Section 236 project that continues to receive Interest Reduction Payment following a decoupling action;
- A Section 221(d)(3) below market interest rate (BMIR) project;
- A Section 515 project of the Rural Housing Service;
- Any other type of federally subsidized project specified by HUD.

Combining Subsidy

Rent to owner may not exceed any limitation required to comply with HUD subsidy layering requirements.

Rent Control [24 CFR 983.305]

In addition to the rent limits set by PBV program regulations, the amount of rent to owner may also be subject to rent control or other limits under local, state, or federal law.

XI. PAYMENTS TO OWNER

Housing Assistance Payments [24 CFR 983.351]

During the term of the HAP contract, HACSM will make housing assistance payments to the owner in accordance with the terms of the HAP contract. During the term of the HAP contract, payments will be made for each month that a contract unit complies with HQS and is leased to and occupied by an eligible family. The housing assistance payment will be paid to the owner on or about the first day of the month for which payment is due.

Except for discretionary vacancy payments, HACSM will not make any housing assistance payment to the owner for any month after the month when the family moves out of the unit (even if household goods or property are left in the unit).

HACSM received approval through its FY2009 MTW Annual Plan to institute an alternate subsidy calculation method which may be applied to PBV properties. When using the alternate subsidy calculation, the amount of the housing assistance payment by HACSM is the rent to owner minus the subsidy amount as determined by HACSM's applicable tiered subsidy table (TST).

In order to receive housing assistance payments, the owner must comply with all provisions of the HAP contract. Unless the owner complies with all provisions of the HAP contract, the owner does not have a right to receive housing assistance payments.

Vacancy Payments [24 CFR 983.352]

If an assisted family moves out of the unit, the owner may keep the housing assistance payment for the calendar month when the family moves out. However, the owner may not keep the payment if HACSM determines that the vacancy is the owner's fault.

If HACSM determines that the owner is responsible for a vacancy and, as a result, is not entitled to the keep the housing assistance payment, HACSM will notify the landlord of the amount of housing assistance payment that the owner must repay. HACSM will require the owner to repay the amount owed in accordance with the policies in Chapter 20.

At the discretion of HACSM, the HAP contract may provide for vacancy payments to the owner. HACSM may only make vacancy payments if:

- The owner gives HACSM prompt, written notice certifying that the family has vacated the unit and identifies the date when the family moved out (to the best of the owner's knowledge);
- The owner certifies that the vacancy is not the fault of the owner and that the unit was vacant during the period for which payment is claimed;
- The owner certifies that it has taken every reasonable action to minimize the likelihood and length of vacancy; and
- The owner provides any additional information required and requested by the PHA to verify that the owner is entitled to the vacancy payment.

The owner must submit a request for vacancy payments in the form and manner required by HACSM and must provide any information or substantiation required by HACSM to determine the amount of any vacancy payment.

Tenant Rent to Owner [24 CFR 983.353]

The tenant rent is the portion of the rent to owner paid by the family. The amount of tenant rent is determined by the PHA in accordance with HUD requirements. Any changes in the amount of tenant rent will be effective on the date stated in the PHA notice to the family and owner.

The family is responsible for paying the tenant rent (total tenant payment minus the utility allowance). The amount of the tenant rent determined by the PHA is the maximum amount the owner may charge the family for rental of a contract unit. The tenant rent covers all housing services, maintenance, equipment, and utilities to be provided by the owner. The owner may not demand or accept any rent payment from the tenant in excess of the tenant rent as determined by the PHA. The owner must immediately return any excess payment to the tenant.

Tenant and HACSM Responsibilities

The family is not responsible for the portion of rent to owner that is covered by the housing assistance payment and the owner may not terminate the tenancy of an assisted family for nonpayment by HACSM.

Likewise, HACSM is responsible only for making the housing assistance payment to the owner in accordance with the HAP contract. HACSM is not responsible for paying tenant rent, or any other claim by the owner, including damage to the unit. HACSM may not use housing assistance payments or other program funds (including administrative fee reserves) to pay any part of the tenant rent or other claim by the owner.

Utility Reimbursements

If the amount of the utility allowance exceeds the total tenant payment, the PHA must pay the amount of such excess to the tenant as a reimbursement for tenant-paid utilities, and the tenant rent to the owner must be zero.

HACSM will pay the utility reimbursement directly to the family.

Other Fees and Charges [24 CFR 983.354]

Meals and Supportive Services

With the exception of PBV assistance in assisted living developments, the owner may not require the tenant to pay charges for meals or supportive services. Non-payment of such charges is not grounds for termination of tenancy.

In assisted living developments receiving PBV assistance, the owner may charge for meals or supportive services. These charges may not be included in the rent to owner, nor may the value of meals and supportive services be included in the calculation of the reasonable rent. However, non-payment of such charges is grounds for termination of the lease by the owner in an assisted living development.

Other Charges by Owner

The owner may not charge extra amounts for items customarily included in rent in the locality or provided at no additional cost to unsubsidized tenants in the premises.

Chapter 23

PROJECT BASED VOUCHERS (PBV) UNDER THE RENTAL ASSISTANCE DEMONSTRATION (RAD) PROGRAM

I. INTRODUCTION

The Rental Assistance Demonstration (RAD) program was authorized in 2012 in order to assess the effectiveness of converting public housing, moderate rehabilitation properties, and units under the rent supplement and rental assistance payments programs to long-term, project-based Section 8 rental assistance. The program's four primary objectives are to:

- Preserve and improve public and other assisted housing.
- Standardize the administration of the plethora of federally subsidized housing programs and rules. The conversions are intended to promote operating efficiency by using a Section 8 project-based assistance model that has proven successful and effective for over 30 years. In other words, RAD aligns eligible properties more closely with other affordable housing programs.
- Attract private market capital for property renovations. Through the use of this model, properties may be able to leverage private debt and equity to make capital repairs.
- Increase tenant mobility opportunities.

Under the first component, a PHA with public housing units may submit an application to HUD to convert some or all of their public housing units to long-term, project-based Section 8 HAP contracts under either:

- Project-based rental assistance (PBRA) under HUD's Office of Multifamily Housing Programs.
- Project-based vouchers (PBVs) under HUD's Office of Public and Indian Housing (PIH).

This chapter will focus on public housing conversions to the PBV program under RAD. In order to distinguish between requirements for public housing conversion under RAD and PBV units under the standard PBV program, we will refer to the standard PBV program and the RAD PBV program.

II. APPLICABLE REGULATIONS

The regulations for both the standard and RAD PBV programs generally follow the regulations for the tenant-based HCV program found at 24 CFR Part 982. However, important parts of the tenant-based regulations do not apply to the project-based program. 24 CFR Part 983 outlines the sections of 24 CFR Part 982 that are not applicable to the project-based program.

For the RAD PBV program, Congress authorized HUD to waive certain statutory and regulatory provisions or establish alternative requirements from the standard PBV program. These provisions are identified in Notice PIH 2012-32, REV-2 (issued June 15, 2015) and Notice PIH 2012-32, REV-3 (issued January 12, 2017).

Otherwise, all regulatory and statutory requirements for the standard PBV program in 24 CFR Part 983 and Section 8(o)(13) of the Housing Act of 1937, and all applicable standing and subsequent Office of Public and Indian Housing (PIH) guidance, including related handbooks, apply to RAD PBV. This includes environmental review, Davis-Bacon, and fair housing requirements.

RAD is authorized by the Consolidated and Further Continuing Appropriations Act of 2012 (Public Law 112-55, approved November 18, 2011), as amended by the Consolidated Appropriations Act of 2014 (Public Law 113-76, approved January 17, 2014), and the Consolidated and Further Continuing Appropriations Act of 2015 (Public Law 113-235, approved December 6, 2014), and Division L, Title II, Section 237 of the Consolidated Appropriations Act (Public Law 114-113, enacted December 18, 2015) collectively, the "RAD Statute." Requirements specific to the RAD program may be found in the following:

- Generally, public housing projects converting assistance under RAD are bound by the terms of the notice in effect at the time of closing. Notice PIH 2012-32, REV-3 is applicable to projects converting assistance through RAD, including those where a CHAP has already been issued, upon the expiration of the 30-day comment period after publication of the notice. Notice PIH 2012-32, REV-3 was published January 12, 2017.
- Notice PIH 2012-32, REV-2, RAD – Final Implementation, REV-2 is applicable to projects converting assistance through RAD upon the expiration of the 30-day comment period after publication of the Notice. PIH Notice 2012-32, REV-2 was published June 15, 2015.
- RAD Quick Reference Guide for Public Housing Converting to PBV Assistance (10/14)
- RAD Welcome Guide for New Awardees: RAD 1st Component (3/15)
- Notice PIH 2016-17, Rental Assistance Demonstration (RAD) Notice Regarding Fair Housing and Civil Rights Requirements and Relocation Requirements Applicable to RAD First Component – Public Housing Conversions.
 - This Notice applies to all projects that have applied for RAD conversion but have not yet converted as of November 10, 2016.

- Notice PIH 2014-17, Relocation Requirements under the RAD Program, Public Housing in the First Component.
 - This notice may apply to projects that have converted to RAD prior to November 10, 2016 , AND who have requested and received approval from HUD to be governed by this notice. See PIH Notice 2016-17, Section 1, Paragraph 1.3 for applicability.
- RAD FAQs (<http://www.radresource.net/search.cfm>)

In other words, the standard PBV program follows many of the same regulations as the tenant-based HCV program, but not all of them, and the RAD PBV program follows many of the same regulations as the standard PBV program, but not all of them.

MTW agencies are able to apply activities impacting the PBV program that are approved in the MTW Plan to properties converting under RAD, provided they do not conflict with RAD requirements.

Tenant-Based Vs. Project-Based Voucher Assistance [24 CFR 983.2]

Much of the tenant-based voucher program regulations also apply to the PBV program. Consequently, many of the PHA policies related to tenant-based assistance also apply to RAD PBV assistance. The provisions of the tenant-based voucher regulations that do not apply to the PBV program are listed at 24 CFR 983.2.

Except as otherwise noted in this chapter, or unless specifically prohibited by PBV program regulations, HACSM policies for the tenant-based voucher program contained in this administrative plan also apply to the RAD PBV program and its participants. This chapter is intended to address requirements specific to the RAD PBV program only.

Relocation Requirements [Notice PIH 2016-17]

In some developments, in-place residents may need to be relocated as a result of properties undergoing repairs, being demolished and rebuilt, or when assistance is transferred from one site to another. RAD program rules prohibit the permanent, involuntary relocation of residents as a result of conversion. Residents that are temporarily relocated retain the right to return to the project once it has been completed.

Relocation assistance provided to residents will vary depending on the length of time relocation is required. Residents must be properly notified in advance of relocation requirements in accordance with RAD program rules and Uniform Relocation Act (URA) requirements.

Equal Opportunity Requirements [24 CFR 983.8; Notice PIH 2012-32, REV-3]

RAD conversions are governed by the same civil rights authorities that govern HUD-assisted activities in general. PHAs must comply with all applicable fair housing and civil rights laws, including but not limited to the Fair Housing Act, Title VI of the Civil Rights Act of 1964, and Section 504 of the Rehabilitation Act of 1973, when conducting relocation planning and providing relocation assistance. For example, persons with disabilities returning to the RAD project may not be turned away or placed on a waiting

list due to a lack of accessible units. Their need for an accessible unit must be accommodated.

III. PBV PROJECT SELECTION

Unlike in the standard PBV program where the PHA typically selects the property through an owner proposal selection process, projects selected for assistance under RAD PBV are selected in accordance with the provisions in Notice PIH 2012-32, REV-3. Therefore, 24 CFR 983.51 does not apply since HUD selects RAD properties through a competitive selection process.

Ownership And Control [Notice PIH 2012-32, REV-3]

Except where permitted to facilitate the use of low-income housing tax credits, during both the initial term and renewal terms of the HAP contract, ownership must be by a public or non-profit entity. The requirement for a public or non-profit entity is satisfied if a public or non-profit entity (or entities), directly or through a wholly-owned affiliate (1) holds a fee simple interest in the property; (2) is the lessor under a ground lease with the property owner; (3) has the direct or indirect legal authority to direct the financial and legal interest of the property owner with respect to the RAD units, (4) owns 51 percent or more of the general partner interests in a limited partnership or 51 percent or more of the managing member interests in a limited liability company with all powers of a general partner or managing member, as applicable; (5) owns a lesser percentage of the general partner or managing member interests and holds certain control rights as approved by HUD; (6) owns 51 percent or more of all ownership interests in a limited partnership or limited liability company and holds certain control rights as approved by HUD; or (7) other ownership and control arrangements approved by HUD.

PHA-Owned Units [24 CFR 983.59; Notice PIH 2012-32, REV-3; FR Notice 1/18/17]

If the project is PHA-owned, rent-setting and inspection functions set out in 24 CFR 983.59 must be conducted by an independent entity approved by HUD.

The independent entity that performs these program services may be the unit of general local government for the PHA jurisdiction (unless the PHA is itself the unit of general local government or an agency of such government), or another HUD-approved public or private independent entity.

The PHA may compensate the independent entity from PHA ongoing administrative fee income (including amounts credited to the administrative fee reserve). The PHA may not use other program receipts to compensate the independent entity for its services. The PHA, and the independent entity, may not charge the family any fee for the services provided by the independent entity.

Subsidy Layering Requirements [Notice PIH 2012-32, REV-3]

In the case of a PHA that is converting all of its ACC units, there is no restriction on the amount of public housing funds that may be contributed to the covered project at closing; the PHA may convey all program funds to the covered projects. In order to cover the cost of administrative activities required to terminate the ACC, once it no

longer has units under the ACC and has no plans to develop additional public housing, the PHA may:

- Designate that a reserve associated with the project be available to fund any public housing closeout costs (such as an operating deficit reserve or a specific PHA close-out reserve). Any funds not needed for public housing close-out costs would remain in such reserve or may be transferred to another reserve associated with the project (such as the replacement reserve). Thereafter, these funds may be used at the project pursuant to the authorized use of the applicable reserve; or
- Retain funds under the public housing program for this purpose. However, HUD will recapture any public housing funds that a PHA does not expend for closeout costs.

Following execution of the HAP contract, PHAs are authorized to use operating and capital funds to make HAP payments for the remainder of the first calendar year in which the HAP contract is effective. Otherwise, a PHA may not contribute public housing program funds to the covered project unless such funding has been identified in the approved financing plan and included in the approved “sources and uses” attached to the RCC.

PBV Percentage Limitation [Notice PIH 2012-32, REV-3]

Covered projects do not count against the maximum amount of assistance a PHA may utilize for the PBV program, which under the standard PBV program is set at 20 percent of the authorized units allocated to a PHA under the HCV program. To implement this provision, HUD is waiving section 8(o)(13)(B) of the 1937 Act as well as 24 CFR 983.6.

There is no cap on the number of units that may receive PBV assistance in a project.

Site Selection Standards [Notice PIH 2012-32, REV-3; Notice PIH 2016-17]

Site selection requirements set forth in 24 CFR 983.57 apply to RAD PBV, with the exception of 983.57(b)(1) and (c)(2). HUD waives the provisions regarding deconcentration of poverty and expanding housing and economic opportunity for existing housing sites.

HUD will conduct a front-end civil rights review of the PHA’s proposed site in certain circumstances. For RAD PBV conversions that involve new construction located in an area of minority concentration (whether on the existing public housing site or on a new site) HUD will determine whether it meets one of the exceptions that would allow for new construction in an area of minority concentration.

The PHA must ensure that its RAD PBV conversion, including any associated new construction, is consistent with its certification to affirmatively further fair housing and complies with civil rights laws.

Environmental Review [Notice PIH 2012-32, REV-3]

HUD cannot approve an applicant’s financing plan submission unless and until the required environmental review has been completed for the applicant’s proposed conversion project and found to meet environmental review requirements. Environmental documents must be submitted as part of the financing plan. HUD will not

issue a RAD Conversion Commitment (RCC) if the project plan does not meet the environmental review requirements described in Attachment 1A of Notice PIH 2012-32, REV-3.

IV. DWELLING UNITS

This part identifies the special housing quality standards that apply to the RAD PBV program, housing accessibility for persons with disabilities, and special procedures for conducting housing quality standards inspections.

Housing Quality Standards [24 CFR 983.101]

The housing quality standards (HQS) for the tenant-based program generally apply to the PBV program. HQS requirements for shared housing, manufactured home space rental, and the homeownership option do not apply because these housing types are not assisted under the PBV program.

The physical condition standards at 24 CFR 5.703 do not apply to the PBV program.

Lead-based Paint [24 CFR 983.101(c)]

The lead-based paint requirements for the tenant-based voucher program do not apply to the PBV program. Instead, 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 at 24 CFR part 35, subparts A, B, H, and R, apply to the PBV program.

Housing Accessibility For Persons With Disabilities

The housing must comply with program accessibility requirements of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR part 8. The PHA must ensure that the percentage of accessible dwelling units complies with the requirements of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), as implemented by HUD's regulations at 24 CFR 8, subpart C.

Housing first occupied after March 13, 1991, must comply with design and construction requirements of the Fair Housing Amendments Act of 1988 and implementing regulations at 24 CFR 100.205, as applicable. (24 CFR 983.102).

V. INSPECTING UNITS

Initial Inspection [Notice PIH 2012-32, REV-3]

Under RAD, all units must meet HQS no later than the date of completion of the work as indicated in the RCC.

Turnover Inspections [24 CFR 983.103(c)]

Before providing assistance to a new family in a contract unit, HACSM will inspect the unit. HACSM may not provide assistance on behalf of the family until the unit fully complies with HQS.

Annual/Biennial Inspections [24 CFR 983.103(d); FR Notice 6/25/14]

At least once every 24 months during the term of the HAP contract, HACSM will inspect a random sample consisting of at least 20 percent of the contract units in each building, to determine if the contract units and the premises are maintained in accordance with HQS. Turnover inspections are not counted toward meeting this inspection requirement.

If more than 20 percent of the sample of inspected contract units in a building fail the initial inspection, HACSM will reinspect 100 percent of the contract units in the building.

Other Inspections [24 CFR 983.103(e)]

HACSM will inspect contract units whenever needed to determine that the contract units comply with HQS and that the owner is providing maintenance, utilities, and other services in accordance with the HAP contract. HACSM will take into account complaints and any other information coming to its attention in scheduling inspections.

HACSM will conduct follow-up inspections needed to determine if the owner (or, if applicable, the family) has corrected an HQS violation, and will conduct inspections to determine the basis for exercise of contractual and other remedies for owner or family violation of HQS.

In conducting quality control HQS inspections, HACSM will include a representative sample of both tenant-based and project-based units.

Inspecting PHA-Owned Units [24 CFR 983.103(f)]

In the case of PHA-owned units, the inspections must be performed by an independent agency designated by the PHA and approved by HUD. The independent entity must furnish a copy of each inspection report to the PHA and to the HUD field office where the project is located. The PHA must take all necessary actions in response to inspection reports from the independent agency, including exercise of contractual remedies for violation of the HAP contract by the PHA-owner.

VI. HOUSING ASSISTANCE PAYMENTS (HAP) CONTRACT

Public housing projects converting under RAD do not employ the PBV Agreement to Enter into a Housing Assistance Payments (AHAP) contract. Instead, following the execution of all requirements contained in the Commitment to Enter into a HAP (CHAP) contract and the RAD Conversion Commitment (RCC), a project is converted immediately to the RAD PBV HAP contract following the closing of any construction financing. Owners of public housing projects converted to PBV assistance via RAD enter into a HAP contract with the PHA that will administer the PBV assistance. Units assisted under a RAD PBV HAP contract must be subject to long-term, renewable use and affordability restrictions.

HAP Contract Requirements - Contract Information [PBV Quick Reference Guide (10/14)]

The RAD PBV program uses the PBV HAP contract for new construction or rehabilitated housing (Form HUD-52530A), as modified by the RAD rider (Form HUD-52621). The distinction between “existing housing” and “rehabilitated and newly

constructed housing” is overridden by RAD requirements. The RAD rider must be attached to the PBV HAP contract and effectuates the conversion of public housing to PBV under RAD PBV. The project must also have an initial RAD use agreement.

Execution and Effective date of the HAP Contract [RADBlast! 7/11/16]

RAD PBV projects do not employ an Agreement to Enter into a Housing Assistance Payments (AHAP) contract like in the standard PBV program. Rather, when the conditions of the CHAP and the RCC are met and the conversion has closed, the PHA executes the HAP contract. Project owners may select the effective date of the HAP contract as the first day of either of the two months following the completed closing.

Term of HAP Contract [Notice PIH 2012-32, REV-3]

The initial term of the HAP contract may not be for less than 15 years, and may be for a term of up to 20 years upon request of the owner and with approval of the administering voucher agency. Upon expiration of the initial term of the contract, and upon each renewal term of the contract, the owner must accept each offer to renew the contract, subject to the terms and conditions applicable at the time of each offer, and further subject to the availability of appropriations for each year of each such renewal. To implement this provision, HUD is waiving section 8(o)(13)(F) of The United States Housing Act of 1937, which established a maximum term of 15 years, as well as 24 CFR 983.205(a), which governs the contract term.

Agreement to Enter into a HAP (AHAP) Contract [Notice PIH 2012-32, REV-3]

For public housing conversions to PBV, there will be no agreement to enter into a Housing Assistance Payments (AHAP) contract. Therefore, all regulatory references to the Agreement (AHAP), including regulations under 24 CFR Part 983 Subpart D, are waived. The definitions for proposal selection date, new construction, rehabilitation, and existing housing are not applicable.

Mandatory Contract Renewal [Notice PIH 2012-32, REV-3]

By statute, upon contract expiration, the agency administering the vouchers will offer, and the PHA will accept, renewal of the contract subject to the terms and conditions applicable at the time of renewal and the availability of appropriations each year for such renewal. Consequently 24 CFR 983.205(b), governing the PHA discretion to renew the contract for term of up to 15 years, will not apply.

In the event that the HAP contract is removed due to breach, non-compliance or insufficiency of appropriations, for all units previously covered under the HAP contract, new tenants must have incomes at or below 80 percent of the area median income at the time of admission and rents may not exceed 30 percent of 80 percent of median income for an appropriate size unit for the remainder of the term of the RAD use agreement.

Remedies for HQS Violations [24 CFR 983.208(b)]

The PHA may not make any HAP payment to the owner for a contract unit during any period in which the unit does not comply with HQS. If the PHA determines that a contract does not comply with HQS, the PHA may exercise any of its remedies under the HAP contract, for any or all of the contract units.

HACSM will abate and terminate PBV HAP contracts for noncompliance with HQS in accordance with the policies used in the tenant-based voucher program.

Reduction in HAP Contract Units [Notice PIH 2012-32, REV-3]

Project owners are required to make available for occupancy by eligible tenants the number of assisted units under the terms of the HAP contract.

PHAs may not reduce the number of assisted units without HUD approval. Any HUD approval of a PHA's request to reduce the number of assisted units under contract is subject to conditions that HUD may impose. MTW agencies may not alter this requirement.

If units are removed from the HAP contract because a new admission's TTP comes to equal or exceed the gross rent for the unit and if the project is fully assisted, the PHA must reinstate the unit after the family has vacated the property. If the project is partially assisted, the PHA may substitute a different unit for the unit on the HAP contract in accordance with 24 CFR 983.207, or where "floating" units have been permitted.

HAP Contract Year and Anniversary Dates [24 Cfr 983.302(E)]

The HAP contract year is the period of 12 calendar months preceding each annual anniversary of the HAP contract during the HAP contract term. The initial contract year is calculated from the first day of the first calendar month of the HAP contract term.

The annual anniversary of the HAP contract is the first day of the first calendar month after the end of the preceding contract year. There is a single annual anniversary date for all units under a particular HAP contract.

Owner Responsibilities Under the HAP Contract [24 Cfr 983.210]

When the owner executes the HAP contract, he or she certifies that at such execution and at all times during the term of the HAP contract:

- All contract units are in good condition and the owner is maintaining the premises and contract units in accordance with HQS;
- The owner is providing all services, maintenance, equipment, and utilities as agreed to under the HAP contract and the leases;
- Each contract unit for which the owner is receiving HAP is leased to an eligible family referred by the PHA, and the lease is in accordance with the HAP contract and HUD requirements;
- To the best of the owner's knowledge, the family resides in the contract unit for which the owner is receiving HAP, and the unit is the family's only residence;
- The owner (including a principal or other interested party) is not the spouse, parent, child, grandparent, grandchild, sister, or brother of any member of a family residing in a contract unit;
- The amount of the HAP the owner is receiving is correct under the HAP contract;

- The rent for contract units does not exceed rents charged by the owner for comparable unassisted units;
- Except for HAP and tenant rent, the owner has not received and will not receive any other payment or consideration for rental of the contract unit;
- The family does not own or have any interest in the contract unit (this does not apply to the family's membership in a cooperative); and
- Repair work on the project selected as an existing project that is performed after HAP contract execution within such post-execution period as specified by HUD may constitute development activity, and if determined to be development activity, the repair work undertaken shall be in compliance with Davis-Bacon wage requirements.

Vacancy Payments [24 CFR 983.352(b)]

At the discretion of the PHA, the HAP contract may provide for vacancy payments to the owner for a PHA-determined period of vacancy extending from the beginning of the first calendar month after the move-out month for a period not exceeding two full months following the move-out month. The amount of the vacancy payment will be determined by the PHA and cannot exceed the monthly rent to owner under the assisted lease, minus any portion of the rental payment received by the owner, including amounts available from the tenant's security deposit.

HACSM will provide vacancy payments to the owner. The HAP contract with the owner will contain the amount of the vacancy payment and the period for which the owner will qualify for these payments.

VII. SELECTION OF PBV PROGRAM PARTICIPANTS

Many of the provisions of the tenant-based voucher regulations [24 CFR 982] also apply to the PBV program. This includes requirements related to determining eligibility and selecting applicants from the waiting list. Even with these similarities, there are requirements that are unique to the PBV program. This part describes the requirements and policies related to eligibility and admission to the PBV program.

Prohibited Rescreening of Existing Tenants Upon Conversion [Notice PIH 2012-32, REV-3]

Current households cannot be excluded from occupancy at the covered project based on any rescreening, income eligibility, or income targeting provisions. Consequently, current households will be grandfathered for application of any eligibility criteria to conditions that occurred prior to conversion but will be subject to any ongoing eligibility requirements for actions that occur after conversion. Post-conversion, the tenure of all residents of the covered project is protected pursuant to PBV requirements regarding continued occupancy unless explicitly modified by Notice PIH 2012-32, REV-3 (e.g., rent phase-in provisions).

For example, a unit with a household that was over-income at time of conversion would continue to be treated as an assisted unit. Thus, 24 CFR 982.201, concerning eligibility and targeting, will not apply for current households. Once that remaining household

moves out, the unit must be leased to an eligible family. Existing residents at the time of conversion may not be rescreened for citizenship status or have their social security numbers reverified.

Further, so as to facilitate the right to return to the assisted property, this provision must apply to current public housing residents of the converting project that will reside in non-RAD PBV units placed in a project that contain RAD PBV units. Such families and such contract units will otherwise be subject to all requirements of the applicable program, specifically 24 CFR 983 for non-RAD PBV.

For the RAD PBV program, *in-place family* means a family who lived in a pre-conversion property at the time assistance was converted from public housing to PBV under RAD.

Eligibility For PBV Assistance [24 CFR 983.251(a) and (b)]

Applicants for PBV assistance must meet the same eligibility requirements as applicants for the tenant-based voucher program. Applicants must qualify as a family as defined by HUD and the PHA, have income at or below HUD-specified income limits, and qualify on the basis of citizenship or the eligible immigration status of family members [24 CFR 982.201(a) and 24 CFR 983.2(a)]. In addition, an applicant family must provide social security information for family members [24 CFR 5.216 and 5.218] and consent to the PHA's collection and use of family information regarding income, expenses, and family composition [24 CFR 5.230]. The PHA may also not approve a tenancy if the owner (including a principal or other interested party) of the unit is the parent, child, grandparent, grandchild, sister, or brother of any member of the family, unless needed as a reasonable accommodation. An applicant family must also meet HUD requirements related to current or past criminal activity.

HACSM will determine an applicant family's eligibility for the RAD PBV program in accordance with the policies in Chapter 3.

Organization of the Waiting List [24 CFR 983.251(c); Notice PIH 2012-32, REV-3]

The standard PBV regulations at 24 CFR 983.251 set out program requirements related to establishing and maintaining a voucher-wide, PBV program-wide, or site-based waiting list from which residents will be admitted. These provisions will apply unless the project is covered by a remedial order or agreement that specifies the type of waiting list and other waiting list policies. See Chapter 4 for any specific information on PBV waiting lists.

Selection from the Waiting List [24 CFR 983.251(c)]

After conversion to RAD PBV, applicants who will occupy units with RAD PBV assistance will be selected from the HACSM's waiting list. HACSM may establish selection criteria or preferences for occupancy of particular PBV units.

Income Targeting [24 CFR 983.251(c)(6); Notice PIH 2012-32, REV-3]

At least 75 percent of the families admitted to HACSM's tenant-based and project-based voucher programs during the agency's fiscal year from the waiting list must be

extremely-low income families. The income targeting requirement applies to the total of admissions to both programs.

Families in place at the time of the conversion are exempt from income targeting requirements. New admissions follow standard PBV requirements.

Units with Accessibility Features [24 CFR 983.251(c)(7)]

When selecting families to occupy PBV units that have special accessibility features for persons with disabilities, the HACSM must first refer families who require such features to the owner.

Preferences [24 CFR 983.251(d); FR Notice 11/24/08; Notice PIH 2012-32, REV-3]

PHAs may use the same selection preferences that are used for the tenant-based voucher program, establish selection criteria or preferences for the PBV program as a whole, or for occupancy of particular PBV developments or units.

PHAs may establish a selection preference for families who qualify for voluntary services, including disability-specific services, offered in conjunction with assisted units, provided that preference is consistent with the PHA plan. The PHA may not, however, grant a preference to a person with a specific disability [FR Notice 1/18/17].

In advertising such a project, the owner may advertise the project as offering services for a particular type of disability; however, the project must be open to all otherwise eligible persons with disabilities who may benefit from services provided in the project. In these projects, residents with disabilities may not be required to accept the particular services offered as a condition of occupancy.

See Chapter 4 for specific information on preferences.

Offer of PBV Assistance

Refusal of Offer [24 CFR 983.251(e)(3)]

HACSM is prohibited from taking any of the following actions against a family who has applied for, received, or refused an offer of PBV assistance:

- Refusing to list the applicant on the waiting list for tenant-based voucher assistance
- Denying any admission preference for which the applicant qualifies
- Changing the applicant's place on the waiting list based on preference, date, and time of application, or other factors affecting selection under the PHA's selection policy
- Removing the applicant from the tenant-based voucher waiting list

Disapproval by Landlord [24 CFR 983.251(e)(2)]

If a PBV owner rejects a family for admission to the owner's units, such rejection may not affect the family's position on the tenant-based voucher waiting list.

Acceptance of Offer [24 CFR 983.252]

Family Briefing

When a family accepts an offer for PBV assistance, HACSM will give the family an oral briefing. The briefing must include information on how the program works and the responsibilities of the family and owner. In addition to the oral briefing, HACSM will provide a briefing packet that explains how the PHA determines the total tenant payment for a family, the family obligations under the program, and applicable fair housing information.

Persons with Disabilities

If an applicant family's head or spouse is disabled, HACSM will assure effective communication, in accordance with 24 CFR 8.6, in conducting the oral briefing and in providing the written information packet. This may include making alternative formats available (see Chapter 2). In addition, the PHA must have a mechanism for referring a family that includes a member with a mobility impairment to an appropriate accessible PBV unit.

Persons with Limited English Proficiency

The PHA should take reasonable steps to assure meaningful access by persons with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166 (see Chapter 2).

Owner Selection of Tenants

The owner is responsible for developing written tenant selection procedures that are consistent with the purpose of improving housing opportunities for very low-income families and reasonably related to program eligibility and an applicant's ability to fulfill their obligations under the lease. An owner must promptly notify in writing any rejected applicant of the grounds for any rejection [24 CFR 983.253(a)(2) and (a)(3)].

Leasing [24 CFR 983.253(a)]

During the term of the HAP contract, the owner must lease contract units to eligible families that are selected and referred by HACSM from HACSM's waiting list. The contract unit leased to the family must be the appropriate size unit for the size of the family, based on the PHA's subsidy standards.

Filling Vacancies [24 CFR 983.254(a)]

The owner must promptly notify HACSM of any vacancy or expected vacancy in a contract unit. After receiving such notice, HACSM must make every reasonable effort to promptly refer a sufficient number of families for the owner to fill such vacancies. HACSM and the owner must make reasonable efforts to minimize the likelihood and length of any vacancy.

Tenant Screening [24 CFR 983.255]

PHA Responsibility

HACSM is not responsible or liable to the owner or any other person for the family's behavior or suitability for tenancy. HACSM will not conduct screening to determine a PBV applicant family's suitability for tenancy.

HACSM must provide the owner with an applicant family's current and prior address (as shown in PHA records) and the name and address (if known by the PHA) of the family's current landlord and any prior landlords.

In addition, HACSM may offer the owner other information it may have about a family, including information about the tenancy history of family members or about drug trafficking and criminal activity by family members. HACSM must provide applicant families a description of the PHA policy on providing information to owners, and the PHA must give the same types of information to all owners.

HACSM may not disclose to the owner any confidential information provided in response to a request for documentation of domestic violence, dating violence, sexual assault, or stalking, except at the written request or with the written consent of the individual providing the documentation [24 CFR 5.2007(c)].

Owner Responsibility

The owner is responsible for screening and selection of the family to occupy the owner's unit. When screening families the owner may consider a family's background with respect to the following factors:

- Payment of rent and utility bills
- Caring for a unit and premises
- Respecting the rights of other residents to the peaceful enjoyment of their housing
- Drug-related criminal activity or other criminal activity that is a threat to the health, safety, or property of others
- Compliance with other essential conditions of tenancy

VIII. OCCUPANCY

After an applicant has been selected from the waiting list, determined eligible by HACSM, referred to an owner, and determined suitable by the owner, the family will sign the lease and occupancy of the unit will begin.

Lease [24 CFR 983.256; Notice PIH 2012-32, REV-3]

The tenant must have legal capacity to enter into a lease under state and local law. *Legal capacity* means that the tenant is bound by the terms of the lease and may enforce the terms of the lease against the owner.

The tenant and the owner must enter into a written lease agreement that is signed by both parties. The tenancy addendum must include, word-for-word, all provisions required by HUD.

Lease Requirements [24 CFR 983.256(c); Notice PIH 2012-32, REV-3]

The lease for a PBV unit must specify all of the following information:

- The names of the owner and the tenant;
- The unit rented (address, apartment number, if any, and any other information needed to identify the leased contract unit);
- The term of the lease (initial term and any provision for renewal);
- The amount of the tenant rent to owner, which is subject to change during the term of the lease in accordance with HUD requirements;
- A specification of the services, maintenance, equipment, and utilities that will be provided by the owner; and
- The amount of any charges for food, furniture, or supportive services.

HACSM will include resident procedural rights for termination notification and grievance procedures in the owner's lease. These requirements are not part of the regular PBV program but are required under RAD.

Tenancy Addendum [24 CFR 983.256(d)]

The tenancy addendum in the lease must state:

- The program tenancy requirements
- The composition of the household as approved by the PHA (the names of family members and any PHA-approved live-in aide)

All provisions in the HUD-required tenancy addendum must be included in the lease. The terms of the tenancy addendum prevail over other provisions of the lease.

Initial Term and Lease Renewal [24 CFR 983.256(f); PBV Quick Reference Guide (10/14)]

Leases for residents who will remain in place (i.e., who will not be relocated solely as a result of conversion) must have an effective date that coincides with—and must be signed on or before—the effective date of the RAD PBV HAP contract.

The initial lease term must be for at least one year. The lease must provide for automatic renewal after the initial term of the lease in either successive definitive terms (e.g., month-to-month or year-to-year) or an automatic indefinite extension of the lease term. For automatic indefinite extension of the lease term, the lease terminates if any of the following occur:

- The owner terminates the lease for good cause
- The tenant terminates the lease
- The owner and tenant agree to terminate the lease
- The PHA terminates the HAP contract
- The PHA terminates assistance for the family

Changes in the Lease [24 CFR 983.256(e)]

If the tenant and owner agree to any change in the lease, the change must be in writing, and the owner must immediately give HACSM a copy of all changes.

The owner must notify HACSM in advance of any proposed change in the lease regarding the allocation of tenant and owner responsibilities for utilities. Such changes may only be made if approved by HACSM and in accordance with the terms of the lease relating to its amendment. HACSM must redetermine reasonable rent, in accordance with program requirements, based on any change in the allocation of the responsibility for utilities between the owner and the tenant. The redetermined reasonable rent will be used in calculation of the rent to owner from the effective date of the change.

Owner Termination of Tenancy [24 CFR 983.257; Notice PIH 2012-32, REV-3]

With two exceptions, the owner of a PBV unit may terminate tenancy for the same reasons an owner may in the tenant-based voucher program (see 24 CFR 982.310). In the PBV program, terminating tenancy for “good cause” does not include doing so for a business or economic reason, or a desire to use the unit for personal or family use or other non-residential purpose.

Projects converting from public housing to PBV under RAD have additional procedural rights that do not apply to the standard PBV program. These procedural rights must be included in the owner’s lease as well as the PHA’s administrative plan. In addition to the regulations at 24 CFR 983.257 related to project owner termination of tenancy and eviction (which MTW agencies may not alter) the termination procedure for RAD conversions to PBV will require that PHAs provide adequate written notice of termination of the lease which may not be less than:

- A reasonable period of time, but not to exceed 30 days:
 - If the health or safety of other tenants, PHA employees, or persons residing in the immediate vicinity of the premises is threatened; or
 - In the event of any drug-related or violent criminal activity or any felony conviction
- 14 days in the case of nonpayment of rent
- 30 days in any other case, except that if a state or local law provides for a shorter period of time, such shorter period will apply

Unlike in the standard PBV program, residents in converted projects have the right to request an informal hearing for issues that adversely affect the resident’s rights, obligations, welfare, or status with both the PHA and the project owner. See Chapter 19 for more information on Informal Reviews and Hearings.

Tenant Absence from the Unit [24 CFR 983.256(g) and 982.312(a)]

The lease may specify a maximum period of family absence from the unit that may be shorter than the maximum period permitted by PHA policy. According to program requirements, the family’s assistance will be terminated if they are absent from the unit for more than 180 consecutive days. PHA termination of assistance actions due to

family absence from the unit are subject to 24 CFR 982.312, except that the unit is not terminated from the HAP contract if the family is absent for longer than the maximum period permitted.

Continuation of Housing Assistance Payments [24 CFR 983.258; Notice PIH 2012-32, REV-3]

Current residents living in the property prior to conversion are placed on and remain under the HAP contract when TTP equals or exceeds gross rent. In this case, until such time as the family's TTP falls below the gross rent, the family will pay the owner their TTP minus the utility allowance. The family will continue to pay this amount until/if circumstances change and HAP is paid on their behalf. In other words, assistance may subsequently be reinstated if the tenant becomes eligible for assistance. In such cases, the resident is still considered a program participant. All of the family obligations and protections under RAD and standard PBV apply to the resident. Likewise, all requirements with respect to the unit, such as compliance with the HQS requirements, apply as long as the unit is under HAP contract.

Normally, any new families referred to the RAD PBV project must be initially eligible for a HAP payment at admission to the program. Further, for any new families admitted after the conversion, assistance will be terminated 180 days after the last housing assistance payment on their behalf. The cessation of housing assistance payments does not affect the family's other rights under its lease, nor does it preclude the resumption of payments as a result of later changes in income, rents, or other relevant circumstances if such changes occur within the 180 day window. If a family's assistance is terminated as a result of their zero HAP status, the PHA must remove the unit from the HAP contract. If the project is fully assisted, the PHA must reinstate the unit after the family has vacated the property.

However, in August 2020, HACSM received HUD approval through a waiver request process to admit income eligible households to its RAD-PBV project, even if such families require zero assistance at admission. HACSM will not need to remove these units from the RAD-PBV HAP after 180 days of zero HAP.

Security Deposits [24 CFR 983.259; PBV Quick Reference Guide (10/14)]

Owners are permitted to recognize security deposit amounts that have been previously provided by tenants who are in-place at the time of the RAD conversion. Otherwise the security deposit requirements for standard PBV apply.

The owner may collect a security deposit from the tenant. HACSM will prohibit security deposits in excess of private market practice, or in excess of amounts charged by the owner to unassisted tenants.

When the tenant moves out of a contract unit, the owner, subject to state and local law, may use the security deposit, including any interest on the deposit, in accordance with the lease, as reimbursement for any unpaid tenant rent, damages to the unit, or other amounts owed by the tenant under the lease.

The owner must give the tenant a written list of all items charged against the security deposit and the amount of each item. After deducting the amount used to reimburse the owner, the owner must promptly refund the full amount of the balance to the tenant.

If the security deposit does not cover the amount owed by the tenant under the lease, the owner may seek to collect the balance from the tenant. HACSM has no liability or responsibility for payment of any amount owed by the family to the owner.

Resident Participation and Funding [Notice PIH 2012-32, REV-3]

Residents of covered projects converting assistance to PBVs will have the right to establish and operate a resident organization for the purpose of addressing issues related to their living environment and be eligible for resident participation funding.

Moves

Overcrowded, Under-Occupied, and Accessible Units [24 CFR 983.260; Notice PIH 2012-32, REV-3]

All in-place tenants at the time of conversion are eligible to remain in the project. Over-housed families should be moved into appropriately sized units if such units are available in the new or rehabbed project. If appropriately sized units are not available, the existing tenants may continue to be over-housed until an appropriately sized unit becomes available or until the tenant leaves the project. Once the unit turns over, it must be leased to an appropriately sized family.

Following conversion, the standard PBV regulations apply. If the PHA determines that a family is occupying a wrong-size unit, based on the PHA's subsidy standards, or a unit with accessibility features that the family does not require, and the unit is needed by a family that does require the features, the PHA must promptly notify the family and the owner of this determination, and the PHA must offer the family the opportunity to receive continued housing assistance in another unit.

If the PHA offers the family a tenant-based voucher, the PHA must terminate the housing assistance payments for a wrong-size or accessible unit at the earlier of the expiration of the term of the family's voucher, including any extension granted by the PHA, or the date upon which the family vacates the unit. If the family does not move out of the wrong-size unit or accessible unit by the expiration of the term of the family's voucher, the PHA must remove the unit from the HAP contract.

If the PHA offers the family another form of assistance that is not a tenant-based voucher, and the family does not accept the offer, does not move out of the PBV unit within a reasonable time as determined by the PHA, or both, the PHA must terminate the housing assistance payments for the unit at the expiration of a reasonable period as determined by the PHA and remove the unit from the HAP contract.

Family Right to Move [24 CFR 983.261]

The family may terminate the lease at any time after the first year of occupancy. The family must give advance written notice to the owner in accordance with the lease and provide a copy of such notice to HACSM.

Choice Mobility [Notice PIH 2012-32, REV-3]

If the family wishes to move with continued tenant-based assistance, the family must contact HACSM to request the rental assistance prior to providing notice to terminate the lease. If the family terminates the lease in accordance with lease requirements, the HACSM is required to offer the family the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available, HACSM must give the family priority to receive the next available opportunity for continued tenant-based assistance.

If the family terminates the assisted lease before the end of the first year, the family relinquishes the opportunity for continued tenant-based assistance.

Turnover Cap

If as a result of RAD, the total number of PBV units (including RAD PBV units) administered by the PHA exceeds 20 percent of the PHA's authorized units under its HCV ACC with HUD, the PHA may establish a turnover cap. The PHA is not required to provide more than three-quarters of its turnover vouchers in any single year to the residents of covered projects. If the PHA chooses to establish a turnover cap and the cap is implemented, the PHA must create and maintain a waiting list in the order requests from eligible households were received.

Reexaminations [PBV Quick Reference Guide (10/14)]

A family living in a unit converted from public housing to RAD PBV may retain its certification date. Unless a family's annual reexamination is due at the same time as the effective date of the RAD PBV HAP contract, HACSM does not need to recertify tenants at the point of conversion. For each family residing in a unit undergoing conversion of assistance under RAD, the administering PHA will have to submit a form HUD-50058 reflecting the family's admission to the voucher program. The effective date of the new admission will be the same as the effective date of the RAD PBV HAP contract. The form should include the same information previously found on the public housing form 50058, including the next annual reexamination date.

Residents' Procedural Rights [Notice PIH 2012-32, REV-3]

HUD is incorporating additional termination notification requirements for public housing projects that convert assistance under RAD to PBV beyond those for the standard PBV program. In addition to the regulations at 24 CFR 983.257 related to owner termination of tenancy and eviction (which MTW agencies may not alter) the termination procedure for RAD conversions to PBV require that PHAs provide adequate written notice of termination of the lease, which is no less than:

- A reasonable period of time, but not to exceed 30 days:
 - If the health or safety of other tenants, project owner employees, or persons residing in the immediate vicinity of the premises is threatened; or
 - In the event of any drug-related or violent criminal activity or any felony conviction.

- Not less than 14 days in the case of nonpayment of rent
- Not less than 30 days in any other case, except that if a state or local law provides for a shorter period of time, such shorter period will apply

Informal Reviews and Hearings [Notice PIH 2012-32, REV-3]

Unlike in the standard PBV program, residents in converted projects have the right to request an informal hearing for issues that adversely affect the resident's rights, obligations, welfare, or status with both the PHA and the project owner.

In addition to reasons for an informal hearing listed at 24 CFR 982.555(a)(1)(i)–(vi), an opportunity for an informal hearing must be given to residents for any dispute that a resident may have with respect to an owner action in accordance with the individual's lease or the contract administrator in accordance with RAD PBV requirements that adversely affect the resident's rights, obligations, welfare, or status.

- For any hearing required under 24 CFR 982.555(a)(1)(i)–(vi), the contract administrator will perform the hearing, as is the current standard in the program.
- For any additional hearings required under RAD, the PHA (as owner) will perform the hearing.

An informal hearing will not be required for class grievances or for disputes between residents not involving the PHA (as owner) or contract administrator. This hearing requirement does not apply to and is not intended as a forum for initiating or negotiating policy changes between a group or groups of residents and the PHA (as owner) or contract administrator.

The PHA (as owner) must give residents notice of their ability to request an informal hearing as outlined in 24 CFR 982.555(c)(1) for informal hearings that will address circumstances that fall outside of the scope of 24 CFR 982.555(a)(1)(i)–(vi). (See Chapter 19)

The PHA (as owner) must provide an opportunity for an informal hearing before an eviction.

IX. DETERMINING CONTRACT RENT

Initial Contract Rents [Notice PIH 2012-32, REV-3]

RAD conversions are intended to be cost-neutral, and therefore, should not exceed current public housing funding as adjusted for unit size. Since public housing units do not currently have contract rents, HUD provides an estimate of current contract rents for each PHA's public housing units based on current funding as adjusted by bedroom size. Current funding includes operating subsidy, tenant rents, capital funds, replacement housing factor funds (RHF), and demolition disposition transitional funding (DDTF). The funding may limit the amount of initial rent for a property. A detailed explanation of the determination of current funding may be found in Attachment 1C of Notice PIH 2012-32, REV-2. Once the current funding amount is calculated, the amount is adjusted by

bedroom size to determine the current funding rent. HUD uses the same bedroom adjustment factors as in the metropolitan FMR schedules where the project is located.

Notwithstanding the current funding level, the initial rents are set at the lower of:

- 110 percent of the fair market rent (FMR) or the PHA's exception payment standard approved by HUD, or the alternate rent cap in a PHA's MTW agreement
- Reasonable rent in comparison to the unassisted housing market
- An amount determined by current funding
 - Adjusted through rent bundling or reconfiguration of units

Adjusting Contract Rents [Notice PIH 2012-32, REV-3; PBV Quick Reference Guide (10/14)]

Contract rents will be adjusted annually by HUD's operating cost adjustment factor (OCAF) at each anniversary of the HAP contract, subject to the availability of appropriations for each year of the contract term. As such, section 8(o)(13)(I) of the 1937 Act, and 24 CFR 983.301 and 983.302, concerning rent determinations, do not apply when adjusting rents. The rent to owner may at no time exceed the reasonable rent charged for comparable unassisted units in the private market, as determined by the contract administrator in accordance with 24 CFR 983.303.

Contract rents may not exceed the reasonable rent, with the exception that the contract rent for each unit may not be reduced below the initial contract rent under the initial HAP contract.

However, the rent to owner may fall below the initial contract rent in the following situations:

- To correct errors in calculations in accordance with HUD requirements
- If additional housing assistance has been combined with PBV assistance after the execution of the initial HAP contract and a rent decrease is required pursuant to 983.55 (prohibition of excess public assistance)
- If a decrease in rent to owner is required based on changes in the allocation of responsibility for utilities between the owner and the tenant

The contract rent adjustment will be the lesser of:

- The current contract rent increased by the operating cost adjustment factor (OCAF), which is published annually in the *Federal Register*, or
- The reasonable rent

The administering PHA (or independent entity, if the project is PHA-owned) is responsible for processing rent adjustments, at each contract anniversary date, in accordance with the prevailing OCAF.

At least 120 days before the contract anniversary date, HUD recommends that the owner submit the OCAF rent adjustment worksheet (Form HUD-9625) to the PHA administering the PBV assistance (or the independent entity). The PHA will validate the

data on the form and determine whether the rent exceeds the reasonable rent charged for comparable unassisted units in the private market, in accordance with 24 CFR 983.303. If rents would be unreasonable following application of the requested OCAF, then the rent can only be increased up to the reasonable rent. The approved rent adjustment will go into effect and the new rents to owner will take effect on the date of the contract anniversary.

Rent Decrease

Rents must not be reduced below the initial rent except to correct errors, for additional subsidy to the property, or to realign utility responsibilities.

Utility Allowances [Notice PIH 2012-32, REV-3; PBV Quick Reference Guide (10/14)]

When contract rent amounts are set initially, the amount does not include a utility allowance. In general, the utility allowances that are used on the initial HAP contract at closing are the public housing utility allowances that are in effect prior to conversion. The CHAP must be updated prior to conversion to reflect current public housing utility allowances. At its discretion, a PHA may use the FMRs and utility allowances in effect during the 30-day period immediately before the beginning date of the HAP contract. A PHA may request a waiver from HUD in order to establish a site-specific utility allowance schedule.

After conversion, unless a waiver is requested and approved by HUD, the PHA must maintain a utility allowance schedule for tenant-paid utilities in accordance with standard PBV and HCV utility allowance regulations at 24 CFR 983.301(f)(2)(ii) and 24 CFR 982.517 respectively. These utility allowances are effective for in-place families at recertification.

HACSM will use the HCV utility allowance schedule for the RAD development.

Reasonable Rent [24 CFR 983.303]

At the time the initial rent is established and all times during the term of the HAP contract, the rent to owner for a contract unit may not exceed the reasonable rent for the unit as determined by the PHA, except rents must not be reduced below the initial rent except to correct errors, for additional subsidy to the property, or to realign utility responsibilities.

How to Determine Reasonable Rent

The reasonable rent of a unit receiving PBV assistance must be determined by comparison to rent for other comparable unassisted units. When making this determination, the PHA must consider factors that affect market rent. Such factors include the location, quality, size, type and age of the unit, as well as the amenities, housing services maintenance, and utilities to be provided by the owner.

Comparability Analysis

For each unit, the comparability analysis must use at least three comparable units in the private unassisted market. This may include units in the premises or project that is

receiving project-based assistance. The analysis must show how the reasonable rent was determined, including major differences between the contract units and comparable unassisted units, and must be retained by the PHA. The comparability analysis may be performed by PHA staff or by another qualified person or entity. Those who conduct these analyses or are involved in determining the housing assistance payment based on the analyses may not have any direct or indirect interest in the property.

PHA-Owned Units

For PHA-owned units, the amount of the reasonable rent must be determined by an independent agency approved by HUD in accordance with PBV program requirements. The independent entity must provide a copy of the determination of reasonable rent for PHA-owned units to the PHA and to the HUD field office where the project is located.

X. PAYMENTS TO OWNER

Housing Assistance Payments

During the term of the HAP contract, the PHA must make housing assistance payments to the owner in accordance with the terms of the HAP contract. During the term of the HAP contract, payments must be made for each month that a contract unit complies with HQS and is leased to and occupied by an eligible family. The housing assistance payment must be paid to the owner on or about the first day of the month for which payment is due, unless the owner and the PHA agree on a later date.

Except for discretionary vacancy payments, the PHA may not make any housing assistance payment to the owner for any month after the month when the family moves out of the unit (even if household goods or property are left in the unit).

The amount of the housing assistance payment by the PHA is the rent to owner minus the tenant rent (total tenant payment minus the utility allowance).

In order to receive housing assistance payments, the owner must comply with all provisions of the HAP contract. Unless the owner complies with all provisions of the HAP contract, the owner does not have a right to receive housing assistance payments.

Vacancy Payments [24 CFR 983.352]

If an assisted family moves out of the unit, the owner may keep the housing assistance payment for the calendar month when the family moves out. However, the owner may not keep the payment if HACSM determines that the vacancy is the owner's fault.

If HACSM determines that the owner is responsible for a vacancy and as a result is not entitled to keep the housing assistance payment, HACSM will notify the landlord of the amount of housing assistance payment that the owner must repay. HACSM will require the owner to repay the amount owed in accordance with the policies in this chapter.

At the discretion of the HACSM, the HAP contract may provide for vacancy payments to the owner. HACSM may only make vacancy payments if:

- The owner gives HACSM prompt, written notice certifying that the family has vacated the unit and identifies the date when the family moved out (to the best of the owner's knowledge);
- The owner certifies that the vacancy is not the fault of the owner and that the unit was vacant during the period for which payment is claimed;
- The owner certifies that it has taken every reasonable action to minimize the likelihood and length of vacancy; and
- The owner provides any additional information required and requested by HACSM to verify that the owner is entitled to the vacancy payment.

The owner must submit a request for vacancy payments in the form and manner required by HACSM and must provide any information or substantiation required by HACSM to determine the amount of any vacancy payment.

Tenant Rent To Owner [24 CFR 983.353]

The tenant rent is the portion of the rent to owner paid by the family. The amount of tenant rent is determined by the PHA in accordance with HUD requirements. Any changes in the amount of tenant rent will be effective on the date stated in the PHA notice to the family and owner.

The family is responsible for paying the tenant rent (total tenant payment minus the utility allowance). The amount of the tenant rent determined by the PHA is the maximum amount the owner may charge the family for rental of a contract unit. The tenant rent covers all housing services, maintenance, equipment, and utilities to be provided by the owner. The owner may not demand or accept any rent payment from the tenant in excess of the tenant rent as determined by the PHA. The owner must immediately return any excess payment to the tenant.

In August 2020, HACSM received HUD approval to admit income eligible households to its RAD-PBV project, even if such families require zero assistance at admission. HACSM will not need to remove these units from the RAD-PBV HAP after 180 days of zero HAP.

Tenant and PHA Responsibilities

The family is not responsible for the portion of rent to owner that is covered by the housing assistance payment and the owner may not terminate the tenancy of an assisted family for nonpayment by the PHA.

Likewise, the PHA is responsible only for making the housing assistance payment to the owner in accordance with the HAP contract. The PHA is not responsible for paying tenant rent, or any other claim by the owner, including damage to the unit. The PHA may not use housing assistance payments or other program funds (including administrative fee reserves) to pay any part of the tenant rent or other claim by the owner.

Utility Reimbursements

If the amount of the utility allowance exceeds the total tenant payment, HACSM will pay the amount of such excess to the tenant as a reimbursement for tenant-paid utilities, and the tenant rent to the owner will be zero.

Phase-In of Tenant Rent Increases [Notice PIH 2012-32, REV-3]

For in-place tenants, if a tenant's monthly rent increases by more than the greater of 10 percent or \$25 purely as a result of conversion, the rent increase will be phased in over three years. To implement this provision, HUD is waiving section 3(a)(1) of the 1937 Act, as well as 24 CFR 983.3 (definition of *total tenant payment (TTP)*) only to the extent necessary to allow for the phase-in of tenant rent increases. For families who were on EID at the time of conversion to RAD PBV, upon the expiration of the EID, the rent adjustment is not subject to rent phase-in.

HACSM will implement a three-year phase-in for in-place families whose rent increases by more than the greater of 10 percent or \$25 as a result of the conversion as follows:

Year 1: Any recertification (interim or annual) performed prior to the second annual recertification after conversion: 33 percent of the difference between the most recently paid TTP and the calculated PBV TTP

Year 2: Year 2 annual recertification (AR) and any interim recertification (IR): 50 percent of the difference between the most recently paid TTP and the calculated PBV TTP

Year 3: Year 3 AR and all subsequent recertifications: Full calculated TTP

Once the standard TTP is equal to or less than the previous TTP, the phase-in ends and tenants will pay full TTP from that point forward.

Other Fees And Charges [24 CFR 983.354]

Meals and Supportive Services

With the exception of PBV assistance in assisted living developments, the owner may not require the tenant to pay charges for meals or supportive services. Non-payment of such charges is not grounds for termination of tenancy.

In assisted living developments receiving PBV assistance, the owner may charge for meals or supportive services. These charges may not be included in the rent to owner, nor may the value of meals and supportive services be included in the calculation of the reasonable rent. However, non-payment of such charges is grounds for termination of the lease by the owner in an assisted living development.

Other Charges by Owner

The owner may not charge extra amounts for items customarily included in rent in the locality or provided at no additional cost to unsubsidized tenants in the premises.

Chapter 24

HARDSHIP POLICY FOR MTW INITIATIVES

I. INTRODUCTION

HACSM's Hardship Policy is designed to address the following MTW initiatives:

A. Rent reform initiatives

- *Tiered Subsidy Table Activity*
- *Payment Standard Activity*
- *Full Time Student Activity*
- *Foster Care, KinGap, and Adoption Assistance Activity*
- *Earned Income Disallowance*
- *Child Care Expense Deduction*
- *Minimum Tenant Rent*

B. Time limited assistance

- *Extension of Program Participation*

C. Portability (Moving Out of San Mateo County)

- *Current Program Participants*
- *New Program Applicants*

All hardship requests must be made in writing, stating both the reason for the hardship and the expected duration.

Each request will be reviewed and weighed against other local resources available to the family. The result of the review may consist in referral to other local resources, an adjustment in the portion of the family's rent, or an extension in the length of subsidy assistance given.

A. Rent Reform

- **Tiered Subsidy Table**

To qualify for hardship exemptions, households must meet all the criteria listed below:

1. The household is in compliance with all the program rules and regulations.
2. The household does not owe HACSM any money or is current with a re-payment agreement.
3. The household must be admitted to the program prior to March 1, 2010, unless the household is a resident of HACSM public housing, converting to the Project-Based Voucher (PBV) program and remaining in-place at the complex.
4. The household has not relocated on or after March 1, 2010.
5. The household must experience an increase of \$25.00 or more in rent as a direct result of the MTW rent reform initiatives.
6. The household requested the hardship waiver within the deadline set by HACSM. Households have 10 business days from the date of their "Notice of Change" letter in which to request an Informal Hearing and/or Hardship Review.
7. The household has not received a rent reform hardship relief for tiered subsidy calculation previously.

- **Payment Standards Application at Interim**

To qualify for hardship exemptions, households must meet all the criteria listed below:

1. The household is in compliance with all the program rules and regulations.
2. The household does not owe HACSM any money or is current with a re-payment agreement.
3. The household must be admitted to the program prior to July 1, 2010.
4. The household has not relocated on or after July 1, 2010.
5. The household must experience an increase of \$25.00 or more in rent as a direct result of the MTW rent reform initiatives.
6. The household requested the hardship waiver within the deadline set by HACSM. Households have 10 business days from the date of their "Notice of Change" letter in which to request an Informal Hearing and/or Hardship Review.
7. The household has not received a rent reform hardship relief for the Payment Standards application at interim recertification previously.

- **Full Time Students (FTS)**

To qualify for hardship exemptions, households must meet all the criteria listed below:

1. The household is in compliance with all the program rules and regulations.
2. The household does not owe HACSM any money or is current with a repayment agreement.
3. The household must be admitted to and have a household member with FTS in their household prior to July 1, 2011.
4. The FTS status must be established at the last annual or interim recertification prior to July 1, 2011.
5. The household must experience an increase of \$25.00 or more in rent as a direct result of the MTW rent reform initiatives.
6. The household requested the hardship waiver within the deadline set by HACSM. Households have 10 business days from the date of their "Notice of Change" letter in which to request an Informal Hearing and/or Hardship Review.
7. The household has not received a rent reform hardship relief for full time student's income inclusion previously.

- **Foster Care, KinGap and Adoption Assistance**

To qualify for hardship exemptions, households must meet all the criteria listed below:

1. The household is in compliance with all the program rules and regulations.
2. The household does not owe HACSM any money or is current with a repayment agreement.
3. The household must be admitted to the program and have the foster child/adult in their household prior to July 1, 2011.
4. The Foster Child/Adult status of the household member must be established at the last annual or interim recertification prior to July 1, 2011.
5. The household must experience an increase of \$25.00 or more in rent as a direct result of the MTW rent reform initiatives.
6. The household requested the hardship waiver within the deadline set by HACSM. Households have 10 business days from the date of their "Notice of Change" letter in which to request an Informal Hearing and/or Hardship Review.
7. The household has not received a rent reform hardship relief for Foster Care, KinGap, or Adoption Assistance income inclusion previously.

- **Earned Income Disallowance**

To qualify for hardship exemptions, households must meet all the criteria listed below:

1. The household is in compliance with all the program rules and regulations.
2. The household does not owe HACSM any money or is current with a repayment agreement.
3. The household must be admitted to the program and received the benefits of Earned Income Disallowance in rent calculation prior to July 1, 2012.
4. The Earned Income Disallowance status of the household member must be established at the last annual or interim recertification prior to July 1, 2012.
5. The household must experience an increase of \$25.00 or more in rent as a direct result of the MTW rent reform initiatives.
6. The household requested the hardship waiver within the deadline set by HACSM. Households have 10 business days from the date of their "Notice of Change" letter in which to request an Informal Hearing and/or Hardship Review.
7. The household has not received a rent reform hardship relief for Earned Income Disallowance previously.

- **Child Care Expense Deduction**

To qualify for hardship exemptions, households must meet all the criteria listed below:

1. The household is in compliance with all program rules and regulations.
2. The household does not owe HACSM any money or is current with a repayment agreement.
3. The household must be admitted to the program and received the benefits of the Child Care Expense Deduction in rent calculation prior to July 1, 2013.
4. The Child Care Expense Deduction status of the household member must be established at the last annual or interim recertification prior to July 1, 2013.
5. The household must experience an increase of \$25.00 or more in rent as a direct result of the MTW rent reform initiatives.
6. The household requested the hardship waiver within the deadline set by HACSM. Households have 10 business days from the date of their "Notice of Change" letter in which to request an Informal Hearing and/or Hardship Review.
7. The household has not previously received a rent reform hardship relief for the Child Care Expense Deduction.

Approval Process for all Rent Reform Initiatives

- Households who meet the criteria listed above may mail, fax, or e-mail their request to HACSM.
- Housing Programs Specialist will review the request promptly, using the HACSM provided tool, calculate the tenant rent and forward the result and the tenant file to the supervisor.
- Supervisor approves the new rent if there are no other issues. If there are other issues, the supervisor will conduct further review and consult with Rental Programs Manager.

Hardship Relief for all of the above Rent Reform Initiatives

Households who qualify and receive waiver approval may pay their portion of rent based on the calculation under HUD regulations until their next recertification or relocation. At the next annual/triennial recertification, or relocation, whichever comes first, the household will automatically be subject to the rent reform initiatives.

Note: Each household is only eligible for one term of relief for each rent reform initiative and if the household qualifies for more than one relief at any given recertification (annual or interim), the reliefs will be calculated concurrently.

- **Minimum Tenant Rent**

HACSM's minimum tenant rent, without consideration of utility allowance, shall be \$100 effective August 1, 2016. The new minimum rent shall apply to the next 50058 change (unit/household/subsidy/contract rent). HACSM may adjust the amount of minimum tenant rent through future MTW Annual Plan processes.

In order to qualify for hardship exemptions, households must meet all of the criteria listed below:

1. The household is in compliance with all program rules and regulations.
2. The household does not owe HACSM any money or is current with a repayment agreement.
3. The household must be admitted to the program prior to August 1, 2016 and paid \$50 immediately prior to August 1, 2016 as a result of the HACSM's minimum rent policy.
4. The tenant rent portion, after applying the new minimum rent, is greater than 30% of the household's monthly adjusted income without consideration of utility allowance.

5. The household requested the hardship waiver within the deadline set by HACSM. Households have 10 business days from the date of their “Notice of Change” letter in which to request an Informal Hearing and/or Hardship Review.
6. The household has not previously received a hardship relief for the current minimum rent increase.

Approval Process for Minimum Rent Initiative

- Households who meet the criteria listed above may mail, fax, or e-mail their request to HACSM.
- Housing Programs Specialist will review the request promptly, using the HACSM provided tool, calculate the tenant rent based on the new minimum rent and hardship policy and forward the result and the recert, interim, or rent increase package to the supervisor.
- Supervisor approves the new rent if there are no other issues. If there are other issues, the supervisor will conduct further review and consult with Rental Programs Manager.

Hardship Relief for Minimum Rent Initiative

Households who qualify and receive waiver approval may pay \$50 as their portion of rent until their next annual/triennial recertification, interim due to increase in income or change in family composition, or relocation. At the next annual/triennial recertification, interim due to increase in income or change in family composition, or relocation, the household will automatically be subject to HACSM’s minimum rent at that time.

B. Time Limited Assistance - *Extension of program participation*

- **Basic Requirements**
 1. The household is in compliance with all program rules and regulations.
 2. The household does not owe HACSM any money or is current with a repayment agreement.
- **Qualification**
 1. The Head of Household and all the adult (18 and over) household members are 62 years of age or older and/or people with disabilities. (The HUD definition of disability shall apply)
 2. The Head of Household is the sole adult member who is responsible to care for a minor (under 18) household member who is a person with disability. (The HUD definition of disability shall apply).
 3. “Tight Rental Market”. In order to qualify, all four of the following thresholds must be met:

- a. At the time of program exit, the average vacancy rate in San Mateo County for rental units is less than 4% during the previous 6-month period; and
 - b. The HCV utilization rate is below 95%; and
 - c. The family's annual gross income is below 80% of AMI; and
 - d. The family agrees to actively participate in the MTW Self Sufficiency case management services.
4. The household is actively engaging in educational or vocational activities per the initial or subsequent revised service plan. The activities on a revised service plan must be approved by HACSM or the case manager at least 12 months prior to the program exit date.

Approval Process for Extension of Program Participation

1. Households who meet qualification number 4 above must include the following information in the hardship request (all four items must be addressed):
 - a. Educational or vocational activities that the household is currently engaging in; and
 - b. The name of the school/institution/agency that provides the service; and
 - c. The expected completion date; and
 - d. A brief statement on how the extension of assistance would benefit the household in achieving its self-sufficiency goal.
2. The Family Self-Sufficiency Coordinator will review the request promptly and forward the file to the supervisor with his/her recommendation.
3. The Supervisor approves the extension if there are no other issues.

Hardship Relief for Extension of Program Participation

1. For households who meet qualification number 1 and 2, the length of assistance may be extended for an additional 12 months. Any subsequent renewals on the extension will require a new request from the household and will be subject to the HACSM hardship policy in effect at that time.
2. For households who meet qualification number 3 and 4, HACSM will grant a 12-month extension, with the possibility of a second 12-month extension if the "tight rental market" condition persists.
3. For households who meet qualification number 4, the length of assistance may be extended for a maximum of 12 months and is subject to compliance to case management services and acceptable verification of educational or vocational activities listed in the hardship application.

Note: For Qualification Categories 3 and 4, the total combined extension period cannot exceed 24 months total.

In all instances, the extension period will be affected by changes in the family circumstances, for example, changes in family composition. If the family no longer meets the qualifications stated above after the change, the extension will be terminated (i.e. housing subsidy ends) 60 days from the effective date of the change. Decisions reached by HACSM will be final.

4. Decisions reached by HACSM will be final.

C. Portability (Moving out of San Mateo County)

Current Program Participants and New Voucher holders who have County resident status and have not leased up.

“Current Participant” means a voucher holder has secured and leased a unit that they are living in within San Mateo County and have met all lease obligations.

- **Basic Requirements**

1. The household is in compliance with all program rules and regulations.
2. The household does not owe HACSM any money or is current with a repayment agreement.

- **Qualifications** (The household must meet one of the following)

1. The Head of Household and all the adult (18 and over) household members are 62 years of age or older and/or people with disabilities. (The HUD definition of disability shall apply).
2. The Head of Household is the sole adult member who is responsible to care for a minor (under 18) household member who is a person with disability. (The HUD definition of disability shall apply).
3. The Head of Household, Co-head, or Spouse has secured full-time employment of at least 32 hours/week and said employer’s, or job location, is greater than 35 miles beyond the nearest San Mateo County border and the voucher has a minimum of 18 months remaining term of assistance.
4. The Head of Household, Co-head, or Spouse is a full-time student at an accredited educational institution located more than 35 miles beyond the nearest San Mateo County border and the voucher has a minimum of 18 months remaining term of assistance.
5. The receiving Housing Authority is absorbing the household.

Approval Process for Portability

1. All requests will be reviewed for completeness.
2. Households who meet qualification number 3 must provide proof of the following:
 - Employment. Written verification must include the employer's name, the position title, the number of hours to be worked per week and the rate of pay.
 - The physical address of the employer and the address of the job location.
3. Households who meet qualification number 4 must provide proof of the following:
 - Enrollment and attendance record at an accredited institution.
 - The location of the accredited institution's street address.
4. The Family Self-Sufficiency Coordinator will review the request promptly and forward the file to the supervisor with his/her recommendation.
5. The Supervisor will determine whether or not the hardship request is approved.

Hardship Relief for Portability

For households who meet any of the qualification numbers 1 - 4, the Housing Authority may approve the household's request for portability.

Decisions reached by HACSM will be final.

"New Voucher holders" refers to households who have not yet leased a unit in San Mateo County from the MTW Wait List and who do not have county status.

Note: Per the Housing Authority's Administrative Plan, applicants who do not have county preference at the time of eligibility determination are required to initially lease in San Mateo County for a period of no less than 12 months, unless Reasonable Accommodation (RA) has been approved.

- **Basic Requirements**

1. The household has been determined eligible for the program.
2. The household has attended a briefing and is within the eligible voucher term.

- **Qualifications** (The household must meet one of the following)

1. The Head of Household and all the adult (18 and over) household members are 62 years of age or older and/or people with disabilities (the HUD definition)

- of disability shall apply), and the household has completed the Reasonable Accommodation (RA) process and a nexus has been established.
2. The Head of Household is the sole adult member who is responsible to care for a minor (under 18) household member who is a person with disability (the HUD definition of disability shall apply) and the household has completed the Reasonable Accommodation (RA) process and a nexus has been established.

Approval Process for Portability

1. All applications will be reviewed for completeness.
2. The RA will be reviewed for completeness and nexus determination approval.
3. The Housing Programs Specialist will review the request promptly and forward recommendation to the supervisor with his/her recommendation
4. The Supervisor will review the request and determine whether or not the hardship request is approved.

Hardship Relief for Portability

1. For households who meet qualification number 1, the Housing Authority may approve the household's request for portability.
2. For households who meet qualification number 2, the Housing Authority may approve the household's request for portability.
3. For households who require reasonable accommodation and a nexus is established, the Housing Authority will approve the household's request for portability.

Decisions reached by HACSM will be final.

Chapter 25

DEFINITIONS

- 1. Absent Family Members:** Individuals may be absent from the family, either temporarily or permanently, for a variety of reasons including educational activities, placement in foster care, employment, illness, incarceration, and court order. Generally, absences *less* than 90 consecutive days will be considered temporary and absences *more* than 90 consecutive days will be considered permanent.

Absent Students: Students who attend school out of the area and/or who live away from the household will not be considered as family members. This removal does not mean the students will not be allowed to return to visit the unit; however, the students will not be considered in HACSM's determination of voucher size (subsidy standards) and the income will not be included.

Absences Due to Incarceration: If the sole member of the household (head of household) is incarcerated for more than 90 consecutive days, s/he will be considered permanently absent and HACSM will terminate assistance.

If a family member is expected to be incarcerated for more than 90 consecutive days, the person will be considered permanently absent and no longer considered a family member. If the individual intends to return to the unit following incarceration, the individual is subject to the eligibility and screening requirements as discussed in Chapter 3.

Absences Due to Placement in Foster Care: If a child has been placed in foster care, HACSM will verify with the appropriate agency whether and when the child is expected to be returned to the home. Unless the agency confirms that the child has been permanently removed from the home, the child will be counted as a family member unless 90 days have lapsed since the removal. If the time period is to be greater than 90 days from the date of removal of the child/ren, the voucher size will be adjusted accordingly, if applicable. If all children are removed from the home permanently, the voucher size will be adjusted in accordance with HACSM's subsidy standards.

Absent Head, Spouse, or Co-head: A head, spouse, or co-head absent from the unit more than 90 consecutive days due to employment will continue to be considered a family member. In such circumstances the absent family member remains a member of the family and all of the employment income is considered available to the household. This would include, for instance, a head of household or spouse who has been called to active military duty or who does construction work in another state.

Court-Ordered Absences: If a member of the family is subject to a court order that restricts the member from the home, HACSM will determine whether the person will be considered temporarily or permanently absent. If the court order specifies a permanent restriction or if the court restriction exceeds 90 days, the person will no longer be considered a family member. If the individual intends to return to the unit at the end of

the restriction, the individual is subject to the eligibility and screening requirements discussed in Chapter 3.

Family Members Permanently Confined for Medical Reasons: If the sole member of the household (head of household) is confined to a nursing home, rehab facility, or hospital for more than 90 consecutive days, s/he will be considered permanently absent and HACSM will terminate assistance.

If a family member is confined to a nursing home, rehab facility, or hospital on a permanent basis, that person is no longer considered a family member and the income of that person is not counted.

HACSM will request verification from a responsible medical professional and will use this determination. If the responsible medical professional cannot provide a determination, the person generally will be considered temporarily absent if the time period is less than 90 days.

If the medical professional determines the time period or absence from the unit is to be greater than 90 days, the member will be considered permanently absent and, if applicable, the Voucher size will be reduced in accordance with HACSM subsidy standards. At any time, the family may present evidence that the family member is confined on a permanent basis and request that the person not be considered a family member.

When an individual who has been counted as a family member is determined permanently absent, the family may be eligible for the medical expense deduction only if the remaining head, spouse, or co-head qualify as an elderly person or a person with disabilities.

2. **Absorption:** In portability, the point at which a receiving Housing Authority stops billing the initial Housing Authority for assistance on behalf of a portability family.
3. **Adult:** A household member who is 18 years or older or who is the head of household, or spouse, or co-head. An adult must have the legal capacity to enter a lease under state and local law.
4. **Annual Income:** Annual income is the total income from all sources received by the family, including: the head of household, co-head and/or spouse/partner, each additional member of the family, and net income derived from assets exclusive of income that is temporary, non-recurring or sporadic, and exclusive of certain other types of income.
See Chapter 7 for full details on Annual Income.
5. **Assets:** See Net Family Assets.
6. **Asset Income:** Actual income received from assets held by household members.
7. **Citizen:** A resident by birth or naturalization of the United States.
8. **Co-head:** An individual in the household who is equally responsible with the head of household for ensuring the family fulfills all of its responsibilities under the program, but

who is not a spouse. A family may have a co-head or spouse but not both. A family can have only one co-head. A co-head never qualifies as a dependent. The co-head must have legal capacity to enter into a lease.

- 9. Contract Rent:** The rent charged by an owner for the use of the dwelling unit and appliances (such as ranges and refrigerators, but not including furniture).
- 10. Dating violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship
 - The type of relationship
 - The frequency of interaction between the persons involved in the relationship
- 11. Dependent:** A family member who is under 18 years of age or a person of any age who is a person with a disability or a full-time student under the age of 24 years, foster children/adults. The following persons can never be dependents: the head of household, spouse, co-head, and live-in aides.
- 12. Disabled Family:** A family whose head, spouse, or sole member is a person with disabilities; or two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides.
- 13. Domestic violence:** Felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- 14. Drug-related criminal activity:** Illegal use or personal use of a controlled substance and the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use, of a controlled substance.
- 15. Drug-trafficking:** The illegal manufacture, sale, or distribution, or the possession with intent to manufacture, sell, or distribute, of a controlled substance.
- 16. Elderly Family:** A family whose head, co-head, spouse, or sole member is a person who is at least 62 years of age; or two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more live-in aides.
- 17. Elderly Person:** An individual who is at least 62 years of age.
- 18. Fair Housing Act:** Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988.

- 19. Fair Market Rents:** HUD publishes fair-market rents on an annual basis to determine modest, non-luxury rents for the area. These rents are the basis for determining the subsidy amounts for the voucher program.
- 20. Family:** A single person or a group of persons, a family with a child or children, two or more elderly or disabled persons living together, and one or more elderly or disabled persons, with one or more live-in aides. The HACSM has the discretion to determine if any other group of persons qualifies as a family.
- 21. Family Share:** The portion of rent to owner paid by the family (also known as Tenant Rent).
- 22. Family Unit Size:** The appropriate number of bedrooms for a family, as determined by HACSM under its subsidy standards.
- 23. Foster Adult(s):** Generally, persons with disabilities, unrelated to the tenant family, who are unable to live alone.
- 24. Foster Child:** A child that is in the legal guardianship or custody of a state, county, or private adoption or foster care agency, yet is cared for by foster parents in their own homes, under some kind of short-term or long-term foster care arrangement with the custodial agency.

A foster child or foster adult may be allowed to reside in the unit if their presence would not result in a violation of HQS space standards.

- 25. Full-time Student:** A person, less than 24 years old, who is attending school or vocational training at an accredited institution on a full-time basis. The time commitment or subject load that is needed to be full-time is defined by the educational institution.
- 26. Guests:** A person temporarily staying in the unit with the consent of a member of the household who has express or implied authority to so consent.

HACSM policy allows for a guest to remain in the assisted unit no longer than 14 consecutive days or a total of 60 cumulative days during any 12-month period. Children who are subject to a joint custody arrangement or for whom a family has visitation privileges, that are not included as a family member because they live outside the assisted household more than 50 percent of the time, are not subject to the time limitations of guest as described above.

Students are not included as a family member if they live outside the assisted household to attend school and they are not subject to the time limitations of guest as described above if visiting the assisted unit for school breaks, holidays, or vacations.

A family may request an exception to this policy for valid reasons (e.g. care of a relative recovering from a medical procedure is expected to last 40 consecutive days). An exception will not be made unless the family can identify and provide documentation of the residence to which the guest will return.

- 27. Head of household (HOH):** The adult member of the family who is considered the head for purposes of determining income eligibility and rent. The HOH is responsible for ensuring the family fulfills all of its responsibilities under the program, alone or in conjunction with a co-head or spouse. A head of household must be at least 18 years of age or an emancipated minor.

- 28. Household:** A broader term than *family* – it includes additional people who, with HACSM’s permission, live in an assisted unit, such as live-in aides, foster children, and foster adults.
- 29. Housing Assistance Payment (Subsidy):** The monthly assistance payment by a Public Housing Agency (PHA), which includes payment to the owner for rent to the owner under the family’s lease.
- 30. Housing Assistance Payments Contract:** A written contract between the PHA and an owner for providing housing assistance payments to the owner on behalf of an eligible family (sometimes referred to as the HAP contract).
- 31. Housing Quality Standards (HQS):** The HUD minimum-quality standards for housing assisted under the Section 8 program.
- 32. Income Category:** Designates a family’s income range. There are three categories: low-income, very low-income, and extremely low-income.
- 33. Initial Housing Authority:** In portability, the term refers to both: (1) A Housing Authority that originally selected a family that later decides to move out of the jurisdiction of the selecting Housing Authority; and (2) A Housing Authority that absorbed a family that later decides to move out of the jurisdiction of the absorbing Housing Authority.
- 34. Initial Rent to Owner:** The rent to owner at the beginning of the initial lease term.
- 35. Lease:** A written agreement between an owner and a tenant for the leasing of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by a family with housing assistance payments under a HAP contract between the owner and the Housing Authority.
- 36. Live-in aide:** A person who resides with one or more elderly persons, or persons with disabilities, and who:
- Is determined to be essential to the care and well-being of the persons;
 - Is not obligated for the financial support of the persons; and
 - Would not be living in the unit except to provide the necessary supportive services.
- 37. Manufactured home:** A manufactured structure that is built on a permanent chassis, is designed for use as a principal place of residence and meets the HQS.
- 38. Minimum Rent:** The minimum rent for HACSM is \$100 (see Chapter 7 for further explanation of minimum rent).
- 39. Mixed family:** A family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status.
- 40. Net family assets:** Value of equity in real property, savings, stocks, bonds and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs less the cost of converting the assets to cash. The value of necessary items of personal property, such as furniture and automobiles, shall be excluded.

In cases where a trust fund has been established and the trust is not revocable by, or

under the control of, any member of the family or household, the value of the trust fund will not be considered as an asset, so long as the fund continues to be held in trust. However, any income distributed from the trust fund shall be counted when determining annual income.

Jointly Owned Assets: If an asset is owned by more than one person and any family member has unrestricted access to the asset, HACSM will count the full value of the asset. A family member has unrestricted access to an asset when he or she can legally dispose of the asset without the consent of any of the other owners.

If an asset is owned by more than one person, including a family member, but the family member does not have unrestricted access to the asset, HACSM will prorate the asset according to the percentage of ownership. If no percentage is specified or provided for by state or local law, HACSM will prorate the asset evenly among all owners.

Assets Disposed of for Less than Fair Market Value: HACSM will not include the value of assets disposed of for less than fair market value unless the cumulative fair market value of all assets disposed of during the past two years exceeds the gross amount received for the assets by more than \$1,000. If more than \$1,000, the amount counted will be the market value, less costs and the amount actually received.

- 41. Non-citizen:** A person who is neither a citizen nor national of the United States.
- 42. Occupancy Standards:** The standards that the Housing Authority establishes for determining the appropriate number of bedrooms needed to house families of different sizes or composition.
- 43. Other Adult:** A family member, other than the head, spouse, or co-head, who is 18 years of age or older. Foster adults and live-in aides are not considered other adults.
- 44. Owner:** Any person or entity, including a cooperative, having the legal right to lease or sublease existing housing.
- 45. Participant (participant family):** A family that has been admitted to the Housing Authority's program and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP contract executed by the Housing Authority for the family (first day of initial lease).
- 46. Payment Standard:** Under the traditional Voucher program, the maximum monthly assistance payment for a family assisted in the voucher program (before deducting the total tenant payment by the family).
- 47. Persons with Disabilities:** A person who has a disability as defined in 42 U.S.C. 423 or a developmental disability as defined in 42 U.S.C. 6001. Also includes a person who is determined, under HUD regulations, to have a physical or mental impairment that is expected to be of long-continued and indefinite duration, substantially impedes the ability to live independently, and is of such a nature that the ability to live independently could be improved by more suitable housing conditions. For purposes of reasonable accommodation and program accessibility for persons with disabilities, means and "individual with handicaps" as defined in 24 CFR 8.3. Definition does not exclude persons who have AIDS or conditions arising from AIDS but does not include a person

whose disability is based solely on drug or alcohol dependence (for low-income housing eligibility purposes).

- 48. Portability:** The ability of a Section 8 voucher holder to move from the jurisdiction of its current housing authority to the jurisdiction of another PHA.
- 49. Proration of Assistance:** “Mixed families” with some members who are citizens or eligible aliens, and some who are not, will have assistance prorated on the basis of total number of family members, divided by number of citizens or eligible non-citizen.
- 50. Receiving PHA:** In portability, a Housing Authority that receives a family selected for participation in the tenant-based program of another Housing Authority. The receiving Housing Authority issues a voucher and provides program assistance to the family.
- 51. Recertification:** A reexamination of a household’s income, expenses and family composition to determine the household’s continued program eligibility and rent.
- 52. Remaining Member of Tenant Family:** Person left in assisted housing who may or may not normally qualify for assistance on own circumstances. Does not include foster children, foster adults, or live-in aides.
- 53. Rent to Owner:** The monthly rent payable to the owner under the lease. Rent to owner covers payment for any housing services, maintenance and utilities that the owner is required to provide and pay for.
- 54. Rent Reasonableness:** The Housing Authority must certify and document that the contract rent is reasonable in relation to rents currently being charged for comparable units in the private, unassisted market, and that the contract rent is not in excess of rent currently being charged by the owner for comparable unassisted units, taking into consideration the location, unit type, age and amenities to be sure there is a valid comparison. To satisfy these requirements, the Housing Authority must have an overall knowledge of the rental market within its jurisdiction and data on the rents being charged for specific units.
- 55. Single Person:** A person living alone or intending to live alone, and who does not qualify as an elderly family or a person with disabilities, or as the remaining member of the family.
- 56. Spouse:** The marriage partner of the head of household. The term *spouse* does not apply to friends, roommates, or significant others who are not marriage partners. A minor who is emancipated under state law may be designated as a spouse.
- 57. Stalking:** To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or to place under surveillance with the intent to kill, injure, harass, or intimidate another person; and in the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (1) that person, (2) a member of the immediate family of that person, or (3) the spouse or intimate partner of that person.
- 58. Subsidy Standards:** Standards established by a Housing Authority to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

- 59. Suspension (sometimes called Tolling):** Stopping the clock on the term of a family's voucher for a period determined by the Housing Authority from the time when the family submits a Request for Lease Approval for a unit until the time when the housing authority approves, or denies, the request.
- 60. Tenant:** The person or persons (other than a live-in aide or foster adult) who executes the lease as lessee(s) of the dwelling unit.
- 61. Tiered Subsidy:** Monthly fixed subsidy amount from HACSM-established Tiered Subsidy Table. The maximum subsidy HACSM will pay on behalf of a family is the lesser of the fixed subsidy amount or the rent to owner (contract rent) minus \$50.00
- 62. Tolling:** See "Suspension".
- 63. Very Low-Income Family:** A family whose annual income does not exceed 50% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits or lower than 50% of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low family incomes.
- 64. Violent criminal activity:** Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.
- 65. Voucher:** A document issued by a PHA, declaring a family to be eligible for participation in the Voucher program and stating terms and conditions for the family's participation.
- 66. Voucher holder:** A family holding a Voucher with an unexpired search time.

Temporary Policy Supplement

EMERGENCY HOUSING VOUCHERS (EHVs)

INTRODUCTION

On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 (ARP) (P.L. 117-2). Section 3202 of the ARP appropriated \$5 billion for the creation, administration, and renewal of new incremental emergency housing vouchers (EHVs) and other eligible expenses related to COVID-19.

On May 5, 2021, HUD issued Notice PIH 2021-15, which described HUD's process for allocating approximately 70,000 EHVs to eligible PHAs and set forth the operating requirements for PHAs who administer them. Based on criteria outlined in the notice, HUD notified eligible PHAs of the number of EHVs allocated to their agency, and PHAs were able to accept or decline the invitation to participate in the program.

PHAs may not project-base EHVs; EHVs are exclusively tenant-based assistance.

All applicable nondiscrimination and equal opportunity requirements apply to the EHV program, including requirements that the PHA grant reasonable accommodations to persons with disabilities, effectively communicate with persons with disabilities, and ensure meaningful access for persons with limited English proficiency (LEP).

This chapter describes HUD regulations and PHA policies for administering EHVs.

Except as addressed by this chapter and as required under federal statute and HUD requirements, the general requirements of the HCV program apply to EHVs.

I. FUNDING OVERVIEW

The American Rescue Plan Act of 2021 (ARP) provides administrative fees and funding for the costs of administering emergency housing vouchers (EHVs) and other eligible expenses defined in Notice PIH 2021-15. These fees may only be used for EHV administration and other eligible expenses and must not be used for or applied to other PHA programs or vouchers. The PHA must maintain separate financial records from its regular HCV funding for all EHV funding.

Housing Assistance Payments (HAP) Funding

ARP funding obligated to the PHA as housing assistance payments (HAP) funding may only be used for eligible EHV HAP expenses (i.e., rental assistance payments). EHV HAP funding may not be used for EHV administrative expenses or for the eligible uses under the EHV services fee.

The initial funding term will expire December 31, 2022. HUD will provide renewal funding to the PHA for the EHVs on a calendar year (CY) basis commencing with CY 2023. The renewal funding allocation will be based on the PHA's actual EHV HAP costs in leasing, similar to the renewal process for the regular HCV program. EHV renewal funding is not part of the annual HCV renewal funding formula; EHVs are renewed separately from the regular HCV program. All renewal funding for the duration of the EHV program has been appropriated as part of the ARP funding.

Administrative Fee and Funding

The following four types of fees and funding are allocated as part of the EHV program:

- **Preliminary fees** support immediate start-up costs that the PHA will incur in implementing alternative requirements under EHV, such as outreach and coordination with partnering agencies:
 - \$400 per EHV allocated to the PHA, once the consolidated annual contributions contract (CACC) is amended.
 - This fee may be used for any eligible administrative expenses related to EHVs.
 - The fee may also be used to pay for any eligible activities under EHV service fees.
- **Placement fees/expedited issuance reporting fees** will support initial lease-up costs and the added cost and effort required to expedite leasing of EHVs:
 - \$100 for each EHV initially leased, if the PHA reports the voucher issuance date in Public Housing Information Center (PIC) system within 14 days of voucher issuance or the date the system becomes available for reporting.
 - Placement fees:
 - o \$500 for each EHV family placed under a HAP contract effective within four months of the effective date of the ACC funding increment; or
 - o \$250 for each EHV family placed under a HAP contract effective after four months but less than six months after the effective date of the ACC funding increment.

- o HUD will determine placement fees in the event of multiple EHV allocations and funding increment effective dates.
- Placement/expedited issuance fees only apply to the initial leasing of the voucher; they are not paid for family moves or to turnover vouchers.
- **Ongoing administrative fees**, which are calculated in the same way as the standard HCV program:
 - PHAs are allocated administrative fees using the full column A administrative fee amount for each EHV under contract as of the first day of each month.
 - Ongoing EHV administrative fees may be subject to proration in future years, based on available EHV funding.
- **Services fees**, which are a one-time fee to support PHAs' efforts to implement and operate an effective EHV services program in its jurisdiction (TPS-I.B):
 - The fee is allocated once the PHA's CACC is amended to reflect EHV funding.
 - The amount allocated is \$3,500 for each EHV allocated.

SERVICE FEES

Services fee funding must be initially used for defined eligible uses and not for other administrative expenses of operating the EHV program. Service fees fall into four categories:

- Housing search assistance
- Security deposit/utility deposit/rental application/holding fee uses
- Owner-related uses
- Other eligible uses such as moving expenses or tenant-readiness services

The eligible uses for service fees include:

Housing search assistance, which may include activities such as, but not limited to, helping a family identify and visit potentially available units during their housing search, helping to find a unit that meets the household's disability-related needs, providing transportation and directions, assisting with the completion of rental applications and PHA forms, and helping to expedite the EHV leasing process for the family.

Application fees/non-refundable administrative or processing fees/refundable application deposit assistance. The PHA may choose to assist the family with some or all these expenses.

Holding fees are fees an owner requests that are rolled into the security deposit after an application is accepted but before a lease is signed. The PHA may cover part or all of the holding fee for units where the fee is required by the owner after a tenant's application has been accepted but before the lease signing. The PHA and owner must agree how the holding fee gets rolled into the deposit, and under what conditions the fee will be returned. In general, owners need to accept responsibility for making needed

repairs to a unit required by the initial housing quality standards (HQS) inspections and can only keep the holding fee if the client is at fault for not entering into a lease.

Security deposit assistance. The amount of the security deposit assistance may not exceed the lesser of two months' rent to owner, the maximum-security deposit allowed under applicable state and/or local law, or the actual security deposit required by the owner. The PHA may pay the security deposit assistance directly to the owner or may pay the assistance to the family. If paid to the family, the PHA will require documentation that the family paid the security deposit.

Utility deposit assistance/utility arrears. The PHA may provide utility deposit assistance for some or all the family's utility deposit expenses. Assistance can be provided for deposits (including connection fees) required for the utilities to be supplied by the tenant under the lease. The PHA may pay the utility deposit assistance directly to the utility company or may pay the assistance to the family. If paid to the family, the PHA will require documentation the family paid the utility deposit. The PHA will require the utility supplier or family to return the utility deposit assistance to the PHA at such time the deposit is returned by the utility supplier (less any amounts retained by the utility supplier). In addition, some families may have large balances with gas, electric, water, sewer, or trash companies that will make it difficult if not impossible to establish services for tenant-supplied utilities. The PHA may also provide the family with assistance to help address these utility arrears to facilitate leasing. Utility deposit assistance returned to the PHA will be used for either services fee eligible uses or other EHV administrative costs, as required by HUD.

Owner recruitment and outreach for EHV's. The PHA may use the service fee funding to conduct owner recruitment and outreach specifically for EHV's. In addition to traditional owner recruitment and outreach, activities may include conducting pre-inspections or otherwise expediting the inspection process, providing enhanced customer service, and offering owner incentive and/or retention payments.

Owner incentive and/or retention payments. The PHA may make incentive or retention payments to owners that agree to initially lease their unit to an EHV family and/or renew the lease of an EHV family.

Payments will be made as a single payment at the beginning of the assisted lease term (or lease renewal if a retention payment). Owner incentive and retentions payments are not housing assistance payments, are not part of the rent to owner, and are not taken into consideration when determining whether the rent for the unit is reasonable.

Moving expenses (including move-in fees and deposits). The PHA may provide assistance for some or all of the family's reasonable moving expenses when they initially lease a unit with the EHV. The PHA will not provide moving expenses assistance for subsequent moves unless the family is required to move for reasons other than something the family did or failed to do (e.g., the PHA is terminating the HAP contract because the owner did not fulfill the owner responsibilities under the HAP contract or the owner is refusing to offer the family the opportunity to enter a new lease after the initial lease term, as opposed to the family choosing to terminate the tenancy in order to move to another unit), or a family has to move due to domestic violence, dating violence, sexual assault, or stalking.

Tenant-readiness services. The PHA may use fees to help create a customized plan to address or mitigate barriers that individual families may face in renting a unit with an EHV, such as negative credit, lack of credit, negative rental or utility history, or to connect the family to other community resources (including COVID-related resources) that can assist with rental arrears.

Essential household items. The PHA may use services fee funding to assist the family with some or all of the costs of acquiring essential household items such as tableware, cooking equipment, beds or bedding, and essential sanitary products such as soap and toiletries.

Renter's insurance if required by the lease. The PHA may choose to assist the family with some or all this cost.

Any services fee assistance that is returned to the PHA after its initial or subsequent use may only be applied to the eligible services fee uses defined in Notice PIH 2021-15 (or subsequent notice) or other EHV administrative costs. Any amounts not expended for these eligible uses when the PHA's EHV program ends must be remitted to HUD.

II. PARTNERING AGENCIES

CONTINUUM OF CARE (CoC)

PHAs that accept an allocation of EHV's are required to enter a Memorandum of Understanding (MOU) with the Continuum of Care (CoC) to establish a partnership for the administration of EHV's.

OTHER PARTNERING ORGANIZATIONS

The PHA may, but is not required to, partner with other organizations trusted by persons experiencing homelessness, such as victim services providers (VSPs) and other community partners. If the PHA chooses to partner with such agencies, the PHA must either enter into an MOU with the partnering agency or the partnering agency may be added to the MOU between the PHA and CoC.

REFERRALS

CoC and Partnering Agency Referrals

The primary responsibility of the CoC under the MOU with the PHA is to make direct referrals of qualifying individuals and families to the PHA. The PHA must generally refer a family that is seeking EHV assistance directly from the PHA to the CoC or other referring agency for initial intake, assessment, and possible referral for EHV assistance. Partner CoCs are responsible for determining whether the family qualifies under one of the four eligibility categories for EHV's. The CoC or other direct referral partner must provide supporting documentation to the PHA of the referring agency's verification that the family meets one of the four eligible categories for EHV assistance.

III. WAITING LIST MANAGEMENT

HCV WAITING LIST

The regulation that requires the PHA to admit applicants as waiting list admissions or special admissions in accordance with admission policies in Chapter 4 does not apply to PHAs operating the EHV program. Direct referrals are not added to the PHA's HCV waiting list.

The PHA must inform families on the HCV waiting list of the availability of EHV's by, at a minimum, either by posting the information to their website or providing public notice in their respective communities in accordance with the requirements listed in Notice PIH 2021-15.

EHV WAITING LIST

The HCV regulations requiring the PHA to operate a single waiting list for admission to the HCV program do not apply to PHAs operating the EHV program. Instead, when the number of applicants referred by the CoC or partnering agency exceeds the EHV's available, the PHA must maintain a separate waiting list for EHV referrals, both at initial leasing and for any turnover vouchers that may be issued prior to September 30, 2023.

Further, the EHV waiting list is not subject to PHA policies in Chapter 4 regarding opening and closing the HCV waiting list. The PHA will work directly with its CoC and other referral agency partners to manage the number of referrals and the size of the EHV waiting list.

PREFERENCES

HCV Waiting List Preferences

If local preferences are established by the PHA for HCV, they do not apply to EHV's. However, if the PHA has a homeless preference or a VAWA preference for the HCV waiting list, the PHA must adopt additional policies related to EHV's in accordance with Notice PIH 2021-15.

EHV Waiting List Preferences

With the exception of a residency preference, the PHA may choose, in coordination with the CoC and other referral partners, to establish separate local preferences for EHV's. The PHA may, however, choose to not establish any local preferences for the EHV waiting list.

IV. FAMILY ELIGIBILITY

The CoC or referring agency determines whether the individual or family meets any one of the four eligibility criteria described in Notice PIH 2021-15 and then refers the family to the PHA. The PHA determines that the family meets other eligibility criteria for the HCV program, as modified for the EHV program and outlined below.

REFERRING AGENCY DETERMINATION OF ELIGIBILITY

To be eligible for an EHV, an individual or family must meet one of four eligibility criteria:

- Homeless as defined in 24 CFR 578.3;
- At risk of homelessness as defined in 24 CFR 578.3;
- Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking (as defined in Notice PIH 2021-15), or human trafficking (as defined in the 22 U.S.C. Section 7102); or
- Recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability as determined by the CoC or its designee in accordance with the definition in Notice PIH 2021-15.

As applicable, the CoC or referring agency must provide documentation to the PHA of the referring agency's verification that the family meets one of the four eligible categories for EHV assistance. The PHA must retain this documentation as part of the family's file.

PHA SCREENING

HUD waived 24 CFR 982.552 and 982.553 in part for the EHV applicants and established alternative requirement for mandatory and permissive prohibitions of admissions. Except where applicable, PHA policies regarding denials in Chapter 3 of this policy do not apply to screening individuals and families for eligibility for an EHV. Instead, the EHV alternative requirement listed in this section will apply to all EHV applicants.

The mandatory and permissive prohibitions listed in Notice PIH 2021-15 and in this chapter, however, apply only when screening the individual or family for eligibility for an EHV. When adding a family member after the family has been placed under a HAP contract with EHV assistance, the regulations at 24 CFR 982.551(h)(2) apply. Other than the birth, adoption, or court-awarded custody of a child, the PHA must approve additional family members and may apply its regular HCV screening criteria in Chapter 3 in doing so.

Mandatory Denials

Under alternative requirements for the EHV program, mandatory denials for EHV applicants include:

- 24 CFR 982.553(a)(1)(ii)(C), which prohibits admission if any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.
- 24 CFR 982.553(a)(2)(i), which prohibits admission to the program if any member of the household is subject to a lifetime registration requirement under a state sex offender registration program.

The PHA must deny admission to the program if any member of the family fails to sign and submit consent forms for obtaining information as required by 24 CFR

982.552(b)(3) but should notify the family of the limited EHV grounds for denial of admission first.

Permissive Denial

Notice PIH 2021-15 lists permissive prohibitions for which the PHA may, but is not required to, deny admission to EHV families. The notice also lists prohibitions that, while allowable under the HCV program, may not be used to deny assistance for EHV families.

If the PHA intends to establish permissive prohibition policies for EHV applicants, the PHA must first consult with its CoC partner to understand the impact that the proposed prohibitions may have on referrals and must take the CoC's recommendations into consideration.

INCOME VERIFICATION AT ADMISSION

Self-Certification at Admission

The requirement to obtain third-party verification of income in accordance with Notice PIH 2018-18 does not apply to the EHV program applicants at admission, and alternatively, PHAs may consider self-certification the highest form of income verification at admission. As such, PHA policies related to the verification of income do not apply to EHV families at admission. Instead, applicants must submit an affidavit attesting to their reported income, assets, expenses, and other factors that would affect an income eligibility determination.

Additionally, applicants may provide third-party documentation that represents the applicant's income within the 60-day period prior to admission or voucher issuance but is not dated within 60 days of the PHA's request.

Recently Conducted Income Determinations

PHAs may accept income calculations and verifications from third-party providers or from an examination that the PHA conducted on behalf of the family for another subsidized housing program in lieu of conducting an initial examination of income as long as:

- The income was calculated in accordance with rules outlined at 24 CFR Part 5 and within the last six months; and
- The family certifies there has been no change in income or family composition in the interim.

At the time of the family's annual reexamination the PHA must conduct the annual reexamination of income as outlined at 24 CFR 982.516 and PHA policies in Chapter 11.

EIV Income Validation

Once HUD makes the EIV data available to PHAs under this waiver and alternative requirement, the PHA must:

- Review the EIV Income and Income Validation Tool (IVT) reports to confirm and validate family-reported income within 90 days of the PIC submission date;
- Print and maintain copies of the EIV Income and IVT Reports in the tenant file; and
- Resolve any income discrepancy with the family within 60 days of the EIV Income or IVT Report dates.

Prior to admission, PHAs must continue to use HUD's EIV system to search for all household members using the Existing Tenant Search in accordance with PHA policies in Chapter 3.

If a PHA later determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program in accordance with Chapter 12.

SOCIAL SECURITY NUMBER AND CITIZENSHIP STATUS VERIFICATION

For the EHV program, the PHA is not required to obtain and verify SSN documentation and documentation evidencing eligible noncitizen status before admitting the family to the EHV program. Instead, PHAs may adopt policies to admit EHV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. As an alternative requirement, such individuals must provide the required documentation within 180 days of admission to be eligible for continued assistance, pending verification, unless the PHA provides an extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation.

If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

HACSM will require EHV applicants to provide the required SSN or citizenship documentation during the initial eligibility determination. HACSM may provide an additional 60-day extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation.

AGE AND DISABILITY VERIFICATION

PHAs may accept self-certification of date of birth and disability status if a higher level of verification is not immediately available. If self-certification is used, the PHA must obtain a higher level of verification within 90 days of admission or verify the information in EIV.

If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

HACAM will accept self-certification of date of birth and disability status if a higher form of verification is not immediately available. The certification must be made in a format acceptable to the PHA and must be signed by the family member whose information or status is being verified. If self-certification is accepted, within 90 days of admission, the PHA will verify the information in EIV or through other third-party verification if the information is not available in EIV. The PHA will note the family's file that self-

certification was used as initial verification and include an EIV printout or other third-party verification confirming the applicant's date of birth and/or disability status.

If the PHA determines that an ineligible family received assistance, the PHA will take steps to terminate that family from the program in accordance with policies in Chapter 12.

INCOME TARGETING

HACSM will determine income eligibility for EHV families in accordance with 24 CFR 982.201 and PHA policy in Chapter 3; however, income targeting requirements do not apply for EHV families. HACSM may still choose to include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted.

V. HOUSING SEARCH AND LEASING

INITIAL VOUCHER TERM

Unlike the standard HCV program, which requires an initial voucher term of at least 60 days, EHV vouchers must have an initial search term of at least 120 days. PHA policies on extensions as outlined in Chapter 5 will apply.

All EHV's will have an initial term of 180 calendar days.

The family must submit a Request for Tenancy Approval and proposed lease within the 180-day period unless HACSM grants an extension.

HOUSING SEARCH ASSISTANCE

The PHA must ensure housing search assistance is made available to EHV families during their initial housing search. The housing search assistance may be provided directly by the PHA or through the CoC or another partnering agency or entity.

At a minimum, housing search assistance must:

- Help individual families identify potentially available units during their housing search, including physically accessible units with features for family members with disabilities, as well as units in low-poverty neighborhoods;
- Provide transportation assistance and directions to potential units;
- Conduct owner outreach;
- Assist with the completion of rental applications and PHA forms; and
- Help expedite the EHV leasing process for the family

HQS PRE-INSPECTIONS

To expedite the leasing process, PHAs may pre-inspect available units that EHV families may be interested in leasing to maintain a pool of eligible units.

INITIAL LEASE TERM

Unlike in the standard the HCV program, EHV voucher holders may enter into an initial lease that is for less than 12 months, regardless of the PHA policy in Chapter 9.

PORTABILITY

The normal HCV portability procedures and requirements outlined in Chapter 10 generally apply to EHV. Exceptions are addressed below.

Nonresident Applicants

Under EHV, applicant families may move under portability even if the family did not have legal residency in the jurisdiction of the initial PHA when they applied, regardless of PHA policy.

Billing and Absorption

A receiving PHA cannot refuse to assist an incoming EHV family, regardless of whether the PHA administers EHV under its own ACC.

- If the EHV family moves under portability to another PHA that administers EHV under its own ACC:
 - The receiving PHA may only absorb the incoming EHV family with an EHV (assuming it has an EHV voucher available to do so).
 - If the PHA does not have an EHV available to absorb the family, it must bill the initial PHA. The receiving PHA must allow the family to lease the unit with EHV assistance and may not absorb the family with a regular HCV when the family leases the unit.
 - Regardless of whether the receiving PHA absorbs or bills the initial PHA for the family's EHV assistance, the EHV administration of the voucher is in accordance with the receiving PHA's EHV policies.
- If the EHV family moves under portability to another PHA that does not administer EHV under its own ACC, the receiving PHA may absorb the family into its regular HCV program or may bill the initial PHA.

Family Briefing

In addition to the applicable family briefing requirements at 24 CFR 982.301(a)(2) as to how portability works and how portability may affect the family's assistance, the initial PHA must inform the family how portability may impact the special EHV services and assistance that may be available to the family.

The initial PHA is required to help facilitate the family's portability move to the receiving PHA and inform the family of this requirement in writing, taking reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP).

Coordination of Services

If the portability move is in connection with the EHV family's initial lease-up, the receiving PHA and the initial PHA must consult and coordinate on the EHV services and assistance that will be made available to the family.

Services Fee

Standard portability billing arrangements apply for HAP and ongoing administrative fees for EHV families.

For service fees funding, the amount of the service fee provided by the initial PHA may not exceed the lesser of the actual cost of the services and assistance provided to the family by the receiving PHA or \$1,750, unless the initial PHA and receiving PHA mutually agree to change the \$1,750 cap. Service fees are paid as follows:

- If the receiving PHA, in consultation and coordination with the initial PHA, will provide eligible services or assistance to the incoming EHV family, the receiving PHA may be compensated for those costs by the initial PHA, regardless of whether the receiving PHA bills or absorbs.
- If the receiving PHA administers EHV, the receiving PHA may use its own services fee and may be reimbursed by the initial PHA, or the initial PHA may provide the services funding upfront to the receiving PHA for those fees and assistance.
- If the receiving PHA does not administer EHV, the initial PHA must provide the services funding upfront to the receiving PHA. Any amounts provided to the receiving PHA that are not used for services or assistance on behalf of the EHV family must promptly be returned by the receiving PHA to the initial PHA.

Placement Fee/Issuance Reporting Fee

If the portability lease-up qualifies for the placement fee/issuance reporting fee, the receiving PHA receives the full amount of the placement component of the placement fee/issuance reporting fee. The receiving PHA is eligible for the placement fee regardless of whether the receiving PHA bills the initial PHA or absorbs the family into its own program at initial lease-up. The initial PHA qualifies for the issuance reporting component of the placement fee/issuance reporting fee, as applicable.

PAYMENT STANDARDS

Payment Standard Schedule

For the EHV program, HUD has waived the regulation requiring a single payment standard for each unit size. Instead, the PHA may, but is not required to, establish separate higher payment standards for EHV. Lower EHV payment standards are not permitted. If the PHA is increasing the regular HCV payment standard, the PHA must also increase the EHV payment standard if it would be otherwise lower than the new regular HCV payment standard. The separate EHV payment standard must comply with all other HCV requirements with the exception of the alternative requirements discussed below.

Further, if the PHA chooses to establish higher payments standards for EHV, HUD has provided other regulatory waivers:

- Defining the “basic range” for payment standards as between 90 and 120 percent of the published Fair Market Rent (FMR) for the unit size (rather than 90 to 110 percent).

- Allowing a PHA that is not in a designated Small Area FMR (SAFMR) area or has not opted to voluntarily implement SAFMRs to establish exception payment standards for a ZIP code area above the basic range for the metropolitan FMR based on the HUD published SAFMRs. The PHA may establish an exception payment standard up to 120 percent (as opposed to 110 percent) of the HUD published Small Area FMR for that ZIP code area. The exception payment standard must apply to the entire ZIP code area.
 - The PHA must notify HUD if it establishes an EHV exception payment standard based on the SAFMR.

Rent Reasonableness

All rent reasonableness requirements apply to EHV units, regardless of whether the PHA has established an alternative or exception EHV payment standard.

Increases in Payment Standards

The requirement that the PHA apply increased payment standards at the family's first regular recertification on or after the effective date of the increase does not apply to EHV. The PHA may, but is not required to, establish an alternative policy on when to apply the increased payment standard, provided the increased payment standard is used to calculate the HAP no later than the effective date of the family's first regular reexamination following the change.

HACSM will not establish an alternative policy for increases in the payment standard.

TERMINATION OF VOUCHERS

After September 30, 2023, a PHA may not reissue EHV when assistance for an EHV-assisted family ends. This means that when an EHV participant (a family that is receiving rental assistance under a HAP contract) leaves the program for any reason, the PHA may not reissue that EHV to another family unless it does so no later than September 30, 2023.

If an applicant family that was issued the EHV is unsuccessful in finding a unit and the EHV expires after September 30, 2023, the EHV may not be reissued to another family.

All EHV under lease on or after October 1, 2023, may not under any circumstances be reissued to another family when the participant leaves the program for any reason.

An EHV that has never been issued to a family may be initially issued and leased after September 30, 2023, since this prohibition only applies to EHV that are being reissued upon turnover after assistance to a family has ended. However, HUD may direct PHAs administering EHV to cease leasing any unleased EHV if such action is determined necessary by HUD to ensure there will be sufficient funding available to continue to cover the HAP needs of currently assisted EHV families.

VI. USE OF FUNDS, REPORTING, AND FINANCIAL RECORDS

EHV funds allocated to the PHA for HAP (both funding for the initial allocation and HAP renewal funding) may only be used for eligible EHV HAP purposes. EHV HAP funding obligated to the PHA may not be used for EHV administrative expenses or the other

EHV eligible expenses under this notice. Likewise, EHV administrative fees and funding obligated to the PHA are to be used for those purposes and must not be used for HAP.

The appropriated funds for EHVs are separate from the regular HCV program and may not be used for the regular HCV program but may only be expended for EHV eligible purposes. EHV HAP funds may not roll into the regular HCV restricted net position (RNP) and must be tracked and accounted for separately as EHV RNP. EHV administrative fees and funding for other eligible expenses permitted by Notice PIH 2021-15 may only be used in support of the EHVs and cannot be used for regular HCVs. EHV funding may not be used for the repayment of debts or any amounts owed to HUD by HUD program participants including, but not limited to, those resulting from Office of Inspector General (OIG), Quality Assurance Division (QAD), or other monitoring review findings.

The PHA must comply with EHV reporting requirements in the Voucher Management System (VMS) and Financial Data Schedule (FDS) as outlined in Notice PIH 2021-15.

The PHA must maintain complete and accurate accounts and other records for the program and provide HUD and the Comptroller General of the United States full and free access to all accounts and records that are pertinent the administration of the EHVs in accordance with the HCV program requirements at 24 CFR 982.158.

1D-11a. Letter Signed by Working Group

Included are:

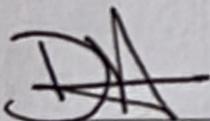
1. Letter of support for the CoC Application as signed by the CoC Lived Experience Advisory Group (LEAG) Chair Danny Hays.
2. Email initiating LEAG vote by email for CoC Application support letter.
3. Draft LEAG support letter for CoC Application as emailed for LEAG vote, indicating that LEAG Chair Danny Hays would be the signer, if approved, on behalf of LEAG.
4. Email chains containing 4 LEAG member votes (of 7 current membrs) in favor of the CoC support letter.
5. Minutes from LEAG meeting where Danny Hays was elected Chair by LEAG, as indication of the authorization of Danny Hays to sign on behalf of LEAG.
6. LEAG Charter, including establishment of quorum, voting rules, and leadership model.

**LETTER OF SUPPORT
SPECIAL CoC NOFO
August 13th, 2023**

The San Mateo County Lived Experience Advisory Group was formed in Summer 2022 and is a subcommittee of the San Mateo County CoC (CA-512) Steering Committee. The purpose of the Group is to inform all aspects of the development and operation services that fall under the umbrella of the San Mateo County CoC (CA-512) with lived experience perspectives.

As per the signature of the authorized representative of the Group below, the Group has reviewed, and is in support of the San Mateo County CoC (CA-512) 2022 HUD Special CoC NOFO submission and also supports the following components of the application:

- The priorities for serving individuals and families experiencing homelessness with severe service needs outlined in the CoC's application, which includes:
 - Leveraging housing resources
 - Providing immediate access to low-barrier shelter, temporary housing, and permanent housing for individuals and families experiencing unsheltered homelessness
 - Utilizing street outreach best practices
 - Tracking shelter wait list numbers
 - Assessing the performance of PSH and RRH projects
 - Identifying and prioritizing households experiencing or with histories of unsheltered homelessness
 - Involving individuals with lived experience of homelessness in decision-making meaningful outreach
 - Supporting underserved communities and supporting equitable community development
- The priorities for serving individuals and families experiencing homelessness with severe service needs outlined in the Project Applications, which includes:
 - Permanent supportive housing
 - Rental assistance
 - Supportive services
 - Housing and system navigation
 - Street outreach and case management
 - CoC system planning and HMIS data



Danny Hays
Name

Signature

09-20-2023

Date

Khalia Parish

From: Khalia Parish
Sent: Saturday, September 16, 2023 2:26 PM
To: Danny Hays; Ricky Wade; Giselle Lateur; 'Astrid Moscoso'; William Klieves; Salvador Estrada; juanhernandez@lifemoves.org
Cc: Selena September
Subject: LEAG support of the CoC NOFO application
Attachments: LEAG Letter of Support for 2023 CoC NOFO Application - San Mateo County.docx; 2023 CoC Priority Listing as of 09072023.pdf; CoC NOFO Application as of 9.15.23.pdf

Importance: High

Hello LEAG Members,

As we discussed at the July 24th LEAG meeting, we have an opportunity to support and potentially help San Mateo County acquire funding from the annual Notice of Funding Opportunity from the U.S. Department of Housing and Urban Development (HUD). Unfortunately, we realized this should best be done before the next LEAG meeting on September 25th. Therefore, we are proposing a vote by email as to whether LEAG would like to endorse the CoC's NOFO application.

The contents of this application are summarized in the draft support letter attached and in the attached project priority list. The project priority list, which the list of projects for which we are planning to apply for HUD CoC funding this year, is also published on our website along with additional context: <https://www.smcgov.org/hsa/continuum-care-nofanofo>. For further reference, the CoC NOFO application as currently drafted is attached. The CoC Steering Committee will review and vote on approving the priority list and application at the September 20th CoC Steering Committee meeting.

Please read the attached letter and email me and Selena back your decision among the following options.

1. Yes, I support the support letter from LEAG.
2. No, I do not endorse the support letter from LEAG.
3. Maybe; I have further edits or questions.
4. I abstain from voting either way.

Please share your response by end of day Wednesday (9/20). Thank you so much for taking out time in your busy schedule to weigh in on this matter.

Thank you,

Khalia Parish, MSW, MPP (she/her)
Management Analyst
Center on Homelessness
County of San Mateo Human Services Agency
1 Davis Drive, Belmont, CA 94002
kparish@smcgov.org
650-802-7656

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LETTER OF SUPPORT
2023 CoC NOFO Application
San Mateo County CoC
September 23, 2023

The San Mateo County Lived Experience Advisory Group (LEAG) was formed in Summer 2022 and is an advisory committee to the San Mateo County CoC. The purpose of LEAG is to ensure that the voices and perspectives of individuals with current and/or past lived experience of homelessness are heard and considered in the decision-making process of the CoC.

As per the signature of the LEAG Chair below, LEAG is in support of, the San Mateo County CoC 2023 HUD CoC NOFO submission, including the following components of the application:

- The priorities for serving individuals and families experiencing homelessness with severe service needs outlined in the CoC's application, which includes:
 - Prioritizing housing resources for individuals and families with severe service needs
 - Leveraging housing resources to house persons experiencing homelessness
 - Conducting street outreach throughout San Mateo County
 - Offering immediate access to low-barrier shelter, temporary housing, and permanent housing for individuals and families experiencing unsheltered homelessness
 - Pairing supportive services with all permanent housing programs to support housing stability
 - Regularly assessing the performance of CoC projects and the homeless services system using both quantitative data and qualitative data from project participants
 - Incorporating input from people with lived experience of homelessness for continuous system improvement.
- The priorities for serving individuals and families experiencing homelessness with severe service needs outlined in the Project Applications, which includes:
 - Requesting continuing funding for existing transitional housing, rapid rehousing, and permanent supportive housing projects
 - Seeking new funding to expand rapid rehousing services for persons fleeing domestic violence and other interpersonal violence
 - Seeking new funding to expand staffing in support of Coordinated Entry to shelter and permanent housing and of Diversion from homelessness.

Danny Hays, LEAG Chair

Date

Khalia Parish

From: Danny Hays <danny@streetlifeministries.org>
Sent: Saturday, September 16, 2023 10:34 PM
To: Khalia Parish; Ricky Wade; Giselle Lateur; 'Astrid Moscoso'; William Klieves; Salvador Estrada; juanhernandez@lifemoves.org
Cc: Selena September
Subject: Re: LEAG support of the CoC NOFO application

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Yes I support the support letter from LEAG.

Streetlife Ministries Outreach Coordinator
Redwood City Outreach Strategies

Danny Hays
(408)508-2731
danny@streetlifeministries.org

From: Khalia Parish <kparish@smcgov.org>
Sent: Saturday, September 16, 2023 2:26:25 PM
To: Danny Hays <danny@streetlifeministries.org>; Ricky Wade <ricky@streetlifeministries.org>; Giselle Lateur <giselle.lateur@star-vista.org>; 'Astrid Moscoso' <amoscoso@lifemoves.org>; William Klieves <wklieves@smcgov.org>; Salvador Estrada <sestrada@samaritanhousesanmateo.org>; juanhernandez@lifemoves.org <juanhernandez@lifemoves.org>
Cc: Selena September <sseptember@smcgov.org>
Subject: LEAG support of the CoC NOFO application

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As we discussed at the July 24th LEAG meeting, we have an opportunity to support and potentially help San Mateo County acquire funding from the annual Notice of Funding Opportunity from the U.S. Department of Housing and Urban Development (HUD). Unfortunately, we realized this should best be done before the next LEAG meeting on September 25th. Therefore, we are proposing a vote by email as to whether LEAG would like to endorse the CoC's NOFO application.

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Please read the attached letter and email me and Selena back your decision among the following options.

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3. Maybe; I have further edits or questions.
4. I abstain from voting either way.

Please share your response by end of day Wednesday (9/20). Thank you so much for taking out time in your busy schedule to weigh in on this matter.

Thank you,

Khalia Parish, MSW, MPP (she/her)
Management Analyst
Center on Homelessness
County of San Mateo Human Services Agency
1 Davis Drive, Belmont, CA 94002
kparish@smcgov.org
650-802-7656

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Khalia Parish

From: William Klieves
Sent: Tuesday, September 19, 2023 8:28 AM
To: Ricky Wade; Giselle Lateur
Cc: Khalia Parish; Danny Hays; Astrid Moscoso; Salvador Estrada; juanhernandez@lifemoves.org; Selena September
Subject: RE: LEAG support of the CoC NOFO application

I support the letter as well.

Bill Klieves, VRC III – (He, His, Him)*
Vocational Rehabilitation Services – VRS
550 Quarry Road, San Carlos, CA 94070
wklieves@smcgov.org
P/T: (650) 464-0668

***Here is why I include my pronouns:** It's important to get pronouns correct to support belonging and respect in the workplace for everyone, inclusive of our LGBTQ+ communities. Pronouns are words used to refer to people and are often gendered (for example, she/her, he/him, or they/them). We cannot assume we can tell the correct pronoun for a person. As an ally, an easy way to normalize the use of self-identified pronouns is to include them in your email signature. If cisgender individuals step up to normalize the inclusion of pronouns, it will be more affirming for transgender and gender diverse people to share pronouns. **Will you join me, in solidarity, to include your pronouns in your email signature?** For more details on pronouns and how you can be in solidarity with gender diverse and transgender individuals visit: <http://mypronouns.org/>

From: Ricky Wade <ricky@streetlifeministries.org>
Sent: Monday, September 18, 2023 11:45 AM
To: Giselle Lateur <giselle.lateur@star-vista.org>
Cc: Khalia Parish <kparish@smcgov.org>; Danny Hays <danny@streetlifeministries.org>; Astrid Moscoso <amoscoso@lifemoves.org>; William Klieves <wklieves@smcgov.org>; Salvador Estrada <sestrada@samaritanhousesanmateo.org>; juanhernandez@lifemoves.org; Selena September <sseptember@smcgov.org>
Subject: Re: LEAG support of the CoC NOFO application

1. **CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.**

Yes, I support the support letter from LEAG.
Have a great week everyone :)



**Ricky Wade: Volunteer and Donor Manager
at Street Life Ministries.**

A. 901 Madison Street Redwood City

Tel. (650) 921-2996

W. streetlifeministries.org

Bible Verse: But we have this treasure in jars of clay to show that this all-surpassing power is from God and not from us. We are hard-pressed on every side, but not crushed; perplexed, but not in despair; persecuted, but not abandoned; struck down, but not destroyed.

2 Corinthians 4:7-9

On Mon, Sep 18, 2023 at 11:00 AM Giselle Lateur <giselle.lateur@star-vista.org> wrote:

Hi Everyone,
Yes, I support the support letter from LEAG
Sincerely,
Giselle Lateur

Giselle Lateur

Pronouns: She/Her

Program Manager

First Chance / Detox Center

T: (650) 689-5597

C: (650) 730-3269

F: (650) 589-5697

www.star-vista.org

610 Elm St, Suite 212,
San Carlos, CA 94070



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From: Khalia Parish <kparish@smcgov.org>

Sent: Saturday, September 16, 2023 2:26 PM

To: Danny Hays <danny@streetlifeministries.org>; Ricky Wade <ricky@streetlifeministries.org>; Giselle Lateur <giselle.lateur@star-vista.org>; 'Astrid Moscoso' <amoscoso@lifemoves.org>; William Klieves <wklieves@smcgov.org>; Salvador Estrada <sestrada@samaritanhousesanmateo.org>; juanhernandez@lifemoves.org <juanhernandez@lifemoves.org>

Cc: Selena September <[september@smcgov.org](mailto:sseptember@smcgov.org)>

Subject: LEAG support of the CoC NOFO application

Hello LEAG Members,

As we discussed at the July 24th LEAG meeting, we have an opportunity to support and potentially help San Mateo County acquire funding from the annual Notice of Funding Opportunity from the U.S. Department of Housing and Urban Development (HUD). Unfortunately, we realized this should best be done before the next LEAG meeting on September 25th. Therefore, we are proposing a vote by email as to whether LEAG would like to endorse the CoC's NOFO application.

The contents of this application are summarized in the draft support letter attached and in the attached project priority list. The project priority list, which the list of projects for which we are planning to apply for HUD CoC funding this year, is also published on our website along with additional context: <https://www.smcgov.org/hsa/continuum-care-nofanofa>. For further reference, the CoC NOFO application as currently drafted is attached. The CoC Steering Committee will review and vote on approving the priority list and application at the September 20th CoC Steering Committee meeting.

Please read the attached letter and email me and Selena back your decision among the following options.

1. Yes, I support the support letter from LEAG.
2. No, I do not endorse the support letter from LEAG.
3. Maybe; I have further edits or questions.
4. I abstain from voting either way.

Please share your response by end of day Wednesday (9/20). Thank you so much for taking out time in your busy schedule to weigh in on this matter.

Thank you,

Khalia Parish, MSW, MPP (she/her)

Management Analyst

Center on Homelessness

County of San Mateo Human Services Agency

1 Davis Drive, Belmont, CA 94002

kparish@smcgov.org

650-802-7656

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**HSA LIVED EXPERIENCE ADVISORY GROUP (LEAG) MONTHLY MEETING
TUESDAY, FEBRUARY 21, 2023, 10:00 AM – 11:30 AM
MINUTES**

Attendance: Jessica Silverberg (HSA), Khalia Parish (HSA), Keith Light (HSA), Marianne Tessier (HSA), Juan Hernandez, Danny Hays, Ricky Wade, Bill Klieves, Giselle Lateur, Steve Carey, Teri Chin (Fair Oaks Community Center), Jan Stokley (Department of Housing)

Topic	Discussion
Welcome	Keith called the meeting to order at 10:04am. Introductions were made.
Approve Minutes	The minutes from the last meeting were sent via email prior to this meeting. No one wished to amend the minutes.
Interagency Homeless Outreach Team and Strategies Teri Chin (Redwood City)	<ul style="list-style-type: none"> • Work plan for city of Redwood City <ul style="list-style-type: none"> ○ Implement “functional zero” homelessness in Redwood City ○ Mitigate public health, public safety, and environmental concerns related to unsheltered homelessness and homeless encampments in Redwood City. ○ Transition unsheltered residents in Redwood City into permanent housing. ○ Eliminate the long-term impact of encampments and street homelessness in Redwood City. • Funding <ul style="list-style-type: none"> ○ City one-time funding <ul style="list-style-type: none"> ▪ \$3.2 million FY 19-20 through 21-22 ▪ \$3.1 million FY 22-23 and FY 23-24 ○ Cal-ICH encampment resolution fund <ul style="list-style-type: none"> ▪ \$1,843,500 FY 22-23 and FY 23-24 ○ Recipient of San Mateo County Working to End Homelessness (WTEH) Innovation Fund Award • Resolving unsheltered HLN in RV/motor homes <ul style="list-style-type: none"> ○ Launched in October 2020 in tandem with the City’s prohibition of overnight parking of RVs on the street, successfully shifting the presence of unsheltered households living in RVs on the street from a high of 140 RVs per night to an average of 5-8 per night.

- We have successfully transitioned households formerly living in their RV/Motorhomes on the street to housing.
 - Of the original 91 households that joined the program, only 5 households continue to work with LifeMoves on alternative housing options as the program is scheduled to sunset later this month.
 - 55 or 60% of the households have moved to permanent housing
 - 12 households chose to go into shelter or to other options elsewhere
 - Other households opted to discontinue participating in the Safe Parking Program
- The creation of the RV Safe Parking Program made a significant difference in reducing the number of unsheltered residents in Redwood City over the last two years
- According to the data collected from the San Mateo County 2022 One Day Count (ODC), Redwood City had the highest number of unsheltered residents countywide (on the day of the count).
 - 245 individuals (22% of the 1092 total individuals)
 - But, according to HUD guidelines for ODC, this category includes participants of Safe Parking programs
 - 74 individuals were living in their RVs at the City's Temporary RV Safe Parking Site at the time of the ODC and were essentially "sheltered" on their pathway towards permanent housing.
 - 245 → 171, a 23% decrease in unsheltered homeless individuals in Redwood City compared to the 2019 ODC
 - So, while we have much work ahead towards addressing homeless encampments and street homelessness, we are making incremental progress towards functional zero.
- Casa Esperanza has 10 units for participants of Redwood City Safe Parking
- Shifting focus to encampments
 - There are approximately 25 homeless encampments in Redwood City
 - 14 of these are on Caltrans right of way, so our homelessness initiatives efforts have also included increased coordination with Caltrans.
 - The City and County have asked Caltrans for extra time before encampment clearings to allow outreach from multiple partners to those living in encampments.
 - During the Caltrans encampment clearings in late July, 5 encampment residents accessed same day emergency shelter.
 - Accomplished in coordination with the Center on Homelessness, piloting new ways to provide "on demand" access to shelter beds for residents being displaced by encampment clearings.

- In the current set of Caltrans clearings, only two individuals agreed to go to shelter with one remaining at the shelter and one leaving after the first day.
- Resolving encampments through effective engagement rather than clearings
 - Expanded, intensive homeless outreach
 - Increasing from ~2.5 county funded homeless outreach workers to at least 9.5 (with varying roles)
 - By-name list approach
 - With a lead worker assigned for each individual
 - Assignment of outreach workers to specific encampments to assure regular and consistent engagement
 - Weekly encampment waste services
 - By homeless services partner Downtown Streets Team
 - Mitigate health and safety issues at encampments
 - Also serves as an additional tool to engage with folks in the encampment
 - Coordination with Caltrans and Redwood City Police Department
- RWC Coordinated Interagency Homeless Outreach Team and Strategy
 - Began as a convening to provide feedback and guidance to the City on how to support the needs of our unsheltered population during COVID
 - Now a Redwood City-specific group focused on the needs and strategies for supporting unsheltered homeless individuals in our community – especially those living in encampments and not accessing CES on their own
 - LifeMoves as coordinator and lead in partnership with WeHOPE, Downtown Streets Team, Street Life Ministries, and Nation’s Finest
 - Homelessness Engagement Assessment and Linkage (HEAL) mental health clinician assigned to Redwood City
 - Utilizing a by-name list approach for individuals in encampments as well as on the street or in vehicles with the baseline to be established with citywide one day count in late January 2023
 - Hotel respite pilot
 - An additional tool to help stabilize individuals who may be experiencing health and behavioral health related issues
 - Will also bridge individuals into services, shelter, and or housing
- On-demand shelter pilot

	<ul style="list-style-type: none"> ○ As an adjunct to CES, “on demand” shelter access would be available to homeless outreach workers and public safety personnel in Redwood City when CES is not operating (after hours and on weekends) or to support individuals who due to special circumstances are unable to successfully access CES ○ Currently have 5 on-demand cots at Maple Street. When Maple closes and the Navigation Center opens, will continue to have on-demand cots. ● Partnering with mainstream systema <ul style="list-style-type: none"> ○ HSA and COH ○ Aging and Adult Services ○ BHRS ● Areas for innovation and feedback <ul style="list-style-type: none"> ○ Housing subsidy fund – a short-term complement to permanent housing options. How would this fund work? Still vague. <ul style="list-style-type: none"> ▪ Juan: Would likely benefit the undocumented population. ○ Supporting folks to remain housed – Add 2 more case managers. Gives us greater capacity for follow-up after people get housed. <ul style="list-style-type: none"> ▪ Giselle: At Daybreak, we serve youth. We get them housed, but they are young, their income is not high. Difficult to stay housed, get evicted because they cannot afford rent during the winding down process of RRH. ○ Other thoughts or feedback about our approach <ul style="list-style-type: none"> ▪ Bill: it takes several touchpoints to engage people into CES. Do you have data on demographics that could be used? <ul style="list-style-type: none"> ● Teri: In April 2021, RWC conducted their own ODC. We went out and counted/surveyed people and collected demographic information. Plan to do again in March. Survey portion will be primarily conducted in encampments. ○ If you come up with other ideas after this meeting, please reach out to Teri! We’re open to all ideas. <ul style="list-style-type: none"> ▪ Teri Chin, Homeless Services Manager/Human Services Manager in City of Redwood City ▪ 650-780-7510 ▪ tchin@redwoodcity.org
HOME-ARP	<ul style="list-style-type: none"> ● SMC HOME Consortium was allocated \$5 million of HOME-ARP funds on a one-time basis <ul style="list-style-type: none"> ○ County must submit a plan for the one-time funds limited to specific Eligible Activities for specific Qualifying Populations

Jan Stokley
(Department of
Housing)

- Plan must be submitted to HUD by March 31 or funds are forfeited
- Contracts for HOME-ARP activities must be spent within 4 years and all funds entirely spent by 9/30/2030
- Plan should identify needs and gaps among qualifying population, and prioritize implementing activities that fit with capacity to implement successfully in a short time frame
- Eligible activities
 - Production or preservation of affordable rental housing
 - Tenant-based rental assistance
 - Supportive services, homeless prevention services, and housing counseling
 - Purchase and development of non-congregate shelter
 - Nonprofit operating and capacity building assistance
- Qualifying population
 - People experiencing homelessness (HUD definition)
 - At-risk of homelessness (HUD definition)
 - Individual or family who is fleeing, or attempting to flee, or experiencing domestic violence, dating violence, sexual assault, stalking, or human trafficking (HUD definition)
 - Other populations include formerly homeless individuals or families who require services or housing assistance to prevent recurrence of homelessness or those at greatest risk of housing instability (e.g., annual income below 30% of median family income and experiencing severe cost burden).
 - Veterans and Families that include a Veteran Family Member that meet the criteria of one of the QPs above.
- Primary findings
 - Needs are significant across all qualifying populations
 - “All the qualifying populations need all the eligible activities”
 - Permanent affordable rental housing with rent based on 30% of actual household income was the most consistent need identified by stakeholders serving all qualifying populations.
 - There is an estimated gap of 27,000 affordable rental units to households in San Mateo County making less than or equal to 50% AMI.
 - Because of the county’s high area median income, affordable units targeted at households making 50% AMI, and even 30% AMI, are unaffordable for many in the qualifying populations.
 - HOME-ARP funding can be incorporated into County RFPs for affordable housing funds and deployed quickly, prioritizing projects most ready to start construction.
 - HOME-ARP funding will leverage other affordable housing finance funds.

	<ul style="list-style-type: none"> ○ HOME-ARP funding can create rental units that are permanently affordable for people who cannot otherwise qualify for “affordable” housing. ● Proposed HOME-ARP allocation: <ul style="list-style-type: none"> ○ 85% toward development of affordable rental housing ○ 15% toward administration and planning ● Community impact <ul style="list-style-type: none"> ○ Award \$150K to \$200K per HOME-ARP unit <ul style="list-style-type: none"> ▪ Subsidizing between 22 and 29 additional units of affordable rental housing that cost about \$1 million/unit. ○ Leverage approximately \$850,000/unit of other state, federal, and local housing funds ○ Create 22 to 29 units with rent based on 30% of actual household income <ul style="list-style-type: none"> ▪ These units are very difficult to create without HOME-ARP funds. ○ Leverage existing RFP processes for local housing funds <ul style="list-style-type: none"> ▪ Without the need to develop a new system for a one-time funding allocation. ● Public hearing <ul style="list-style-type: none"> ○ Board of Supervisors meeting tomorrow ○ All public comments are subject to a 2-minute time limit unless otherwise determined by the Chair. ○ If you wish to submit written public comment, please send an email to Frankie Lewington at frankie@rootpolicy.com. Please indicate the corresponding agenda item name in the subject line of your email. ● Group discussion: <ul style="list-style-type: none"> ○ Bill: With the current property managers and housing organizations out there, what was their feedback about this? Are they willing to do this? <ul style="list-style-type: none"> ▪ Jan: This would have them screen all referrals and prioritize people who are homeless. Developers would also have to identify the need of 30%-based rent. We need to convince developers that we can make it work. ○ Bill: A limiting factor to get chronically homeless people in is their lack of credit score or low credit score. <ul style="list-style-type: none"> ▪ Jan: By making funds available to developers to bring the rent down, we can also get them to lower the barriers to entry. They have to agree to these low barriers to get access to funds.
<p>Opportunity for LEAG members to</p>	<ul style="list-style-type: none"> ● Planning to host 3 sessions with providers in April (meeting dates TBD) <ul style="list-style-type: none"> ○ Some topics: LEAG establishment and role, what their current practice is to incorporate lived experience

<p>participate in planning for and taking part in leading provider Lived Experience working group Khalia Parish (HSA)</p>	<ul style="list-style-type: none"> ○ 2 workgroups lead by Homebase to reflect on the actual mechanisms they're using and ways to improve • Participation in the sessions would look like: <ul style="list-style-type: none"> ○ Facilitate breakout rooms, sharing your experience/perspective, helping plan the questions and prompts for the sessions • Question: <ul style="list-style-type: none"> ○ Bill volunteered. ○ Giselle: I'm interested but also very busy, so I'm not sure of my capacity to help. <ul style="list-style-type: none"> ▪ Khalia: We can loop back when we have a more concrete idea of the time commitment.
<p>Regular Meeting Times</p>	<ul style="list-style-type: none"> • Thank you, everyone who completed the poll with their availability. • We're finding that there is not one time that works for everyone, so we'll send out a second poll. <ul style="list-style-type: none"> ○ Current tie: 4th Monday, 1-2:30pm or 3rd Tuesday 9-10:30 • Giselle: Do we need a set recurrence, or could we alternate? Like one month is a Monday, and the next is a Tuesday? Creates an opportunity for people to attend who cannot make the set time. <ul style="list-style-type: none"> ○ Juan and Ricky agreed. • If agenda does not fill the full 1.5hr time, then we will shorten to 1hr. • Upcoming alternates: <ul style="list-style-type: none"> ○ March: fourth Monday ○ April: third Tuesday
<p>LEAG Officer Elections</p>	<ul style="list-style-type: none"> • Danny expressed interest in Chair/Vice Chair (both model and position) • Keith motioned that we select Chair-VC and select Danny <ul style="list-style-type: none"> ○ Juan seconded ○ All approved • We will continue to pursue a Vice Chair.
<p>Closure</p>	<p>Meeting adjourned at 4:05pm.</p>
<p>Next Meeting</p>	<p>March 27, 2023, 3-4:30pm</p>

San Mateo County Continuum of Care **Lived Experience Advisory Group Charter**

Revised August 15, 2023

I. Purpose of this Document

This document will outline the San Mateo County Continuum of Care’s Lived Experience Advisory Group’s purpose and operations, who may participate, and expectations of members and leaders.

II. Names and Abbreviations

The San Mateo County Continuum of Care’s Lived Experience Advisory Group shall hereinafter be referred to as “LEAG”. The San Mateo County Continuum of Care shall be hereinafter referred to as “CoC”. The San Mateo County Human Services Agency’s Center on Homelessness shall hereinafter be referred to as “CoC Lead Agency”.

III. History and Purpose of LEAG

At its September 27, 2022, meeting, the CoC Steering Committee approved the addition of LEAG as an official CoC Subcommittee to function in an advisory capacity to the CoC and CoC Steering Committee.

LEAG was created to ensure that the voices and perspectives of individuals with current and/or past lived experience of homelessness are heard and considered in the decision-making process of the CoC. LEAG also provides a mechanism for the sharing of recommendations and feedback to the CoC and its programs and services.

LEAG will function only in an advisory capacity to the CoC Steering committee and has no direct policymaking authority. LEAG may also be called on to collaborate with and/or support other boards and committees of the CoC for the purposes of evaluation and systems improvement.

IV. Responsibilities of LEAG

LEAG is key to developing a homeless response system that provides fair and effective services to those most vulnerable in our population. LEAG will be responsible for making recommendations for improvement, providing input on development, and sharing feedback on improving the quality and types of services provided.

LEAG responsibilities include:

- A. Supporting the development of policies and procedures which impact homeless services in San Mateo County.
- B. Ensuring that the CoC is supporting programs, policies, and procedures that are mindful of and take into consideration the expertise of people with lived experience.
- C. Creating forums and other meetings to engage persons with lived experience in the community.

- D. Assisting in the facilitation of focus groups that provide feedback on the homeless response system and specific issues to the CoC.
- E. Providing annual trainings on issues related to people with lived experience of homelessness or at risk of homelessness to the CoC in collaboration with the CoC Lead Agency.
- F. Providing guidance to the CoC on matters of lived experience.
- G. Working with the CoC Steering Committee and the San Mateo County Human Service Agency's Center on Homelessness to fulfill its responsibilities.

V. Meetings

- A. Regular meetings will be held on a monthly basis. Meetings will be held at a time of day agreed upon by members as most convenient. LEAG will schedule additional meetings as needed at the recommendation by the CoC Board.
- B. Trainings are scheduled as needed or as opportunities arise.

VI. LEAG Membership

- A. LEAG is comprised of members of the community with lived experience. LEAG is supported by staff from San Mateo County Human Services Agency's Center on Homelessness.
- B. LEAG membership will be advertised and promoted to recruit members to LEAG to fill vacancies.
- C. Each new LEAG member will be required to review the New Member Orientation materials, including the CoC Steering Committee Charter, and this document (LEAG Charter) before serving as an Advisory Committee member.
- D. LEAG membership may include, but is not limited to, representatives from San Mateo County- and CoC-funded agencies.
- E. LEAG members must comply with the Conflict-of-Interest Policy of the CoC.
 - a. Conflict of interest is defined as a situation in which decisions made in a person's official capacity may result in personal benefit or harm. A member who has a conflict of interest should disclose the potential conflict to the other members and must abstain from participating in any vote or decision making that implicates the conflict.
- F. LEAG members must be persons with lived experience of homelessness, ideally in San Mateo County, and will be elected by members of LEAG at a meeting where a quorum exists.
- G. LEAG will consist of no more than 21 members, including the Chair and Vice Chair.
- H. Time Commitment by Members

- a. It is anticipated that rank-and-file members will spend approximately 15 minutes per month outside of the monthly meetings.

I. The CoC aims to build a diverse and inclusive LEAG. As such, the membership of LEAG should also be representative of the different regions within San Mateo County and subpopulations that experience homelessness. In keeping with the total of 21 members, one member may represent multiple categories. The following representation within LEAG is **highly desirable**:

- a. Individual who experienced homelessness within *the Coastsides region* (Pacifica through Pescadero, including unincorporated coast, and including La Honda and surrounding parks).
- b. Individual who experienced homelessness within *the Central Bayside region* (Redwood City and Emerald Lake Hills through Burlingame).
- c. Individual who experienced homelessness within *the North Bayside region* (Millbrae and north).
- d. Individual who experienced homelessness within *the South Bayside region* (including Menlo Park, North Fair Oaks, Atherton, Woodside, West Menlo Park, Portola Valley, and East Palo Alto).
- e. Individual who experienced homelessness as part of a family (*household with adult(s) and minor child(ren)*).
- f. Individual who experienced homelessness and served in the U.S. Armed Forces (*veterans*).
- g. Individual who experienced homelessness and is age 18 to 24 (*transition-age youth*).
- h. Individual who experienced homelessness and is age 60 or older.
- i. Individual who experienced homelessness because of *domestic violence*.
- j. Individual who experienced homelessness and represents the *LGBTQ* community.
- k. Individual who experienced homelessness and represents the *BIPOC (Black, indigenous, and other people of color)* community.
- l. Individual who experienced homelessness and represents behavioral health or disabling conditions.
- m. Individual who has previously been incarcerated.

J. Leadership

- a. LEAG will be chaired by the member elected in an official meeting where a quorum exists. In coordination with the elected Chair, LEAG will nominate and elect a Vice Chair.
- b. Responsibilities of LEAG Chair
 - i. Establish meeting agendas in collaboration with the CoC Lead Agency.
 - ii. Facilitate and coordinate meetings of LEAG in collaboration with the CoC Lead Agency.

- iii. Participate in selection of speakers and presentations for monthly LEAG meetings.
- iv. Provide reports and carry forward recommendations from LEAG to the CoC Steering Committee.
- c. Responsibilities of LEAG Vice Chair
 - i. Maintain regular meeting attendance.
 - ii. Remain abreast of issues that are important to LEAG.
 - iii. Act as Chair in the absence of LEAG Chair.
- d. Time Commitment of Chair/Vice Chair
 - i. It is anticipated that the LEAG Chair will spend up to 2 hours of time each month outside of the monthly meetings.
 - ii. It is anticipated that the LEAG Vice Chair will spend up to 2 hours of time each month outside of the monthly meetings when the LEAG Chair is unavailable.
- e. Additional leadership positions, such as Secretary, Treasurer, and/or Membership Coordinator may be added as deemed desirable by LEAG following an election by a quorum of members in which it is decided to do so.

K. Maintaining Membership

- a. Resignation
 - i. If a member chooses to voluntarily resign from the Advisory Committee, the member should provide notice to the CoC Lead Agency as soon as possible in writing. The CoC Lead Agency will then communicate the resignation to the LEAG Chair and membership.
- b. Removal
 - i. Attendance-Based Removal: If a member should miss 3 LEAG meetings in a row, then that member may be presumed to have resigned and be dismissed. In this situation, a majority vote of members present may dismiss the missing member. Before dismissing such a member, other members and Lead Agency staff should attempt to get into contact with the individual and resolve the situation in a manner in line with the missing member's desired outcome if possible.
 - ii. Other: A member may be removed from LEAG through vote to remove by two-thirds of all current Advisory Committee members. The member at issue does not participate in the vote and must be out of the room while voting takes place.

VII. Voting

- A. Quorum** describes the number of members who need to be present for decisions to be made, to take action in regard to conducting business, making recommendations, or for other activities to occur, and is hereby defined as one third of the total membership at the time of the vote or action.
- B.** For a vote to be held, or for any activity described in VII-A 9 (above), a majority vote of those members in attendance and voting is required to take any action.
- C.** Voting by email may be employed as deemed appropriate by the LEAG Chair and CoC Lead Agency.
- D.** Each member will be entitled to one vote; no proxy votes will be accepted. No quorum is needed to hold a meeting, but quorum is needed to make decisions affecting the whole group.
- E.** Conflict of interest is defined as a situation in which decisions made in a person's official capacity may result in personal benefit or harm. A member who has a conflict of interest should disclose the potential conflict to the other members and must abstain from participating in any vote or decision making that implicates the conflict.

VIII. Compensation

- A.** All members who are not separately compensated for their time associated with participation in LEAG (e.g., via an employer) are eligible to request compensation. The following LEAG activities are eligible for compensation at the rate of \$20 per hour:
 - a. Attending the LEAG Orientation
 - b. Attending the monthly meeting of LEAG
 - c. Up to 15 minutes per month preparing for monthly meeting (non-leadership)
 - d. Up to 2 hours preparing for monthly meeting (leadership)
 - e. Attending meetings on behalf of LEAG when approved in advance by both LEAG and the Lead Agency
- B.** As suits the Lead Agency, gift cards, checks, or directly deposited funds may be provided at the rates described above.

1D-2a. Housing First Evaluation

Included are:

1. Screenshot of HMIS data report on percentage of permanent housing referrals denied or declined since July 2022, used by the CoC Lead Agency outside of the CoC competition process to monitor all PH programs' compliance with housing first principles at the point of referral from Coordinated Entry to permanent housing programs.
2. Screenshot of HMIS data report on outcomes of permanent housing referrals since July 2022, used by the CoC Lead Agency outside of the CoC competition process to monitor all PH programs' compliance with housing first principles at the point of referral from Coordinated Entry to permanent housing programs.
3. Example evaluation of one CoC-funded project conducted outside of the CoC competition process. There were no findings on Housing First.

CES PH Referral Denial Reasons by Program

Run Edit

Filters (5) Referrals Date is on or after 2022/07/01 Referrals Deleted (Yes / No) is No Referrals Referring Agency is "System" Referto Programs Project Type Code is "PH - Rapid Re-Housing" or "PH - Permanent Supportive Housing (disability required)" or "PH" Reset Link | Explore from Here

Visualization

Data Results SQL Row Limit 500

Referrals Denied Reason	Client did not show up or call	Client out of Jurisdiction	Client previously received service	Client refused service	Lack of Eligibility	Other	Referral time expired	Self Resolved - Client Housed	Referrals Count
Referto Programs Agency Name ↑	Referto Programs Name ↑	Referrals Count	Referrals Count	Referrals Count	Referrals Count	Referrals Count	Referrals Count	Referrals Count	Referrals Count
1 Abode Services	Abode ESG-CV RRH	0	0	0	0	0	0	0	35
2 Abode Services	Abode HDAP Measure K Rapid Re-Housing	0	0	0	0	0	0	0	1
3 Abode Services	Abode HDAP Rapid Re-Housing	0	0	0	0	0	0	0	261
4 Abode Services	Abode HSP Rapid Rehousing	0	0	0	0	0	0	0	1
5 Abode Services	Abode Rapid Rehousing	0	0	0	0	0	0	0	206
6 Housing Authority	Emergency Housing Voucher	1	0	1	1	3	0	2	9
7 Housing Authority	Housing Readiness Program-NEW	2	1	0	2	4	3	3	19
8 Housing Authority	Permanent Supportive Housing Consolidated (SP19)	0	0	0	0	0	1	0	15
9 LifeMoves	HUD Rapid Re-housing	0	0	0	0	0	0	0	31
10 LifeMoves	LifeMoves ESG-CV RRH	0	0	0	0	0	0	0	14
11 LifeMoves	Savings and Financial Education (SAFE)	0	0	0	0	0	0	0	32
12 MHA-Mental Health Association of San Mateo	SAYAT-Support and Advocacy for Young Adults in Transition	0	0	0	0	0	0	1	2
13 Nation's Finest	SSVF Level 2 RRH	0	0	0	0	2	3	0	2
14 StarVista RHY Agency	Rapid Re-housing Services for Youth	0	0	0	0	0	0	0	2
Total		3	1	1	3	9	7	6	629

CES PH Referral Outcomes - Denials ♥

14 rows · from cache · 6m ago

[Run](#) [Edit](#)



[Filters \(5\)](#)
[Referrals Date is on or after 2022/07/01](#)
[Referrals Deleted \(Yes / No\) is No](#)
[Referrals Referring Agency is "System"](#)
[Referto Programs Project Type](#)
[Reset Look](#) | [Explore from Here](#)

▼ Visualization

Agency Name	Status	Denied		Total
	Name	Referrals	Percent of row	Referrals
Abode Services	Abode ESG-CV RRH	0	0	35
Abode Services	Abode HDAP Measure K Rapid Re-Housing	0	0	1
Abode Services	Abode HDAP Rapid Re-Housing	0	0	261
Abode Services	Abode HSP Rapid Rehousing	0	0	1
Abode Services	Abode Rapid Rehousing	0	0	206
Housing Authority	Emergency Housing Voucher	4	24%	17
Housing Authority	Housing Readiness Program-NEW	11	33%	33
Housing Authority	Permanent Supportive Housing Consolidated (SP19)	1	6%	16
LifeMoves	HUD Rapid Re-housing	0	0	31
LifeMoves	LifeMoves ESG-CV RRH	0	0	14
LifeMoves	Savings and Financial Education (SAFE)	0	0	32
MHA-Mental Health Association of San Mateo	SAYAT-Support and Advocacy for Young Adults in Transition	1	33%	3
Nation's Finest	SSVF Level 2 RRH	6	75%	8
StarVista RHY Agency	Rapid Re-housing Services for Youth	0	0	2
Totals		23	3%	660

Technical Assistance Visit Report: LifeMoves

Meeting Details

Meeting Date: March 14th, 2023

Meeting Participants:

- LifeMoves: Haley Aniceta Eligio, Joey Kemler, Anneliese Gretsche Martinez, Jill Hroziencik, Jacob Stone, Steve Carey, Alex Fabbiani, Joel Hanson, Vanessa Hurtado
- HSA: Khalia Parish
- Homebase: Joy Balinbin, Max Discher, Eli Hamilton, Alex Michel

Discussion

Thank you again for taking the time to meet with us to discuss compliance for your Continuum of Care programs. We appreciate the opportunity to learn more about the work your programs are doing to serve households experiencing homelessness in San Mateo County. We look forward to continuing to work with you on the challenges and opportunities identified during the conversation and hope to serve as an ongoing resource to support you in your crucial contribution to ending homelessness in the community. The following is a summary of issues found in the LifeMoves files including client files, match documentation, and agency policies and procedures. In our compliance review, a total of seventeen checklist items were considered while reviewing client files, three checklist items were considered when reviewing match documentation, and eighteen checklist items were considered when reviewing agency policies and procedures.

Issues

Homebase reviewed three project client files – one from a Transitional Housing project, one from a Rapid Rehousing project, and one from a Permanent Supportive Housing project. In reviewing the files, Homebase found the following issues:

- **VAWA Documentation:**
 - TH file:
 - Missing proof that participants received the Notice of Occupancy Rights under VAWA
 - Missing VAWA addendum
 - Missing required VAWA protection language in rental agreements and housing contracts
 - PSH file:
 - Missing VAWA addendum
 - Missing required VAWA protection language in rental agreements and housing contracts
- **Verification Homeless Status for PSH:** The PSH client file was missing documentation of where the client slept the night before they entered the program.
- **Disability Verification for PSH:** In the PSH client file, it is unclear if SSI received is due to client's age (65+) or because of disability.
- **Participant's Rent Responsibility:** The RRH client file is missing initial review of income documentation.

Homebase's Recommendations

- **VAWA documentation:**
 - Although it is not required that tenants sign forms to confirm the Notice of Occupancy Rights under VAWA form was received, Homebase recommends that organizations keep note in the client file that records when clients were given the form. More information about this requirement can be found here: <https://www.federalregister.gov/d/2016-25888/p-1110>. Note that clients should receive the form:
 - At the time an applicant is denied assistance or admission,
 - At the time the household is provided assistance or admission, and
 - With notice of termination of assistance or eviction.
 - There are also requirements that VAWA requirements be included in the rental agreements. Specifically:
 - VAWA protections should be outlined in all rental agreements/housing assistance contracts with private housing owners and manager, or

- A VAWA addendum outlining required VAWA protections should be included in the client file.
- Regarding Vendome: transitional housing programs that utilize occupancy agreements must comply with the VAWA requirements according to the Interim rule. See section [578.99\(j\)\(1\)](#) which states: *Protections for victims of domestic violence, dating violence, sexual assault, or stalking—*
(1) *General.* The requirements set forth in 24 CFR part 5, subpart L (Protection for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking), implementing the requirements of VAWA apply to all permanent housing and **transitional housing** for which Continuum of Care program funds are used for acquisition, rehabilitation, new construction, **leasing**, rental assistance, or operating costs.
- **Verification of Homelessness Status for PSH:** The PSH client file should include documentation of where the client slept the night before they entered PSH.
 - Note that general guidance for the “night before” allows for 14 days before entering the program.
 - The easiest way to document this is by providing documentation of the date when the client entered the program and documentation of where the client slept the night before entering the program. See HUD’s [At a Glance: Criteria and Recordkeeping Requirements for Definition of Homeless](#) for guidance on types of acceptable documentation for verifying homelessness.
 - While HMIS is an eligible source for third-party documentation, HMIS client records should be exported from HMIS and included in the physical client file to be in compliance.
- **Disability Verification for PSH:** The PSH client file should include documentation of a client’s eligible disability. Even if the disability has been verified through CES and documentation exists in HMIS, the verification of disability must also be in the client file. Documentation that the disability meets HUD’s definition of disability must be included in the client file.
 - See HUD’s [disability definition](#).
 - See HUD’s [Verification of Disability form](#)
- **Participant’s Rent Responsibility:** Please ensure that initial review of income is in each client file.

Match

Issues

- None

Lifemoves' Response

- N/A

Homebase's Recommendations

- N/A

CoC Program Compliance

Issues

Homebase reviewed twenty documents in total, covering CoC requirements for Agency Policies and Procedures, and Monitoring and Compliance. In reviewing the files, Homebase found the following issues:

- **Fair Housing** (Document AD 04): CoC-funded programs are required to Affirmatively Further Fair Housing, according to CoC rules found at 24 CFR § 578.93(c). The policy reviewed omits LifeMoves' permanent housing (PSH/RRH), speaking only to interim housing programs. LifeMoves' policy does not:
 - Mention information on how LifeMoves will notify the appropriate jurisdiction of violations of the Fair Housing Act.
 - Make clear how clients are informed of their rights and remedies available under the Fair Housing Act.
- **Termination Policy** (Document AD 05): CoC-funded programs are required to instate participant termination policies that include written notice requirements in 24 CFR 576.402(b).

Lifemoves' Response

- Agency Policies and Procedures
 - **Fair Housing – Information to Appropriate Jurisdiction:** The policy submitted relates specifically to interim housing, but LifeMoves is never the landlord for its permanent housing projects. Though the document was built out specifically for interim housing, these policies are applied broadly to all housing programs.

In addition, LifeMoves does report Fair Housing violations in practice, although not explicitly stated in policies.

- **Termination Policy:**
 - *Notices of Noncompliance:* LifeMoves runs a variety of program types, and needs to clarify for which programs these policies apply. The specific policies in question were designed for shelter programs. San Mateo CoC LEAG and LifeMoves' LEAB are presently working with LifeMoves to adopt new guidelines on this issue.

Homebase's Recommendations

- Agency Policies and Procedures
 - **Fair Housing – Information to Appropriate Jurisdiction:** LifeMoves should add language to AD 08 that extends the policy to cover permanent housing. In addition, to ensure compliance with Affirmatively Furthering Fair Housing requirements, LifeMoves should add language regarding the existing practice of referring Fair Housing violations to the appropriate jurisdiction covering the location of the affected housing.
 - **Termination Policy:**
 - *Notices of Noncompliance:* Homebase recommends that terms beyond those found in a standard lease agreement be removed from records pertaining to LifeMoves' permanent housing projects. Alternately, at minimum, additional language in AD 05 should clarify that these policies will never be used as grounds for a client's program termination.

1E-1. Web Posting of Local Competition Deadline

This attachment includes two screenshots, dated July 21, 2023, of the CoC Lead Agency's webpage where the 2023 CoC local competition was launched and the local competition deadline of August 21, 2023, is stated.

2023 Continuum of Care NOFO (Notice of Funding Opportunity)

On July 5, 2023, the U.S. Department of Housing and Urban Development (HUD) published the [Notice of Funding Opportunity \(NOFO\)](#) for the Continuum of Care Homeless Assistance Program.

The NOFO establishes this year's funding criteria for the Continuum of Care (CoC) Homeless Assistance Programs (sometimes also referred to as the McKinney-Vento Homeless Assistance Act programs). A summary of highlights from the NOFO is provided in the document below.

The San Mateo County Human Services Agency, as the CoC Lead Agency, must develop the local competition timeline and application materials. Information is posted below, and this page will be updated with additional information as it becomes available. Please check back frequently for new information.

If you have any questions about the NOFO process, please send them to HSA's Center on Homelessness (HSA_Homeless_Programs@smcgv.org), Hana Gossett (hana@focusstrategies.net), and Vanessa Fenley (vanessa@focusstrategies.net). Please send questions to all three contacts in order to receive the timeliest response possible.

Applicant Information Session

Applicants seeking new or renewal funding should attend the applicant information session via **Zoom on July 27, 2023, from 10 am to 11 am**. This session will provide information about the process to apply for funding and key updates about the Continuum of Care process and expectations.

Please register for the Zoom meeting on July 27, 2023, at 10 am using this link: <https://smcgv.zoom.us/join/1jYpd0jq8sHdSd8lSslhH10mMGkUkBJfr>

[NOFO Highlights](#)

[Applicant Information Session Slides \(Coming Soon\)](#)

[Applicant Information Session Questions and Answers \(Coming Soon\)](#)

New Project Applications

New project applications are due to be submitted on August 21, 2023, by 5:00 p.m. to HSA_Homeless_Programs@smcgv.org and Hana Gossett hana@focusstrategies.net.

Information about the funding available and the application process may be found in the document below titled "Availability of New Project Funding 2023 Annual CoC NOFO". The application template is available below titled "New Project Narrative Application Template 2023". Guidance on completing the eSnaps application will be coming soon and will also be available on the [HUD CoC Competition Webpage](#).

Information about the funding available and the application process may be found in the document below titled "Availability of New Project Funding 2023 Annual CoC NOFO". The application template is available below titled "New Project Narrative Application Template 2023". Guidance on completing the eSnaps application will be coming soon and will also be available on the [HUD CoC Competition Webpage](#).

[Availability of New Project Funding 2023 Annual CoC NOFO](#)

[New Project Narrative Application Template 2023](#)

Estimated New Project Funding Available*

Estimated CoC Bonus Funding	~ \$991,534
Estimated DV Bonus Funding	~ \$353,387

We expect that HUD will release the official amount of funding available for CoC Bonus Funding and DV Bonus Funding at the end of July 2023. The above estimate for CoC Bonus Funding is based on the estimated Annual Renewal Demand for the San Mateo County CoC and the estimate for the DV Bonus Funding is based on the amount the County was eligible for in the 2022 Competition. **Final amounts will be posted on this page and emailed to the CoC when HUD posts the CoC Estimated ARD report on the HUD CoC Competition Webpage.*

Renewal Project Applications

Renewal project applications are due to be submitted on August 21, 2023, by 5:00 p.m. to HSA_Homeless_Programs@smcgov.org and Hana Gossett hana@focusstrategies.net.

Information about the renewal process may be found in the document below titled "Information for Renewal Applications 2023 Annual CoC NOFO". More information about the Renewal Project Performance Report and Supporting Questions will be provided by HSA directly to renewal applicants. Guidance on completing the eSnaps application will be coming soon and will also be available on the [HUD CoC Competition Webpage](#).

[Information for Renewal Applications 2023 Annual CoC NOFO](#)

2023 Project Review and Ranking Process

The Project Review and Ranking Process for 2023 is also available below, titled "2023 Annual NOFO Project Review and Ranking Process FINAL" This document was approved by the CoC Steering Committee on July 20, 2023.

[2023 Annual NOFO Project Review and Ranking Process FINAL](#)

1E-2. LOCAL COMPETITION SCORING TOOL

Per HUD's Detailed Instructions, these documents comprise the required Local Competition Scoring Tool attachment.

Included are:

Section 1: Maximum Points Available and Specific Criteria detail from Review and Ranking Policy

Section 2: Points awarded to individual project applications for each criterion

**ATTACHMENT B
SCORING FACTORS AND CALCULATIONS FOR RENEWAL PROJECTS**

The scoring system for renewal projects is based on objective criteria, including a consideration of past performance as demonstrated by the project APR, HMIS data, budget data, CoC Project Applications, and supplemental project narratives. The scoring system also takes into consideration the severity of needs and vulnerabilities experienced by program participants, and the extent to which projects are aligned with Housing First principles (low barriers to participation, no service participation requirements or preconditions, etc.).

Projects applying for consolidation will each be scored and ranked separately, as per HUD requirements.

Scoring Factor		Maximum and Minimum Scores		
		TH	RRH	PSH
1	1a. Exits to Permanent Housing (up to 15 pts)	Exceeds standard by more than 10% = 15 points Meets standard or exceeds by up to 10% = 9 points Within 10% of standard = 6 points More than 10% below standard = 0 points		Not Applicable
	1b. Exits to Permanent Housing/Retain Housing (up to 15 pts)	Not Applicable		Exceeds standard by more than 10% = 15 points Meets standard or exceeds by up to 10% = 10 points Within 10% of standard = 6 points More than 10% below standard = 0 points
2	Length of Stay (up to 4 pts)	< 108 days = 4 points 108 – 120 days = 2 points > 120 days = 0 points	Not Applicable	
3	Returns to Homelessness (up to 4 pts)	Achieves standard = 4 points		Not Applicable
4	Increased Employment Income (up to 4 pts)	> 20% = 4 points 15 – 20% = 3 points 10 – 14% = 2 points < 10% = 0 points		Not Applicable

Scoring Factor		Maximum and Minimum Scores		
		TH	RRH	PSH
5	Increased Non-Employment Income (up to 6 pts)	> 20% = 6 points 15 – 20% = 4 points 10 – 14% = 2 points < 10% = 0 points		> 15% = 6 points 10 – 15% = 4 points 5 – 9% = 2 points < 5% = 0 points
6	Utilization Rate (up to 6 pts)	90% or greater = 6 points 85 – 89% = 2 points < 85% = 0 points	Not Applicable	90% or greater = 6 points 85 – 89% = 2 points < 85% = 0 points
7	CoC Grant Spending (up to 6 pts)	95% or greater = 6 points 90 – 94% = 3 points < 90% = 0 points		90% or greater = 6 points 85 – 89% = 3 points < 85% = 0 points
8	HMIS Data Quality (up to 6 pts)	All Data Elements Less Than 5% Missing/Don't Know = 6 points 1-2 Data Elements More Than 5% Missing/Don't Know = 3 points More Than 2 Data Elements More Than 5% Missing/Don't Know = 0 points		
9	Housing First (up to 16 pts)	<p>Does the project ensure participants are not screened out based on the following criteria?</p> <p>A) Having too little or no income B) Active or history of substance use C) Having a criminal record with exceptions for state-mandated restrictions D) History of domestic violence</p> <p>If yes, then 0.5 points for each (possible total of 2 points).</p> <p>Does the project ensure that participants are not terminated from the program for the following reasons?</p> <p>A) Failure to participate in supportive services B) Failure to make progress on a service plan C) Loss of income or failure to improve income D) Being a survivor of domestic violence</p> <p>If yes, then 0.5 points for each (possible total of 2 points).</p> <p>Does the project have these Housing First approaches documented in the project manual or other project documentation?</p> <p>If yes, then 1.5 points for each approach are documented in submitted documents (up to 12 points).</p>		

Scoring Factor		Maximum and Minimum Scores		
		TH	RRH	PSH
10	Promoting Racial Equity (up to 6 pts)	<p>Has the project provider identified any barriers to participation faced by persons of different races and ethnicities, particularly those over-represented in the local homelessness population, and has or will take steps to eliminate identified barriers?</p> <p>Project has taken steps to identify whether there are barriers = 3 points Project has taken steps to address identified barriers or, if no barriers have been identified, to ensure the project promotes racial equity = 3 points Project has not taken any steps to identify or address barriers = 0 points</p>		
11	Documentation of Referral/ Enrollment Process (up to 6 pts)	<p>Does the project have policies and procedures for accepting and enrolling referrals from CES? Does the project have clear protocols for why referrals may be denied and for what reason? Does the project have these policies and procedures documented in project manual or other project documentation?</p> <p>Project has policies and procedures documented, including protocols for why referrals may be denied = 6 points Project has policies and procedures documented = 3 points Project does not have policies and procedures documented = 0 points</p>		
12	Grants Monitoring/ Compliance (up to 4 pts)	<p>a) Project submitted APR on time= 1 point If not = 0 points</p> <p>b) Project had sufficient LOCCS drawdown frequency for executed contracts (at least quarterly) = 1 point If not = 0 points</p> <p>c) Project did not return funds to HUD = 2 point If returned funds = 0 points</p> <p>d) Project serves CoC-eligible participants (as demonstrated in written policies/procedures on eligibility, screening, and admission) = 1 point If not = 0 points</p> <p>e) Serious unresolved compliance finding from HUD would result in up to 8 points subtracted from project's score</p>		

Scoring Factor		Maximum and Minimum Scores		
		TH	RRH	PSH
13	Cost Effectiveness for PH exits or PSH units (up to 7 pts)	Cost per exit to permanent housing is reasonable for project type = 7 points Cost per exit to permanent housing is not reasonable for project type = 3 points		Cost per unit served is reasonable for project type = 7 points Cost per unit served is not reasonable for project type = 3 points
14	Policy Priorities (up to 12 pts)	Not Applicable	Rapid Re-Housing = 10 points	Permanent Supportive Housing = 12 points
15	Engaging People with Lived Experience* (up to 5 pts)	Does the project have meaningful and impactful opportunities for people with lived experience to contribute to planning and evaluation, to develop policies and procedures, and to participate in decision-making structures and processes? Project has structures/opportunities for PLEH to contribute and participate = 3 points Project can demonstrate <i>how</i> input and expertise from PLEH has informed programmatic or organizational decisions = 2 points Organization has no opportunities for PLEH to engage and participate in decision-making = 0 points		
16	Connecting Participants to Health/ Behavioral Healthcare* (up to 5 pts)	Does the project ensure participants receive needed health and behavioral health services, including assisting participants with connecting with healthcare providers? Project has established processes and/or partnerships to connect participants to healthcare = 3 points Project can demonstrate participants are regularly connected to needed healthcare providers = 2 points Project does not connect participants to healthcare and has no processes to connect participants to healthcare = 0 points		
Maximum Score		100	100	100

* Scoring factors are newly scored items in 2023.

Methodology for Renewal Scoring Factors:

Factor 1 through 8 (Project Performance Standards): Data will be extracted from APR/Clarity/Looker/HUD Applications for each project for the period May 1, 2022 to April 30, 2023 to calculate these performance measures.

1a. Exits to Permanent Housing (TH and RRH): Calculated by dividing the number of households who exited to permanent housing (Q23c) by the total number of leavers (i.e., people who were exited from the program for any reason; Q22a1). If a program has not exited anyone from the program during the performance period, they will receive a score of 0. Scores may be adjusted by the Review Panel based on their supplemental project narrative explaining why they did not exit any households.

1b. Exits to Permanent Housing/Retained Permanent Housing (PSH): Calculated by dividing the number of households who retained permanent housing or exited to other permanent housing (sum of Q23c and Q22a1) by the total number of households served during the performance period (Q22a1).

2. Length of Stay (TH): Calculated by finding the average number of days all households who exited the program stayed in the program before leaving (Q22b).

3. Returns to Homelessness (TH and RRH): Calculated by dividing the number of households returning to homelessness within one year of when they exited the program to permanent housing. Households are identified as returning to homelessness based on whether they are re-enrolled in any program in the Homeless Management Information System serving people experiencing homelessness, including coordinated entry. This excludes programs providing homelessness prevention services.

4. Increased Employment Income (TH and RRH): Calculated by identifying the number of program participants in the performance period who left the program or were enrolled in the program for at least 12 months. Within that pool of participants, identify the number of participants with increased employment income. Divide the number of participants with increased employment income by the total pool of participants (leavers and those staying in the program at least 12 months; Sum of participants with increases in tables 19a1 and 19a2). Changes in employment income are measured between the latest documented statement of income in the performance period and the earliest documented statement of income for the household.

5. Increased Non-Employment Income (TH, RRH, and PSH): Calculated by identifying the number of program participants in the performance period who left the program or were enrolled in the program for at least 12 months. Within that pool of participants, identify the number of participants with increased non-employment income. Divide the number of participants with increased non-employment income by the total pool of

participants (leavers and those staying in the program at least 12 months; Sum of participants with increases in tables 19a1 and 19a2). Changes in non-employment income are measured between the latest documented statement of income in the performance period and the earliest documented statement of income for the household.

6. Utilization Rate (TH and PSH): For TH, calculated based on the average percentage of units filled from the daily CES tracker over the performance period. For PSH, calculated by dividing the number of units in use from the most recent Housing Inventory Count by the total number of units available identified in Question 4B of the e-snaps project application.

7. CoC Grant Spending (TH, RRH, and PSH): Calculated by dividing the total amount of The CoC award spent in the most recent year by the total CoC award. The amount of the award spent to be derived from a screenshot of the current grant expenditures in eLOCCS.

8. HMIS Data Quality (TH, RRH, and PSH): Calculated by recording the percentage of missing/don't know values for name (Q06a), race (Q06a), ethnicity (Q06a), gender (Q06a), veteran status (Q06b), disability condition (Q06b), income and sources at start (Q06c), income and sources at exit (Q06c) and destination (Q06c).

Factor 9: (Housing First): This will be based on how the applicant responds to the Questions in Section 3B of the e-snaps Project Application relating to Housing First, entry barriers, and service participation requirements. In addition, these items will be scored based on the project's documented program manual. The projects with written policies that clearly document low barriers and no service participation requirements will receive higher scores.

Factor 10: (Promoting Racial Equity): This will be scored based on the narrative response provided in the Project Performance Report.

Factor 11: (Documentation of Referral/Enrollment Process): This factor considers whether the project has policies and procedures for accepting and enrolling referrals from CES as well as if there are clear protocols for why referrals may be denied and for what reason. Scores will be based on the project's documented policies and procedures. The projects with comprehensive written policies and procedures will receive higher scores.

Factor 12: (Grants Monitoring/Compliance): Applicants will be scored based on their responses to the questions in Section 2B of the Project Application, to include: whether they submitted APR reports on time, have made sufficient LOCCS drawdowns, or have had any unspent grant funds returned to HUD. Applicants will be asked to submit their eligibility and screening policy/procedures to assess whether projects serve CoC-eligible populations. In addition, projects will lose points for having serious unresolved compliance findings from HUD.

Factor 13: (Cost Effectiveness): For TH and RRH projects, the measure will be calculated by dividing the total program budget by the number of households who exited to permanent housing. For PSH projects, the measure will be calculated by dividing total budget (as submitted by program) by the number of units/households in the project to arrive at an average cost per unit.

Factor 14: (Policy Priorities): This factor provides additional points for permanent housing projects (PSH and RRH).

Factor 15: (Engaging People with Lived Experience): This factor considers how projects engage people with lived experience throughout the program and organization and how projects use input from people with lived experience to inform programmatic and policy changes. Scores will be based on the narrative provided in the Project Performance Report.

Factor 16: (Connecting Participants to Health and Behavioral Healthcare): This factor considers what established processes or partnerships the project has to ensure participants are connected to needed healthcare services. Scores will be based on the narrative provided in the Project Performance Report.

DedicatedPLUS projects will not receive points for serving chronically homeless individuals because they do not only serve chronically homeless individuals.

DV projects operated by victim services providers will be rated and ranked using the same methodology as all other projects. DV providers will extract performance data from their HMIS comparable database to complete the project performance report.

ATTACHMENT C
SCORING FACTORS FOR NEW PROJECTS:
Re-Allocation, Bonus and DV Bonus Projects

The review panel may reject an application if threshold criteria are not met, including the following:

- Applicant is not eligible for CoC funds
- Applicant is applying for an ineligible project type
- Project does not serve an eligible population
- Project is not willing to participate in coordinated entry
- Project is not willing to use HMIS (or, for domestic violence [DV] survivor providers, a comparable data system)
- Project is not willing to incorporate identified healthcare leverage into project application or utilize healthcare services or resources once operational

Rating Factor	Score Range
<p>1. HUD System Performance Objectives and Strategies to Advance System Performance:</p> <p>a. The project identifies performance targets that contribute to advancing system performance measures.</p> <p>b. The project articulates how it will advance the system performance objectives set forth by HUD:</p> <ul style="list-style-type: none"> • Reduce new entries into homelessness • Reduce the length of time people are homeless • Reduce returns to homelessness • Increase participant income <p>c. Type, scale, location of the supportive services fit the needs of the program participants, are readily accessible, and advance system performance objectives. This includes services funded by the CoC grant and other project funding sources.</p> <ul style="list-style-type: none"> • For SSO projects, project describes how they will connect people to permanent housing and the coordinated entry system • For RRH projects, project meets National Alliance to End Homelessness (NAEH) RRH standards as outlined in Performance-Benchmarks-and-Program-Standards.pdf (endhomelessness.org) • For PSH projects, there are sufficient services to ensure participants are successfully supported to access and sustain housing • There is a specific plan to ensure participants are individually assisted to obtain the benefits of the mainstream health, social, and employment programs for which they are eligible • There is a specific plan to ensure participants are assisted to secure services from the healthcare system. • There is a specific plan to ensure participants are assisted to obtain and remain in permanent housing in a manner that fits their needs • There is a specific plan to ensure participants are assisted to increase their incomes and live independently 	0-25

Rating Factor	Score Range
<p>2. Program Planning</p> <ul style="list-style-type: none"> • Applicant has demonstrated how they will conduct ongoing assessment to ensure the project is promoting racial equity and described how they will take steps to address any identified disparities in how people of different races and ethnicities access the program, experience the program once enrolled, and the outcomes of the program • There is a specific plan to ensure there are no barriers to participation faced by persons of different races and ethnicities, particularly those over-represented in the local homelessness population • Applicant has described how the project will involve people with lived experience of homelessness in providing input on program planning and evaluation, development of policies and procedures, and decision-making structures and processes • For applicable housing programs (scattered site PSH, RRH, or TH-RRH), the applicant has described how they recruit and work with landlords 	0-10
<p>3. Appropriateness of Housing</p> <ul style="list-style-type: none"> • Type, scale, and location of the housing fit the needs of the program participants • Participants are assisted to secure housing as quickly as possible • Programs and activities are offered in a setting that enables homeless people with disabilities to fully interact with others without disabilities possible 	0-10
<p>4. Housing First Model</p> <ul style="list-style-type: none"> • Project will have low barriers to entry and does not screen out applicants based on having no or low income, active or history of substance use, criminal record (except for State mandated requirements), history of domestic violence) or lack of willingness to participate in services • Project prioritizes rapid placement and stabilization in permanent housing • Project will not terminate participation for: failure to participate in services, failure to make progress on service plan, loss of income or failure to improve income; being a survivor of domestic violence, or other activities not covered in the lease agreement 	0-15
<p>5. Timing</p> <ul style="list-style-type: none"> • Applicant has a clear plan to begin operations when the contract is executed. Within six months of contract execution may be awarded up to 10 points and within one year of contract execution may be awarded up to 5 points 	0-10
<p>6. Applicant Capacity</p> <ul style="list-style-type: none"> • Recent relevant experience in providing housing to people experiencing homelessness • Recent data submitted demonstrates strong performance for relevant services and/or housing provided • Relevant experience in operation of housing projects or programs, administering leasing or rental assistance funds, delivering services and entering data and ensuring high-quality data in a system (HMIS or a similar data system) 	0-10

Rating Factor	Score Range
<ul style="list-style-type: none"> • Organization has track record of involving people with lived experience of homelessness • Organizational and finance capacity to track funds and meet all HUD reporting and fiscal requirements • If application has sub recipients, applicant organizations have experience working together • Any outstanding monitoring or audit issues or issues are explained • For DV bonus project applicants: experience serving survivors of domestic violence, dating violence, sexual assault, or stalking, and ability to house survivors and meet safety outcomes. 	
<p>7. Financial Feasibility and Effectiveness</p> <ul style="list-style-type: none"> • Costs appear reasonable and adequate to support proposed program • Match requirement is met • Additional resources leveraged 	0-10
<p>8. Project Type Prioritization</p> <ul style="list-style-type: none"> • TH/RRH - 0 points • Supportive Services Only (SSO) Projects for Coordinated Entry for survivors of Domestic Violence - 0 points • Transition projects that create a new TH/RRH project through re-allocation- 3 points • PSH/DedicatedPLUS - 10 points • RRH – 10 points • PSH Dedicated to Chronically Homeless People – 20 points 	0-20
TOTAL	110
BONUS POINTS	
<p>In the FY 2023 NOFO, HUD will provide points in the overall CoC application for communities that include one or more permanent housing projects (PSH or RRH) on the Project Priority List demonstrating coordination with housing providers and health care organizations. To align with this HUD priority, bonus points will be awarded to new PSH or RRH projects with the following features:</p>	
<p><u>Bonus:</u> Project utilizes housing subsidies or subsidized housing units not funded through the CoC or ESG program, such as through private organizations, State or local government (including HOME funds from the American Rescue Plan), Public Housing Agencies, faith-based organizations or federal programs other than CoC or ESG.</p> <ul style="list-style-type: none"> • For PSH this should provide at least 25% of the units included in the project application. • For RRH this should serve at least 25% of the program participants anticipated to be served by the project, as noted in the project application. <p>This bonus is not available for other program types. To receive the bonus points, applicants must provide written documentation of commitment of resources from the housing provider.</p>	10
<p>To receive bonus points, applications must provide written documentation of commitment of resources from the housing or healthcare provider.</p>	
Maximum Total Bonus Points	10
Maximum Project Application Total	120

1E-2a. Scored Forms for One Project

This document is a renewal project scorecard for one project, representing the most common project type among renewal applications. Information from the Annual Performance Report and other HMIS data is used as part of the objective criteria for scoring each project.

**SAN MATEO COUNTY CoC
RENEWAL PROJECT SCORECARD
2023**

The San Mateo County CoC Project Review Panel met on August 31st to review the scores of all submitted renewal projects and determine the project priority list for this year’s CoC competition. This scorecard summarizes the breakdown of the score for your project. For each factor, the scoring rubric and standard are summarized in the grey boxes and then the specific project results for your project are provided in the white boxes. The total project score and rank are provided at the end of the scorecard.

General Information	
Reporting Period	May 1, 2022 – April 30, 2023
Grantee Name	LifeMoves
Project Name	Vendome
Project Type	Permanent Supportive Housing
Number of Beds/Units	12/12

Measure 1a: Exit to Permanent Housing (Up to 15 pts)			
Transitional Housing	Rapid Re-Housing	Permanent Supportive Housing	
<i>Exceeds standard by more than 10% = 15 points Meets standard or exceeds by up to 10% = 9 points Within 10% of standard = 6 points More than 10% below standard = 0 points</i>		Not Applicable	
Applicable Clients (All Leavers)	Clients Accomplished	Percentage	CoC Standard
N/A	N/A	N/A	85%
Score		N/A	

(PSH Only) Measure 1b: Exit to Permanent Housing (Up to 15 pts)			
Transitional Housing	Rapid Re-Housing	Permanent Supportive Housing	
Not Applicable		<i>Exceeds standard by more than 10% = 15 points Meets standard or exceeds by up to 10% = 10 points Within 10% of standard = 6 points More than 10% below standard = 0 points</i>	
Applicable Clients (All Leavers)	Clients Accomplished	Percentage	CoC Standard
12	12	100%	85%
Score		15	

Measure 2: Length of Stay (Up to 4 pts)			
Transitional Housing		Rapid Re-Housing	Permanent Supportive Housing
<i>< 108 days = 4 points</i> <i>108 – 120 days = 2 points</i> <i>> 120 days = 0 points</i>		Not Applicable	
LOS		CoC Standard	
N/A		Less than 120 days	
Score	N/A		

Measure 3: Returns to Homelessness (Up to 4 pts)			
Transitional Housing	Rapid Re-Housing	Permanent Supportive Housing	
Achieves standard = 4 points		Not Applicable	
Rate of Return		CoC Standard	
N/A		<i>TH: Less than 11% (singles)/ 1% (families)</i> <i>RRH: Less than 15%</i>	
Score	N/A		

Measure 4: Increased Employment Income (Up to 4 pts)			
Transitional Housing	Rapid Re-Housing	Permanent Supportive Housing	
<i>> 20% = 4 points</i> <i>15 – 20% = 3 points</i> <i>10 – 14% = 2 points</i> <i>< 10% = 0 points</i>		Not Applicable	
Applicable Clients (Adult Leavers /Stayers)	Clients Accomplished	Percentage	CoC Standard
N/A	N/A	N/A	15%
Score	N/A		

Measure 5: Increased Non-Employment Income (Up to 6 pts)			
Transitional Housing	Rapid Re-Housing	Permanent Supportive Housing	
<i>> 20% = 6 points</i> <i>15 – 20% = 4 points</i> <i>10 – 14% = 2 points</i> <i>< 10% = 0 points</i>		<i>> 15% = 6 points</i> <i>10 – 15% = 4 points</i> <i>5 – 9% = 2 points</i> <i>< 5% = 0 points</i>	
Applicable Clients (Adult Leavers /Stayers)	Clients Accomplished	Percentage	CoC Standard
12	5	41.67%	<i>PSH: 10%</i> <i>TH and RRH: 15%</i>
Score	6		

Measure 6: Utilization Rate (Up to 6 pts)		
Transitional Housing	Rapid Re-Housing	Permanent Supportive Housing
90% or greater = 6 points 85 – 89% = 2 points < 85% = 0 points	Not Applicable	90% or greater = 6 points 85 – 89% = 2 points < 85% = 0 points
Percentage		CoC Standard
100%		90%
Score	6	

Measure 7: CoC Grant Spending (from most recently completed grant term) (Up to 6 pts)			
Transitional Housing	Rapid Re-Housing	Permanent Supportive Housing	
95% or greater = 6 points 90 – 94% = 3 points < 90% = 0 points	90% or greater = 6 points 85 – 89% = 3 points < 85% = 0 points		
Total HUD Award	Total Spent	Percentage	CoC Standard
\$269,948	\$243,009	90%	TH and RRH: 95% PSH: 90%
Score	6		

Measure 8: HMIS Data Quality (Up to 6 pts)			
Transitional Housing	Rapid Re-Housing	Permanent Supportive Housing	
All Data Elements Less Than 5% Missing/Don't Know = 6 points 1-2 Data Elements More Than 5% Missing/Don't Know = 3 points More Than 2 Data Elements More Than 5% Missing/Don't Know = 0 points			
Data Element	Percentage of Missing/Null Values	HUD Standard	Standard Met
Name	0%	Under 5%	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Race	0%	Under 5%	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Ethnicity	0%	Under 5%	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Gender	0%	Under 5%	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Veteran Status	0%	Under 5%	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Disabling Condition	0%	Under 5%	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Income and Sources at Start	0%	Under 5%	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Income and Sources at exit/assessment	0%	Under 5%	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Exit Destination	0%	Under 5%	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Score	6		

Measure 9: Housing First (from Project Application) (Up to 16 pts)	
Transitional Housing	Rapid Re-Housing
Permanent Supportive Housing	
<p><i>.5 pt (total possible of 2 pts.) for not screening out based on:</i></p> <ul style="list-style-type: none"> A. <i>Having too little or no income</i> B. <i>Active or history of substance abuse</i> C. <i>Having a criminal record with exceptions for state-mandated restrictions</i> D. <i>History of domestic violence</i> <p><i>.5 pt (total possible of 2 pts.) for ensuring that participants are not terminated from the program for:</i></p> <ul style="list-style-type: none"> A. <i>Failure to participate in supportive services</i> B. <i>Failure to make progress on a service plan</i> C. <i>Loss of income or failure to improve income</i> D. <i>Being a victim of domestic violence</i> <p><i>1.5 pt (total possible of 12 pts.) Housing First approaches outlined above documented in project manual or other project documentation.</i></p>	
Screening Score	2
Termination Score	2
Written Doc. Score	8
Total	12

Measure 10: Promoting Racial Equity (Up to 6 pts)		
Transitional Housing	Rapid Re-Housing	Permanent Supportive Housing
<p><i>Project has taken steps to identify whether there are barriers = 3 points</i></p> <p><i>Project has taken steps to address identified barriers or, if no barriers have been identified, to ensure the project promotes racial equity = 3 points</i></p> <p><i>Project has not taken any steps to identify or address barriers = 0 points</i></p>		
Score	6	

Measure 11: Documentation of Referral/Enrollment Process (Up to 6 pts)		
Transitional Housing	Rapid Re-Housing	Permanent Supportive Housing
<p><i>Project has policies and procedures documented, including protocols for why referrals may be denied = 6 points</i></p> <p><i>Project has policies and procedures documented = 3 points</i></p> <p><i>Project does not have policies and procedures documented = 0 points</i></p>		
Score	6	

Measure 12: Grants Monitoring/Compliance (from Project Application) (Up to 4 pts)		
Transitional Housing	Rapid Re-Housing	Permanent Supportive Housing
<p>a. Project submitted APR on time= 1 point; If not = 0 points</p> <p>b. Project had sufficient LOCCS drawdown frequency for executed contracts (at least quarterly)= 1 point; If not = 0 points</p> <p>c. Project did not return funds to HUD = 1 point; If returned funds = 0 points</p> <p>d. Project serves CoC-eligible participants (as demonstrated in written policies/procedures on eligibility, screening and admission) = 1 point; If not = 0 points</p> <p>e. Serious unresolved compliance finding from HUD would result in up to 8 points subtracted from project's score</p>		
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Was the APR submitted on time for most recently completed grant term?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Were LOCCS drawdowns conducted at least quarterly for most recently completed grant term?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Did project return any funds to HUD in most recently completed grant term? (Determination based on answer to Measure 7)	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Does project serve participants who are eligible under the CoC Interim Rule and applicable CoC NOFA?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Are there unresolved HUD monitoring or OIG audit findings?	
Score		3

Measure 13: Cost Effectiveness - Calculated using Exit to PH (from HMIS) or number of units (for PSH only) and project budget (provided in table below) (Up to 7 pts)		
Transitional Housing	Rapid Re-Housing	Permanent Supportive Housing
<p>Cost per exit to permanent housing is reasonable for project type = 7 points</p> <p>Cost per exit to permanent housing is not reasonable for project type = 3 points</p>		<p>Cost per unit served is reasonable for project type = 7 points</p> <p>Cost per unit served is not reasonable for project type = 3 points</p>
Total Project Cost (Cell A from table below)	Number of Units (for PSH) or Number of Exits to PH (for TH or RRH)	Cost Per Unit (for PSH) Cost Per PH Exit (for TH and RRH) Please complete
\$422,095	12	\$35,174.58
Score		3

Measure 14: Policy Priorities (Up to 12 pts)		
Transitional Housing	Rapid Re-Housing	Permanent Supportive Housing
Not Applicable	Rapid Re-Housing = 10 points	Permanent Supportive Housing = 12 points
Score		12

Measure 15: Engaging People with Lived Experience (Up to 5 pts)		
Transitional Housing	Rapid Re-Housing	Permanent Supportive Housing
<i>Project has structures/opportunities for PLEH to contribute and participate = 3 points</i>		
<i>Project can demonstrate how input and expertise from PLEH has informed programmatic or organizational decisions = 2 points</i>		
<i>Organization has no opportunities for PLEH to engage and participate in decision-making = 0 points</i>		
Score	5	

Measure 16: Connecting Participants to Health/Behavioral Healthcare (Up to 5 pts)		
Transitional Housing	Rapid Re-Housing	Permanent Supportive Housing
<i>Project has established processes and/or partnerships to connect participants to healthcare = 3 points</i>		
<i>Project can demonstrate participants are regularly connected to needed healthcare providers = 2 points</i>		
<i>Project does not connect participants to healthcare and has no processes to connect participants to healthcare = 0 points</i>		
Score	5	

Section C: Total Score (100 pts. Maximum)	
Score	76

1E-5. NOTIFICATION OF PROJECTS REJECTED-REDUCED

Per HUD's Detailed Instructions, these documents comprise the required Notification of Projects Rejected-Reduced Attachments.

Included are:

- 1. Email notification to CORA** (including one project competition from the CoC Bonus part of the local competition)

- 2. Email notification to all project applicants and CoC Steering Committee of publicly posted priority listing** (dated 9/8/23)

- 3. Screenshot of publicly posted Priority Listing** (dated 9/15/2023)

- 4. Publicly posted Priority Listing** (dated 9/8/2023)

Khalia Parish

From: Lody Burdick
Sent: Friday, September 8, 2023 7:56 AM
To: Lynn Schuette; Cindy Kilpatrick
Cc: Hana Gossett; Vanessa Fenley; Rebecca Camargo; Khalia Parish; Anne Okada; Lesly Randolph
Subject: CoC NOFO Project Application Notification
Attachments: CORA DV RRH - 2023 Renewal Project Scorecard.pdf; CORA - 2023 eSnaps Technical Corrections.pdf

Importance: High

September 8, 2023

Delivered via email to Lynn Schuette and Cindy Kilpatrick, Community Overcoming Relationship Abuse, lynns@corasupport.org and cindyk@corasupport.org

Dear Ms. Schuette,

This letter is to inform you that the San Mateo County CoC project review panel met to rank and review applications for the 2023 CoC NOFO competition and would like to share the score and rank results for each project application from Community Overcoming Relationship Abuse (CORA).

Project Name	App Type	Approved Amount	Score	Rank	Tier
Renewal DVRRH	Renewal	\$1,089,862	84.5	1	1
DV RRH Expansion (DV Bonus)*	DV Bonus	\$356,688	84.5	14	2
DV RRH Expansion (CoC Bonus)*	CoC Bonus	\$0	84.5	NA	NA

**These applications were requested by the Review Panel because there were not enough submissions to maximize the Bonus Funding available to the community. As a result, the Review Panel chose to provide this application with the same score as the renewal project.*

The review panel appreciates CORA's work to submit the DV Bonus and CoC Bonus additional applications upon request. The Panel selected the DV Bonus Expansion application but did not select the CoC Bonus expansion application due to concerns with identifying enough Match. It was in the best interest of the CoC priorities and competition to select another application to fill the needed CoC Bonus funding.

The CoC Steering Committee will meet on September 20, 2023, to approve the final Project Priority List as part of the CoC Consolidated Application. The process for appeal is outlined in Attachment E of the [2023 Annual CoC Competition Project Review and Ranking Process](#). If an appeal is successful, it can impact the final order of other projects. Should your project placement be adjusted because of a successful appeal, you will receive a notification in writing prior to September 20, 2023.

If you wish to appeal this decision, please submit your appeal request by email to hsa_homeless_programs@smcgov.org no later than 5:00 p.m. on September 11, 2023. Appeals will be handled according to the process outlined in the CoC's approved Project Review and Ranking Process document, which is posted at <https://www.smcgov.org/hsa/continuum-care-nofanofa>.

Attached to this email is the project scorecard for the application(s) listed above. Also attached to this email are the results of our technical review of the e-snaps project application(s) and any necessary revisions. **Please complete any required revisions to your renewal application and submit your renewal and new project applications in e-snaps no later than September 13, 2023.**

In addition, the CoC Lead Agency can provide feedback on the quality of the application upon request. If you would like to receive feedback, please let me know. Detailed feedback will be provided in October 2023, after the CoC competition process closes.

Sincerely,
Lody Burdick, MPA (she/her)
Management Analyst, Center on Homelessness
San Mateo County Human Services Agency
1 Davis Drive, Belmont CA 94002
lburdick@smcgov.org
650-802-5090 (office)
650-701-5692 (mobile)

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Please note that I am out of the office every other Monday.

Khalia Parish

From: Lody Burdick
Sent: Friday, September 8, 2023 7:56 AM
To: Ron Babiera; Emilyn Callado
Cc: Hana Gossett; Vanessa Fenley; Rebecca Camargo; Khalia Parish; Anne Okada; Lesly Randolph
Subject: CoC NOFO Project Application Notification
Attachments: HACSM SP19 - 2023 Renewal Project Scorecard.pdf; HACSM SP15 - 2023 Renewal Project Scorecard.pdf; HACSM Belmont - 2023 Renewal Project Scorecard.pdf; HACSM - 2023 eSnaps Technical Corrections.pdf

Importance: High

September 8, 2023

Delivered via email to Ron Babiera and Emilyn Callado, Housing Authority of the County of San Mateo, rbabiera@smchousing.org, ecallado@smchousing.org

Dear Mr. Babiera,

This letter is to inform you that the San Mateo County CoC project review panel met to rank and review applications for the 2023 CoC NOFO competition and would like to share the score and rank results for each project application from the Housing Authority of the County of San Mateo.

Project Name	App Type	Approved Amount	Score	Rank	Tier
Shelter Plus Care Sponsor Base (SP15)	Renewal	\$315,577	57.5	10	2
Shelter Plus Care Belmont Apartments	Renewal	\$289,279	57.5	11	2
Permanent Supportive Housing Consolidated (SP19)	Renewal	\$10,554,130	59.5	8	Straddling*
Permanent Supportive Housing (SP23)	Renewal	\$657,685	N/A	7	1

**Straddling means that part of this project's funding is in Tier 1 and part in Tier 2. For this project, \$10,242,098 is in Tier 1, and \$312,032 is in Tier 2.*

The CoC Steering Committee will meet on September 20, 2023, to approve the final Project Priority List as part of the CoC Consolidated Application. The process for appeal is outlined in Attachment E of the [2023 Annual CoC Competition Project Review and Ranking Process](#). If an appeal is successful, it can impact the final order of other projects. Should your project placement be adjusted because of a successful appeal, you will receive a notification in writing prior to September 20, 2023.

If you wish to appeal this decision, please submit your appeal request by email to hsa_homeless_programs@smcgov.org no later than 5:00 p.m. on September 11, 2023. Appeals will be handled according to the process outlined in the CoC's approved Project Review and Ranking Process document, which is posted at: <https://www.smcgov.org/hsa/continuum-care-nofanofa>.

Attached to this email is the project scorecard for the application(s) listed above. Also attached to this email are the results of our technical review of the e-snaps project application(s) and any necessary revisions. **Please**

complete any required revisions and submit your project application in e-snaps no later than September 13, 2023.

In addition, the CoC Lead Agency can provide feedback on the quality of the application upon request. If you would like to receive feedback, please let me know. Detailed feedback will be provided in October 2023, after the CoC competition process closes.

Sincerely,

Lody Burdick, MPA (she/her)

Management Analyst, Center on Homelessness

San Mateo County Human Services Agency

1 Davis Drive, Belmont CA 94002

lburdick@smcgov.org

650-802-5090 (office)

650-701-5692 (mobile)

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Please note that I am out of the office every other Monday.

Khalia Parish

From: Tammie Sweetser
Sent: Friday, September 8, 2023 9:42 AM
Subject: 2023 Annual NOFO Priority Listing
Attachments: Priority Listing as of 09072023.pdf

Importance: High

Dear San Mateo County CoC Stakeholders and CoC Steering Committee,

Please see attached 2023 Annual NOFO Priority Listing draft as of 9/8/23, which is also saved on our website:

<https://www.smcgov.org/hsa/continuum-care-nofanofa>

The CoC Steering Committee will meet on September 20, 2023, to approve the final Project Priority List. Please note that the placement decisions are not final until the CoC Steering Committee has met to approve the final list.

This Priority listing is subject to change before the CoC Steering Committee because applicants are eligible to submit appeals based on the process and policy outlined in the 2023 Project Review and Ranking Process (also on the website) until Monday, September 11, 2023.

If you have any questions or comments, please contact Lody Burdick (lburdick@smcgov.org).

[HUD CoC Competition Webpage.](#)

[Information for Renewal Applications 2023 Annual CoC NOFO](#)

2023 Project Review and Ranking Process

The Project Review and Ranking Process for 2023 is also available below, titled "2023 Annual NOFO Project Review and Ranking Process FINAL" This document was approved by the CoC Steering Committee on July 20, 2023.

[2023 Annual NOFO Project Review and Ranking Process FINAL](#)

2023 CoC Priority Listing Draft

On September 7, 2023 the CoC Review and Rank Panel met to establish the Priority Listing. The final priority listing will be voted on by the CoC Steering Committee at the meeting on September 20, 2023.

[Priority Listing as of 9/07/2023](#)

NOFA/NOFO information archive

[2022 Continuum of Care NOFO \(Notice of Funding Opportunity\)](#)

[2021 Continuum of Care NOFO \(Notice of Funding Opportunity\)](#)

[2019 Continuum of Care NOFA \(Notice of Funding Availability\)](#)

[2018 Continuum of Care NOFA \(Notice of Funding Availability\)](#)

[2017 Continuum of Care NOFA \(Notice of Funding Availability\)](#)

[2016 Continuum of Care NOFA \(Notice of Funding Availability\)](#)

[2015 Continuum of Care NOFA \(Notice of Funding Availability\)](#)

[2013 CoC Rating and Ranking Process](#)

**San Mateo County CoC
Project Priority Listing from CoC Rank and Review Panel
September 8, 2023**

Applicant Name	Project Name	Project Type	Application Type	Accepted/Rejected	Score	Rank	Requested Funding	Approved Funding	Reallocated Funds	Tier
CORA	Renewal DVRRH	RRH	Renewal	Accepted	84.5	1	\$ 1,089,862	\$ 1,089,862	\$ -	1
LifeMoves	Redwood Family House	TH	Renewal	Accepted	81	2	\$ 133,750	\$ 133,750	\$ -	1
LifeMoves	SAFE	RRH	Renewal	Accepted	80	3	\$ 186,231	\$ 186,231	\$ -	1
LifeMoves	Vendome	PSH	Renewal	Accepted	76	4	\$ 269,948	\$ 269,948	\$ -	1
LifeMoves	Rapid Re-housing	RRH	Renewal	Accepted	76	5	\$ 513,540	\$ 513,540	\$ -	1
San Mateo County Human Services Agency	San Mateo County HMIS	HMIS	Renewal	Accepted	NA	6	\$ 80,110	\$ 80,110	\$ -	1
Housing Authority of the County of San Mateo	Permanent Supportive Housing SP23	PSH	Renewal	Accepted	NA	7	\$ 657,685	\$ 657,685	\$ -	1
Housing Authority of the County of San Mateo	Permanent Supportive Housing Consolidated	PSH	Renewal	Accepted	59.5	8	\$ 10,554,130	\$ 10,242,118	\$ -	1
Housing Authority of the County of San Mateo	Permanent Supportive Housing Consolidated	PSH	Renewal	Accepted	59.5	8	\$ 10,554,130	\$ 312,012	\$ -	2
Mental Health Association	SAYAT	PSH	Renewal	Accepted	57.5	9	\$ 74,666	\$ 74,666	\$ -	2
Housing Authority of the County of San Mateo	Shelter Plus Care Sponsor Based SP15	PSH	Renewal	Accepted	57.5	10	\$ 315,577	\$ 315,577	\$ -	2
Housing Authority of the County of San Mateo	Shelter Plus Care Belmont Apartments	PSH	Renewal	Accepted	57.5	11	\$ 289,279	\$ 289,279	\$ -	2
Retraining the Village	San Mateo County Joint TH-RRH	TH-RRH	CoC Bonus	Accepted	74.5	12	\$ 715,499	\$ 715,499	\$ -	2
San Mateo County Human Services Agency	Coordinated Entry System	SSO	CoC Bonus	Accepted	NA	13	\$ 276,085	\$ 276,035	\$ -	2
CORA	DVRRH Expansion (DV Bonus)	RRH	DV Bonus	Accepted	84.5	14	\$ 356,688	\$ 356,688	\$ -	DV
CORA	DVRRH Expansion (CoC Bonus)	RRH	CoC Bonus	Rejected	84.5	NA	\$ 276,085	\$ -	\$ -	NA

1E-5a. NOTIFICATION OF PROJECTS ACCEPTED

Per HUD's Detailed Instructions, these documents comprise the required Notification of Projects Accepted Attachment.

Included are:

- 1. Email notification to each accepted project** (dated 9/8/2023)
- 2. Email notification to all project applicants and CoC Steering Committee of publicly posted Priority Listing** (dated 9/8/2023)
- 3. Screenshot of publicly-posted Priority Listing** (dated 9/15/2023)
- 4. Publicly-posted Priority Listing** (dated 9/8/2023)

Khalia Parish

From: Lody Burdick
Sent: Friday, September 8, 2023 7:56 AM
To: Lynn Schuette; Cindy Kilpatrick
Cc: Hana Gossett; Vanessa Fenley; Rebecca Camargo; Khalia Parish; Anne Okada; Lesly Randolph
Subject: CoC NOFO Project Application Notification
Attachments: CORA DV RRH - 2023 Renewal Project Scorecard.pdf; CORA - 2023 eSnaps Technical Corrections.pdf

Importance: High

September 8, 2023

Delivered via email to Lynn Schuette and Cindy Kilpatrick, Community Overcoming Relationship Abuse, lynns@corasupport.org and cindyk@corasupport.org

Dear Ms. Schuette,

This letter is to inform you that the San Mateo County CoC project review panel met to rank and review applications for the 2023 CoC NOFO competition and would like to share the score and rank results for each project application from Community Overcoming Relationship Abuse (CORA).

Project Name	App Type	Approved Amount	Score	Rank	Tier
Renewal DVRRH	Renewal	\$1,089,862	84.5	1	1
DV RRH Expansion (DV Bonus)*	DV Bonus	\$356,688	84.5	14	2
DV RRH Expansion (CoC Bonus)*	CoC Bonus	\$0	84.5	NA	NA

**These applications were requested by the Review Panel because there were not enough submissions to maximize the Bonus Funding available to the community. As a result, the Review Panel chose to provide this application with the same score as the renewal project.*

The review panel appreciates CORA's work to submit the DV Bonus and CoC Bonus additional applications upon request. The Panel selected the DV Bonus Expansion application but did not select the CoC Bonus expansion application due to concerns with identifying enough Match. It was in the best interest of the CoC priorities and competition to select another application to fill the needed CoC Bonus funding.

The CoC Steering Committee will meet on September 20, 2023, to approve the final Project Priority List as part of the CoC Consolidated Application. The process for appeal is outlined in Attachment E of the [2023 Annual CoC Competition Project Review and Ranking Process](#). If an appeal is successful, it can impact the final order of other projects. Should your project placement be adjusted because of a successful appeal, you will receive a notification in writing prior to September 20, 2023.

If you wish to appeal this decision, please submit your appeal request by email to hsa_homeless_programs@smc.gov no later than 5:00 p.m. on September 11, 2023. Appeals will be handled according to the process outlined in the CoC's approved Project Review and Ranking Process document, which is posted at <https://www.smc.gov/hsa/continuum-care-nofanofa>.

Attached to this email is the project scorecard for the application(s) listed above. Also attached to this email are the results of our technical review of the e-snaps project application(s) and any necessary revisions. **Please complete any required revisions to your renewal application and submit your renewal and new project applications in e-snaps no later than September 13, 2023.**

In addition, the CoC Lead Agency can provide feedback on the quality of the application upon request. If you would like to receive feedback, please let me know. Detailed feedback will be provided in October 2023, after the CoC competition process closes.

Sincerely,
Lody Burdick, MPA (she/her)
Management Analyst, Center on Homelessness
San Mateo County Human Services Agency
1 Davis Drive, Belmont CA 94002
lburdick@smcgov.org
650-802-5090 (office)
650-701-5692 (mobile)

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Please note that I am out of the office every other Monday.

Khalia Parish

From: Lody Burdick
Sent: Friday, September 8, 2023 7:56 AM
To: Ron Babiera; Emilyn Callado
Cc: Hana Gossett; Vanessa Fenley; Rebecca Camargo; Khalia Parish; Anne Okada; Lesly Randolph
Subject: CoC NOFO Project Application Notification
Attachments: HACSM SP19 - 2023 Renewal Project Scorecard.pdf; HACSM SP15 - 2023 Renewal Project Scorecard.pdf; HACSM Belmont - 2023 Renewal Project Scorecard.pdf; HACSM - 2023 eSnaps Technical Corrections.pdf

Importance: High

September 8, 2023

Delivered via email to Ron Babiera and Emilyn Callado, Housing Authority of the County of San Mateo, rbabiera@smchousing.org, ecallado@smchousing.org

Dear Mr. Babiera,

This letter is to inform you that the San Mateo County CoC project review panel met to rank and review applications for the 2023 CoC NOFO competition and would like to share the score and rank results for each project application from the Housing Authority of the County of San Mateo.

Project Name	App Type	Approved Amount	Score	Rank	Tier
Shelter Plus Care Sponsor Base (SP15)	Renewal	\$315,577	57.5	10	2
Shelter Plus Care Belmont Apartments	Renewal	\$289,279	57.5	11	2
Permanent Supportive Housing Consolidated (SP19)	Renewal	\$10,554,130	59.5	8	Straddling*
Permanent Supportive Housing (SP23)	Renewal	\$657,685	N/A	7	1

**Straddling means that part of this project's funding is in Tier 1 and part in Tier 2. For this project, \$10,242,098 is in Tier 1, and \$312,032 is in Tier 2.*

The CoC Steering Committee will meet on September 20, 2023, to approve the final Project Priority List as part of the CoC Consolidated Application. The process for appeal is outlined in Attachment E of the [2023 Annual CoC Competition Project Review and Ranking Process](#). If an appeal is successful, it can impact the final order of other projects. Should your project placement be adjusted because of a successful appeal, you will receive a notification in writing prior to September 20, 2023.

If you wish to appeal this decision, please submit your appeal request by email to hsa_homeless_programs@smcgov.org no later than 5:00 p.m. on September 11, 2023. Appeals will be handled according to the process outlined in the CoC's approved Project Review and Ranking Process document, which is posted at: <https://www.smcgov.org/hsa/continuum-care-nofanofa>.

Attached to this email is the project scorecard for the application(s) listed above. Also attached to this email are the results of our technical review of the e-snaps project application(s) and any necessary revisions. **Please**

complete any required revisions and submit your project application in e-snaps no later than September 13, 2023.

In addition, the CoC Lead Agency can provide feedback on the quality of the application upon request. If you would like to receive feedback, please let me know. Detailed feedback will be provided in October 2023, after the CoC competition process closes.

Sincerely,

Lody Burdick, MPA (she/her)

Management Analyst, Center on Homelessness

San Mateo County Human Services Agency

1 Davis Drive, Belmont CA 94002

lburdick@smcgov.org

650-802-5090 (office)

650-701-5692 (mobile)

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Please note that I am out of the office every other Monday.

Khalia Parish

From: Lody Burdick
Sent: Friday, September 8, 2023 7:56 AM
To: Brian Greenberg; Joel Hanson
Cc: Hana Gossett; Vanessa Fenley; Rebecca Camargo; Khalia Parish; Anne Okada; Lesly Randolph
Subject: CoC NOFO Project Application Notification
Attachments: LifeMoves - 2023 eSnaps Technical Corrections.pdf; LifeMoves Vendome - 2023 Renewal Project Scorecard.pdf; LifeMoves SAFE RRH - 2023 Renewal Project Scorecard.pdf; LifeMoves Redwood Family House - 2023 Renewal Project Scorecard.pdf; LifeMoves HUD RRH - 2023 Renewal Project Scorecard.pdf

Importance: High

September 8, 2023

Delivered via email to Brian Greenberg and Joel Hanson, LifeMoves, bgreenberg@lifemoves.org and jhanson@lifemoves.org

Dear Mr. Greenberg and Mr. Hanson,

This letter is to inform you that the San Mateo County CoC project review panel met to rank and review applications for the 2023 CoC NOFO competition and would like to share the score and rank results for each project application from LifeMoves.

Project Name	App Type	Approved Amount	Score	Rank	Tier
Vendome 2022	Renewal	\$269,948	76	4	1
Redwood Family House 2022	Renewal	\$133,750	81	2	1
Rapid Re-housing 2022	Renewal	\$513,540	76	5	1
SAFE (Savings & Financial Education) 2022	Renewal	\$186,231	80	3	1

The CoC Steering Committee will meet on September 20, 2023, to approve the final Project Priority List as part of the CoC Consolidated Application. The process for appeal is outlined in Attachment E of the [2023 Annual CoC Competition Project Review and Ranking Process](#). If an appeal is successful, it can impact the final order of other projects. Should your project placement be adjusted because of a successful appeal, you will receive a notification in writing prior to September 20, 2023.

If you wish to appeal this decision, please submit your appeal request by email to hsa_homeless_programs@smcgov.org no later than 5:00 p.m. on September 11, 2023. Appeals will be handled according to the process outlined in the CoC's approved Project Review and Ranking Process document, which is posted at: <https://www.smcgov.org/hsa/continuum-care-nofanofa>.

Attached to this email is the project scorecard for the application(s) listed above. Also attached to this email are the results of our technical review of the e-snaps project application(s) and any necessary revisions. **Please complete any required revisions and submit your project application in e-snaps no later than September 13, 2023.**

In addition, the CoC Lead Agency can provide feedback on the quality of the application upon request. If you would like to receive feedback, please let me know. Detailed feedback will be provided in October 2023, after the CoC competition process closes.

Sincerely,

Lody Burdick, MPA (she/her)

Management Analyst, Center on Homelessness

San Mateo County Human Services Agency

1 Davis Drive, Belmont CA 94002

lburdick@smcgov.org

650-802-5090 (office)

650-701-5692 (mobile)

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Please note that I am out of the office every other Monday.

Khalia Parish

From: Lody Burdick
Sent: Friday, September 8, 2023 7:57 AM
To: Melissa Platte; Shane Young
Cc: Hana Gossett; Vanessa Fenley; Rebecca Camargo; Khalia Parish; Anne Okada; Lesly Randolph
Subject: CoC NOFO Project Application Notification
Attachments: MHA SAYAT - 2023 Renewal Project Scorecard.pdf; MHA - 2023 eSnaps Technical Corrections.pdf

Importance: High

September 8, 2023

Delivered via email to Melissa Platte and Shane Young, Mental Health Association of San Mateo County, melissap@mhasmc.org, and shaney@mhasmc.org

Dear Ms. Platte,

This letter is to inform you that the San Mateo County CoC project review panel met to rank and review applications for the 2023 CoC NOFO competition and would like to share the score and rank results for the new project application from the Mental Health Association.

Project Name	App Type	Approved Amount	Score	Rank	Tier
SAYAT	Renewal	\$74,666	57.5	9	2

The CoC Steering Committee will meet on September 20, 2023, to approve the final Project Priority List as part of the CoC Consolidated Application. The process for appeal is outlined in Attachment E of the [2023 Annual CoC Competition Project Review and Ranking Process](#). If an appeal is successful, it can impact the final order of other projects. Should your project placement be adjusted because of a successful appeal, you will receive a notification in writing prior to September 20, 2023.

If you wish to appeal this decision, please submit your appeal request by email to hsa_homeless_programs@smcgov.org no later than 5:00 p.m. on September 11, 2023. Appeals will be handled according to the process outlined in the CoC's approved Project Review and Ranking Process document, which is posted at: <https://www.smcgov.org/hsa/continuum-care-nofanofa>.

Attached to this email is the project scorecard for the application(s) listed above. Also attached to this email are the results of our technical review of the e-snaps project application(s) and any necessary revisions. **Please complete any required revisions and submit your project application in e-snaps no later than September 13, 2023.**

In addition, the CoC Lead Agency can provide feedback on the quality of the application upon request. If you would like to receive feedback, please let me know. Detailed feedback will be provided in October 2023, after the CoC competition process closes.

Sincerely,

Lody Burdick, MPA (she/her)
Management Analyst, Center on Homelessness
San Mateo County Human Services Agency
1 Davis Drive, Belmont CA 94002
lburdick@smcgov.org
650-802-5090 (office)
650-701-5692 (mobile)

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Please note that I am out of the office every other Monday.

Khalia Parish

From: Lody Burdick
Sent: Friday, September 8, 2023 7:58 AM
To: Halley Crumb
Cc: Hana Gossett; Vanessa Fenley; Rebecca Camargo; Khalia Parish; Anne Okada; Lesly Randolph
Subject: CoC NOFO Project Application Notification
Attachments: RTV - 2023 New Project Scorecard.pdf; RTV - 2023 eSnaps Technical Corrections.pdf
Importance: High

September 8, 2023

Delivered via email to Halley Crumb, Retraining the Village, halleycrumb@retrainingthevillage.org

Dear Ms. Crumb,

This letter is to inform you that the San Mateo County CoC project review panel met to rank and review applications for the 2023 CoC NOFO competition and would like to share the score and rank results for the new project application from Retraining the Village.

Project Name	App Type	Approved Amount	Score	Rank	Tier
San Mateo County Joint TH-RRH	CoC Bonus	\$715,499	74.5	12	2

The CoC Steering Committee will meet on September 20, 2023, to approve the final Project Priority List as part of the CoC Consolidated Application. The process for appeal is outlined in Attachment E of the [2023 Annual CoC Competition Project Review and Ranking Process](#). If an appeal is successful, it can impact the final order of other projects. Should your project placement be adjusted because of a successful appeal, you will receive a notification in writing prior to September 20, 2023.

If you wish to appeal this decision, please submit your appeal request by email to hsa_homeless_programs@smcgov.org no later than 5:00 p.m. on September 11, 2023. Appeals will be handled according to the process outlined in the CoC's approved Project Review and Ranking Process document, which is posted at: <https://www.smcgov.org/hsa/continuum-care-nofanofa>.

Attached to this email is the project scorecard for the application(s) listed above. Also attached to this email are the results of our technical review of the e-snaps project application(s) and any necessary revisions. **Please complete any required revisions and submit your project application in e-snaps no later than September 13, 2023.**

In addition, the CoC Lead Agency can provide feedback on the quality of the application upon request. If you would like to receive feedback, please let me know. Detailed feedback will be provided in October 2023, after the CoC competition process closes.

Sincerely,
Lody Burdick, MPA (she/her)
Management Analyst, Center on Homelessness

San Mateo County Human Services Agency

1 Davis Drive, Belmont CA 94002

lburdick@smcgov.org

650-802-5090 (office)

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Please note that I am out of the office every other Monday.

Khalia Parish

From: Tammie Sweetser
Sent: Friday, September 8, 2023 9:42 AM
Subject: 2023 Annual NOFO Priority Listing
Attachments: Priority Listing as of 09072023.pdf

Importance: High

Dear San Mateo County CoC Stakeholders and CoC Steering Committee,

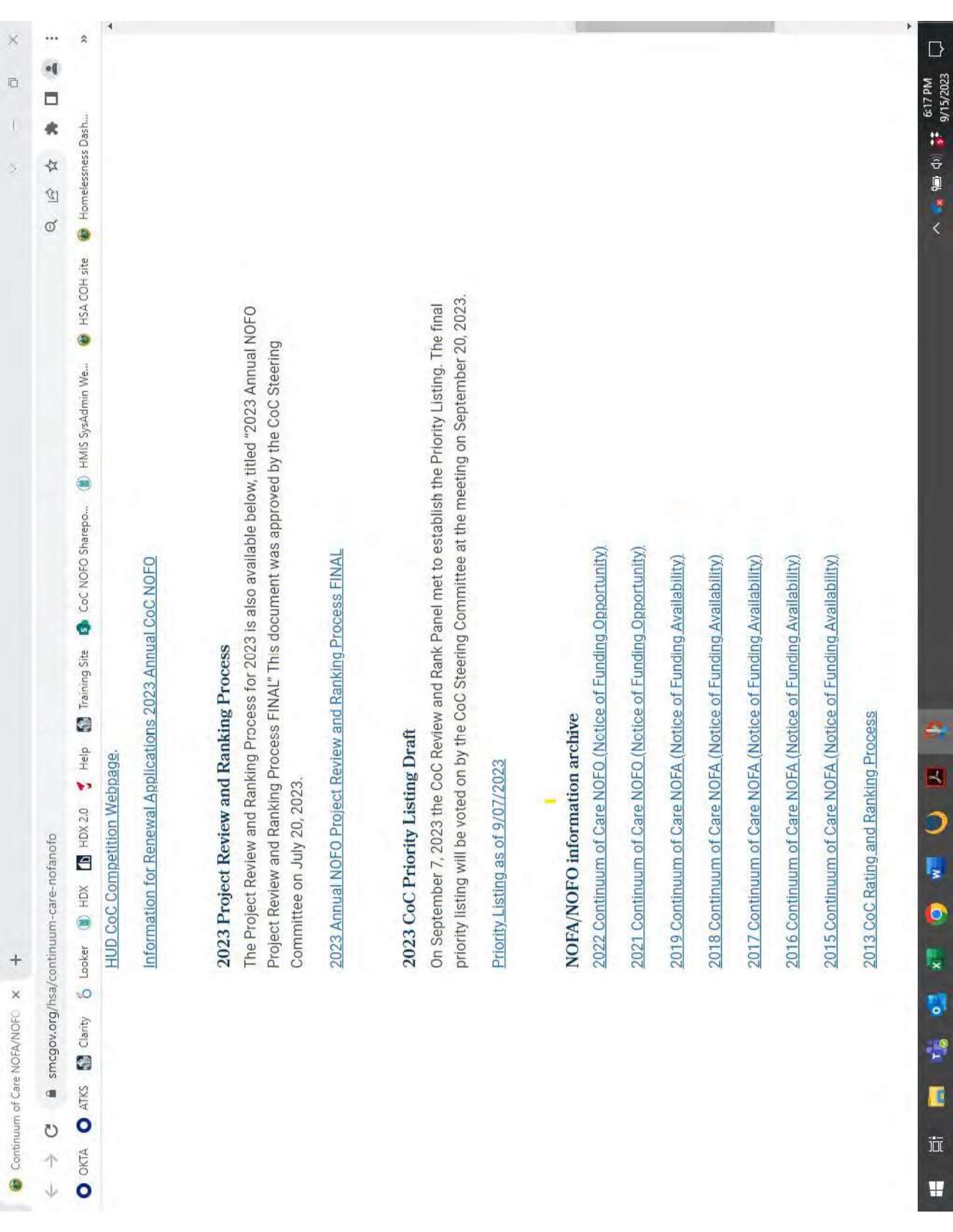
Please see attached 2023 Annual NOFO Priority Listing draft as of 9/8/23, which is also saved on our website:

<https://www.smcgov.org/hsa/continuum-care-nofanofa>

The CoC Steering Committee will meet on September 20, 2023, to approve the final Project Priority List. Please note that the placement decisions are not final until the CoC Steering Committee has met to approve the final list.

This Priority listing is subject to change before the CoC Steering Committee because applicants are eligible to submit appeals based on the process and policy outlined in the 2023 Project Review and Ranking Process (also on the website) until Monday, September 11, 2023.

If you have any questions or comments, please contact Lody Burdick (lburdick@smcgov.org).



[Information for Renewal Applications 2023 Annual CoC NOFO](#)

2023 Project Review and Ranking Process

The Project Review and Ranking Process for 2023 is also available below, titled "2023 Annual NOFO Project Review and Ranking Process FINAL" This document was approved by the CoC Steering Committee on July 20, 2023.

[2023 Annual NOFO Project Review and Ranking Process FINAL](#)

2023 CoC Priority Listing Draft

On September 7, 2023 the CoC Review and Rank Panel met to establish the Priority Listing. The final priority listing will be voted on by the CoC Steering Committee at the meeting on September 20, 2023.

[Priority Listing as of 9/07/2023](#)

NOFA/NOFO information archive

[2022 Continuum of Care NOFO \(Notice of Funding Opportunity\)](#)

[2021 Continuum of Care NOFO \(Notice of Funding Opportunity\)](#)

[2019 Continuum of Care NOFA \(Notice of Funding Availability\)](#)

[2018 Continuum of Care NOFA \(Notice of Funding Availability\)](#)

[2017 Continuum of Care NOFA \(Notice of Funding Availability\)](#)

[2016 Continuum of Care NOFA \(Notice of Funding Availability\)](#)

[2015 Continuum of Care NOFA \(Notice of Funding Availability\)](#)

[2013 CoC Rating and Ranking Process](#)

**San Mateo County CoC
Project Priority Listing from CoC Rank and Review Panel
September 8, 2023**

Applicant Name	Project Name	Project Type	Application Type	Accepted/Rejected	Score	Rank	Requested Funding	Approved Funding	Reallocated Funds	Tier
CORA	Renewal DVRRH	RRH	Renewal	Accepted	84.5	1	\$ 1,089,862	\$ 1,089,862	\$ -	1
LifeMoves	Redwood Family House	TH	Renewal	Accepted	81	2	\$ 133,750	\$ 133,750	\$ -	1
LifeMoves	SAFE	RRH	Renewal	Accepted	80	3	\$ 186,231	\$ 186,231	\$ -	1
LifeMoves	Vendome	PSH	Renewal	Accepted	76	4	\$ 269,948	\$ 269,948	\$ -	1
LifeMoves	Rapid Re-housing	RRH	Renewal	Accepted	76	5	\$ 513,540	\$ 513,540	\$ -	1
San Mateo County Human Services Agency	San Mateo County HMIS	HMIS	Renewal	Accepted	NA	6	\$ 80,110	\$ 80,110	\$ -	1
Housing Authority of the County of San Mateo	Permanent Supportive Housing SP23	PSH	Renewal	Accepted	NA	7	\$ 657,685	\$ 657,685	\$ -	1
Housing Authority of the County of San Mateo	Permanent Supportive Housing Consolidated	PSH	Renewal	Accepted	59.5	8	\$ 10,554,130	\$ 10,242,118	\$ -	1
Housing Authority of the County of San Mateo	Permanent Supportive Housing Consolidated	PSH	Renewal	Accepted	59.5	8	\$ 10,554,130	\$ 312,012	\$ -	2
Mental Health Association	SAYAT	PSH	Renewal	Accepted	57.5	9	\$ 74,666	\$ 74,666	\$ -	2
Housing Authority of the County of San Mateo	Shelter Plus Care Sponsor Based SP15	PSH	Renewal	Accepted	57.5	10	\$ 315,577	\$ 315,577	\$ -	2
Housing Authority of the County of San Mateo	Shelter Plus Care Belmont Apartments	PSH	Renewal	Accepted	57.5	11	\$ 289,279	\$ 289,279	\$ -	2
Retraining the Village	San Mateo County Joint TH-RRH	TH-RRH	CoC Bonus	Accepted	74.5	12	\$ 715,499	\$ 715,499	\$ -	2
San Mateo County Human Services Agency	Coordinated Entry System	SSO	CoC Bonus	Accepted	NA	13	\$ 276,085	\$ 276,035	\$ -	2
CORA	DVRRH Expansion (DV Bonus)	RRH	DV Bonus	Accepted	84.5	14	\$ 356,688	\$ 356,688	\$ -	DV
CORA	DVRRH Expansion (CoC Bonus)	RRH	CoC Bonus	Rejected	84.5	NA	\$ 276,085	\$ -	\$ -	NA

1E-5b. Local Competition Selection Results

This document shows the results of the local competition.

**San Mateo County CoC
Project Priority Listing from CoC Rank and Review Panel
September 8, 2023**

Applicant Name	Project Name	Project Type	Application Type	Accepted/Rejected	Score	Rank	Requested Funding	Approved Funding	Reallocated Funds	Tier
CORA	Renewal DVRRH	RRH	Renewal	Accepted	84.5	1	\$ 1,089,862	\$ 1,089,862	\$ -	1
LifeMoves	Redwood Family House	TH	Renewal	Accepted	81	2	\$ 133,750	\$ 133,750	\$ -	1
LifeMoves	SAFE	RRH	Renewal	Accepted	80	3	\$ 186,231	\$ 186,231	\$ -	1
LifeMoves	Vendome	PSH	Renewal	Accepted	76	4	\$ 269,948	\$ 269,948	\$ -	1
LifeMoves	Rapid Re-housing	RRH	Renewal	Accepted	76	5	\$ 513,540	\$ 513,540	\$ -	1
San Mateo County Human Services Agency	San Mateo County HMIS	HMIS	Renewal	Accepted	NA	6	\$ 80,110	\$ 80,110	\$ -	1
Housing Authority of the County of San Mateo	Permanent Supportive Housing SP23	PSH	Renewal	Accepted	NA	7	\$ 657,685	\$ 657,685	\$ -	1
Housing Authority of the County of San Mateo	Permanent Supportive Housing Consolidated	PSH	Renewal	Accepted	59.5	8	\$ 10,554,130	\$ 10,242,118	\$ -	1
Housing Authority of the County of San Mateo	Permanent Supportive Housing Consolidated	PSH	Renewal	Accepted	59.5	8	\$ 10,554,130	\$ 312,012	\$ -	2
Mental Health Association	SAYAT	PSH	Renewal	Accepted	57.5	9	\$ 74,666	\$ 74,666	\$ -	2
Housing Authority of the County of San Mateo	Shelter Plus Care Sponsor Based SP15	PSH	Renewal	Accepted	57.5	10	\$ 315,577	\$ 315,577	\$ -	2
Housing Authority of the County of San Mateo	Shelter Plus Care Belmont Apartments	PSH	Renewal	Accepted	57.5	11	\$ 289,279	\$ 289,279	\$ -	2
Retraining the Village	San Mateo County Joint TH-RRH	TH-RRH	CoC Bonus	Accepted	74.5	12	\$ 715,499	\$ 715,499	\$ -	2
San Mateo County Human Services Agency	Coordinated Entry System	SSO	CoC Bonus	Accepted	NA	13	\$ 276,085	\$ 276,035	\$ -	2
CORA	DVRRH Expansion (DV Bonus)	RRH	DV Bonus	Accepted	84.5	14	\$ 356,688	\$ 356,688	\$ -	DV
CORA	DVRRH Expansion (CoC Bonus)	RRH	CoC Bonus	Rejected	84.5	NA	\$ 276,085	\$ -	\$ -	NA

CA-512 2023 HDX Competition Report

This attachment is the 2023 Competition Report as downloaded from HDX, documenting our timely submission of the HIC, PIT, and LSA; the 2023 PIT count; and the HMIS participation rates of projects.

2023 HDX Competition Report
PIT Count Data for CA-512 - Daly/San Mateo County CoC

Total Population PIT Count Data

	2020 PIT	2021 PIT *	2022 PIT	2023 PIT
Total Sheltered and Unsheltered Count	1572	1522	1808	1859
Emergency Shelter Total	514	487	582	624
Safe Haven Total	0	0	0	0
Transitional Housing Total	157	134	134	143
Total Sheltered Count	671	621	716	767
Total Unsheltered Count	901	901	1092	1092

Chronically Homeless PIT Counts

	2020 PIT	2021 PIT *	2022 PIT	2023 PIT
Total Sheltered and Unsheltered Count of Chronically Homeless Persons	363	465	705	607
Sheltered Count of Chronically Homeless Persons	111	213	249	151
Unsheltered Count of Chronically Homeless Persons	252	252	456	456

2023 HDX Competition Report

PIT Count Data for CA-512 - Daly/San Mateo County CoC

Homeless Households with Children PIT Counts

	2020 PIT	2021 PIT *	2022 PIT	2023 PIT
Total Sheltered and Unsheltered Count of the Number of Homeless Households with Children	127	89	109	129
Sheltered Count of Homeless Households with Children	111	73	88	108
Unsheltered Count of Homeless Households with Children	16	16	21	21

Homeless Veteran PIT Counts

	2011 PIT	2020 PIT	2021 PIT *	2022 PIT	2023 PIT
Total Sheltered and Unsheltered Count of the Number of Homeless Veterans	324	66	83	85	93
Sheltered Count of Homeless Veterans	177	32	49	30	38
Unsheltered Count of Homeless Veterans	147	34	34	55	55

*For CoCs that did not conduct an unsheltered count in 2021, 2020 data were used.

2023 HDX Competition Report
HIC Data for CA-512 - Daly/San Mateo County CoC

HMIS Bed Coverage Rates

Project Type	Total Year-Round, Current Beds	Total Current, Year-Round, HMIS Beds	Total Year-Round, Current, Non-VSP Beds*	HMIS Bed Coverage Rate for Year-Round Beds	Total Year-Round, Current VSP Beds in an HMIS Comparable Database	Total Year-Round, Current, VSP Beds**	HMIS Comparable Bed Coverage Rate for VSP Beds	Total Current, Year-Round, HMIS Beds and VSP Beds in an HMIS Comparable Database	HMIS and Comparable Database Coverage Rate
ES Beds	707	667	684	97.51%	23	23	100.00%	690	97.60%
SH Beds	0	0	0	NA	0	0	NA	0	NA
TH Beds	158	158	158	100.00%	0	0	NA	158	100.00%
RRH Beds	384	336	336	100.00%	48	48	100.00%	384	100.00%
PSH Beds	1,137	966	1,137	84.96%	0	0	NA	966	84.96%
OPH Beds	772	763	415	NA	9	0	NA	772	100.00%
Total Beds	3,158	2,890	2,730	105.86%	80	71	112.68%	2,970	94.05%

2023 HDX Competition Report
HIC Data for CA-512 - Daly/San Mateo County CoC

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Notes

*For OPH Beds, this does NOT include any beds that are Current, Non-VSP, Non-HMIS, and EHV-funded.

**For OPH Beds, this does NOT include any beds that are Current, VSP, Non-HMIS, and EHV-funded.

In the HIC, "Year-Round Beds" is the sum of "Beds HH w/o Children", "Beds HH w/ Children", and "Beds HH w/ only Children". This does not include Overflow ("O/V Beds") or Seasonal Beds ("Total Seasonal Beds").

In the HIC, Current beds are beds with an "Inventory Type" of "C" and not beds that are Under Development ("Inventory Type" of "U").

PSH Beds Dedicated to Persons Experiencing Chronic Homelessness

Chronically Homeless Bed Counts	2020 HIC	2021 HIC	2022 HIC	2023 HIC
Number of CoC Program and non-CoC Program funded PSH beds dedicated for use by chronically homeless persons identified on the HIC	375	470	461	445

Rapid Rehousing (RRH) Units Dedicated to Persons in Household with Children

Households with Children	2020 HIC	2021 HIC	2022 HIC	2023 HIC
RRH units available to serve families on the HIC	90	90	109	93

Rapid Rehousing Beds Dedicated to All Persons

All Household Types	2020 HIC	2021 HIC	2022 HIC	2023 HIC
RRH beds available to serve all populations on the HIC	367	387	482	384

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FY2022 - Performance Measurement Module (Sys PM)

Summary Report for CA-512 - Daly/San Mateo County CoC

Measure 1: Length of Time Persons Remain Homeless

This measures the number of clients active in the report date range across ES, SH (Metric 1.1) and then ES, SH and TH (Metric 1.2) along with their average and median length of time homeless. This includes time homeless during the report date range as well as prior to the report start date, going back no further than October, 1, 2012.

Metric 1.1: Change in the average and median length of time persons are homeless in ES and SH projects.
Metric 1.2: Change in the average and median length of time persons are homeless in ES, SH, and TH projects.

a. This measure is of the client's entry, exit, and bed night dates strictly as entered in the HMIS system.

	Universe (Persons)		Average LOT Homeless (bed nights)				Median LOT Homeless (bed nights)			
	Revised FY 2021	FY 2022	Submitted FY 2021	Revised FY 2021	FY 2022	Difference	Submitted FY 2021	Revised FY 2021	FY 2022	Difference
1.1 Persons in ES and SH	1598	1623	151	148	140	-8	91	91	84	-7
1.2 Persons in ES, SH, and TH	1953	1885	166	163	166	3	102	102	108	6

b. This measure is based on data element 3.17.

This measure includes data from each client's Living Situation (Data Standards element 3.917) response as well as time spent in permanent housing projects between Project Start and Housing Move-In. This information is added to the client's entry date, effectively extending the client's entry date backward in time. This "adjusted entry date" is then used in the calculations just as if it were the client's actual entry date.

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	Universe (Persons)		Average LOT Homeless (bed nights)				Median LOT Homeless (bed nights)			
	Revised FY 2021	FY 2022	Submitted FY 2021	Revised FY 2021	FY 2022	Difference	Submitted FY 2021	Revised FY 2021	FY 2022	Difference
1.1 Persons in ES, SH, and PH (prior to "housing move in")	1817	1939	804	799	783	-16	379	378	308	-70
1.2 Persons in ES, SH, TH, and PH (prior to "housing move in")	2154	2227	842	834	783	-51	395	394	314	-80

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FY2022 - Performance Measurement Module (Sys PM)

Measure 2: The Extent to which Persons who Exit Homelessness to Permanent Housing Destinations Return to Homelessness

This measures clients who exited SO, ES, TH, SH or PH to a permanent housing destination in the date range two years prior to the report date range. Of those clients, the measure reports on how many of them returned to homelessness as indicated in the HMIS for up to two years after their initial exit.

	Total # of Persons who Exited to a Permanent Housing Destination (2 Years Prior)		Returns to Homelessness in Less than 6 Months			Returns to Homelessness from 6 to 12 Months			Returns to Homelessness from 13 to 24 Months			Number of Returns in 2 Years	
	Revised FY 2021	FY 2022	Revised FY 2021	FY 2022	% of Returns	Revised FY 2021	FY 2022	% of Returns	Revised FY 2021	FY 2022	% of Returns	FY 2022	% of Returns
Exit was from SO	31	45	1	4	9%	1	2	4%	1	1	2%	7	16%
Exit was from ES	321	533	55	48	9%	10	23	4%	20	25	5%	96	18%
Exit was from TH	598	194	24	0	0%	20	8	4%	44	8	4%	16	8%
Exit was from SH	0	0	0	0		0	0		0	0		0	
Exit was from PH	260	329	12	14	4%	3	0	0%	9	7	2%	21	6%
TOTAL Returns to Homelessness	1210	1101	92	66	6%	34	33	3%	74	41	4%	140	13%

Measure 3: Number of Homeless Persons

Metric 3.1 – Change in PIT Counts

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This measures the change in PIT counts of sheltered and unsheltered homeless person as reported on the PIT (not from HMIS).

	January 2021 PIT Count	January 2022 PIT Count	Difference
Universe: Total PIT Count of sheltered and unsheltered persons		1808	
Emergency Shelter Total	487	582	95
Safe Haven Total	0	0	0
Transitional Housing Total	134	134	0
Total Sheltered Count	621	716	95
Unsheltered Count		1092	

Metric 3.2 – Change in Annual Counts

This measures the change in annual counts of sheltered homeless persons in HMIS.

	Submitted FY 2021	Revised FY 2021	FY 2022	Difference
Universe: Unduplicated Total sheltered homeless persons	1918	2011	1929	-82
Emergency Shelter Total	1575	1656	1658	2
Safe Haven Total	0	0	0	0
Transitional Housing Total	387	407	358	-49

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FY2022 - Performance Measurement Module (Sys PM)

Measure 4: Employment and Income Growth for Homeless Persons in CoC Program-funded Projects

Metric 4.1 – Change in earned income for adult system stayers during the reporting period

	Submitted FY 2021	Revised FY 2021	FY 2022	Difference
Universe: Number of adults (system stayers)	445	440	461	21
Number of adults with increased earned income	32	31	33	2
Percentage of adults who increased earned income	7%	7%	7%	0%

Metric 4.2 – Change in non-employment cash income for adult system stayers during the reporting period

	Submitted FY 2021	Revised FY 2021	FY 2022	Difference
Universe: Number of adults (system stayers)	445	440	461	21
Number of adults with increased non-employment cash income	245	245	256	11
Percentage of adults who increased non-employment cash income	55%	56%	56%	0%

Metric 4.3 – Change in total income for adult system stayers during the reporting period

	Submitted FY 2021	Revised FY 2021	FY 2022	Difference
Universe: Number of adults (system stayers)	445	440	461	21
Number of adults with increased total income	244	243	267	24
Percentage of adults who increased total income	55%	55%	58%	3%

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Metric 4.4 – Change in earned income for adult system leavers

	Submitted FY 2021	Revised FY 2021	FY 2022	Difference
Universe: Number of adults who exited (system leavers)	74	85	68	-17
Number of adults who exited with increased earned income	13	15	13	-2
Percentage of adults who increased earned income	18%	18%	19%	1%

Metric 4.5 – Change in non-employment cash income for adult system leavers

	Submitted FY 2021	Revised FY 2021	FY 2022	Difference
Universe: Number of adults who exited (system leavers)	74	85	68	-17
Number of adults who exited with increased non-employment cash income	16	24	15	-9
Percentage of adults who increased non-employment cash income	22%	28%	22%	-6%

Metric 4.6 – Change in total income for adult system leavers

	Submitted FY 2021	Revised FY 2021	FY 2022	Difference
Universe: Number of adults who exited (system leavers)	74	85	68	-17
Number of adults who exited with increased total income	25	35	24	-11
Percentage of adults who increased total income	34%	41%	35%	-6%

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FY2022 - Performance Measurement Module (Sys PM)

Measure 5: Number of persons who become homeless for the 1st time

Metric 5.1 – Change in the number of persons entering ES, SH, and TH projects with no prior enrollments in HMIS

	Submitted FY 2021	Revised FY 2021	FY 2022	Difference
Universe: Person with entries into ES, SH or TH during the reporting period.	1417	1508	1466	-42
Of persons above, count those who were in ES, SH, TH or any PH within 24 months prior to their entry during the reporting year.	497	481	378	-103
Of persons above, count those who did not have entries in ES, SH, TH or PH in the previous 24 months. (i.e. Number of persons experiencing homelessness for the first time)	920	1027	1088	61

Metric 5.2 – Change in the number of persons entering ES, SH, TH, and PH projects with no prior enrollments in HMIS

	Submitted FY 2021	Revised FY 2021	FY 2022	Difference
Universe: Person with entries into ES, SH, TH or PH during the reporting period.	1816	1891	2065	174
Of persons above, count those who were in ES, SH, TH or any PH within 24 months prior to their entry during the reporting year.	700	650	669	19
Of persons above, count those who did not have entries in ES, SH, TH or PH in the previous 24 months. (i.e. Number of persons experiencing homelessness for the first time.)	1116	1241	1396	155

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FY2022 - Performance Measurement Module (Sys PM)

Measure 6: Homeless Prevention and Housing Placement of Persons defined by category 3 of HUD's Homeless Definition in CoC Program-funded Projects

This Measure is not applicable to CoCs in FY2022 (Oct 1, 2021 - Sept 30, 2022) reporting period.

Measure 7: Successful Placement from Street Outreach and Successful Placement in or Retention of Permanent Housing

Metric 7a.1 – Change in exits to permanent housing destinations

	Submitted FY 2021	Revised FY 2021	FY 2022	Difference
Universe: Persons who exit Street Outreach	552	749	968	219
Of persons above, those who exited to temporary & some institutional destinations	14	36	61	25
Of the persons above, those who exited to permanent housing destinations	77	104	140	36
% Successful exits	16%	19%	21%	2%

Metric 7b.1 – Change in exits to permanent housing destinations

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FY2022 - Performance Measurement Module (Sys PM)

	Submitted FY 2021	Revised FY 2021	FY 2022	Difference
Universe: Persons in ES, SH, TH and PH-RRH who exited, plus persons in other PH projects who exited without moving into housing	1360	1402	1180	-222
Of the persons above, those who exited to permanent housing destinations	723	740	561	-179
% Successful exits	53%	53%	48%	-5%

Metric 7b.2 – Change in exit to or retention of permanent housing

	Submitted FY 2021	Revised FY 2021	FY 2022	Difference
Universe: Persons in all PH projects except PH-RRH	1213	1275	1615	340
Of persons above, those who remained in applicable PH projects and those who exited to permanent housing destinations	1205	1258	1604	346
% Successful exits/retention	99%	99%	99%	0%

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FY2022 - SysPM Data Quality
CA-512 - Daly/San Mateo County CoC

	All ES, SH			All TH			All PSH, OPH			All RRH			All Street Outreach		
	Submitted FY2020	Submitted FY2021	FY2022	Submitted FY2020	Submitted FY2021	FY2022									
1. Number of non-DV Beds on HIC	552	510	642	152	173	165	1218	1355	1680	360	365	453			
2. Number of HMIS Beds	544	504	624	152	173	165	1040	1191	1537	358	365	453			
3. HMIS Participation Rate from HIC (%)	98.55	98.82	97.20	100.00	100.00	100.00	85.39	87.90	91.49	99.44	100.00	100.00			
4. Unduplicated Persons Served (HMIS)	2207	1656	1658	420	407	358	1296	1491	1852	882	981	1034	703	1255	1617
5. Total Leavers (HMIS)	1693	1241	1182	254	263	212	28	50	80	397	454	523	416	756	982
6. Destination of Don't Know, Refused, or Missing (HMIS)	61	26	27	9	7	7	2	1	0	7	21	23	330	530	622
7. Destination Error Rate (%)	3.60	2.10	2.28	3.54	2.66	3.30	7.14	2.00	0.00	1.76	4.63	4.40	79.33	70.11	63.34

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FY2022 - SysPM Data Quality

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Submission and Count Dates for CA-512 - Daly/San Mateo County CoC

Date of PIT Count

	Date	Received HUD Waiver
Date CoC Conducted 2023 PIT Count	1/25/2023	

Report Submission Date in HDX

	Submitted On	Met Deadline
2023 PIT Count Submittal Date	4/28/2023	Yes
2023 HIC Count Submittal Date	4/28/2023	Yes
2022 System PM Submittal Date	2/28/2023	Yes

3A-2. Healthcare Formal Agreements

This document is a written commitment that documents a 25% healthcare leverage for one new PH-RRH project proposed in this application.



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September 13, 2023

Ms. Karen Ferguson, CEO
Community Overcoming Relationship Abuse (CORA)
2211 Palm Avenue
San Mateo, CA 94403

Re: Healthcare Leverage Commitment for FY2023 Continuum of Care

Dear Ms. Ferguson:

This letter is to provide documentation of leveraged healthcare resources, provided by the Health Plan of San Mateo, to support CORA's Domestic Violence Rapid Rehousing (DVRRH) application.

The Health Plan of San Mateo is a local community-based health plan focused on providing high-quality care, services and supports to San Mateo County's Medi-Cal and dually eligible (Medicare/Medi-Cal) population of vulnerable and underserved residents. This letter confirms that the Health Plan of San Mateo County provides health coverage for low-income and undocumented San Mateo County residents. During the 12-month period of 05/01/2024 – 04/30/2025, the amount of match commitment from the Health Plan of San Mateo for the members CORA serves will be valued at \$89,172.

The eligibility for the DVRRH project is based on CoC Program fair housing requirements and is not restricted by the health care service provider. These services will be provided to any participant enrolled in the program who is eligible for and concurrently enrolled in or eligible for the Health Plan of San Mateo.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Curran", is written over a light blue horizontal line.

Patrick Curran
Chief Executive Officer