

Homeless Continuum of Care of Stark County (HCCSC)  
Emergency Solution Grant CARES Act (ESG-CV)  
Standards for Sub-Recipient Recordkeeping Requirements

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Purpose: Congress has provided \$4 billion for HUD’s ESG program for local governments to prevent, prepare for, and respond to coronavirus among individuals and families who are homeless, receiving homeless assistance, or are at risk of becoming homeless. The Homeless Continuum of Care of Stark County (HCCSC) has established recordkeeping policies for this funding opportunity that expires on September 30, 2022.

**Section - I. Recordkeeping Requirements for ESG-CV Sub-grantee Projects**

A. In General. Every sub-grantee of ESG-CV grant funds must establish and maintain standard operating procedures for ensuring that those funds are used in accordance with the requirements of the Department of Housing and Urban Development (HUD) ESG-CV Program Recipients and Sub-recipients Notice: CPD-20-08 (when applicable), Emergency Solution Grant Code of Regulations § 576.400, and the HCCSC’s Emergency Solutions Grant CARES Act (ESG-CV) Policies Governing Eligibility and Prioritization to Receive Assistance and Standards for Administering. Sub-recipients must maintain sufficient records in accordance with HUD and the City of Canton requirements and enable the City of Canton, Grantor, and the Collaborative Applicant, Stark Housing Network, Inc. (SHNI), access to these records.

1. Records, Access, and Maintenance

i. Sub-grantee must:

- a. Establish and maintain for at least five (5) years<sup>1</sup> from the expiration or termination of grant agreement such records as are required by Grantor and/or the SHNI, including but not limited to, financial reports, intake and participant information, and all other relevant information.
- b. Provide records required by Grantor and/or the SHNI with respect to any questioned costs and/or audit disallowances. Litigation or dispute between Grantor and Sub-grantee shall be maintained for the time needed for the resolution of said question and that in the event of early termination of the grant agreement, or if for any other reason Grantor and/or the SHNI shall require a review of the records related to the Project, Sub-grantee shall, at its own cost and expense, segregate all such records related to the Project from its other records of operation.
- c. Provide ESG Monthly Status Report to the Grantor and the SHNI, starting one month after receipt of funding. Reporting will continue to be due on the 15th of every month until the month following the exhaustion of funds.
- d. Provide a Consolidated Annual Performance and Evaluation Report (CAPER) generated from the Homeless Management Information System (HMIS), starting one month after receipt of funding. CAPER’s will be cumulative including all data from project start date up to the date of the monthly submission. Reporting will continue to be due on the 15th of every month until the month following the exhaustion of funds.
- e. Submit to Grantor and SHNI a Final Performance Report within 60 days of the end of the term of the grant agreement. This status report should be accompanied by an APR generated from the HMIS to include the full term of funding allocation.

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<sup>1</sup> [ESG Code of Regulations](#)

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- f. Requirement to Upload to HMIS all Documents Proving Eligibility. As reflected in Section V.B. of the HCCSC's Coordinated Entry Guide, before admitting clients, an HCCSC project must confirm and document their eligibility for the project, including their homeless or chronically homeless status and, if applicable, their disability and their income. In addition, the project must upload into HMIS any documentation providing evidence of eligibility if it has not been uploaded already.

B. Standard ESG-CV Operating Procedure Policies

1. Sub-grantee must abide by the following operating policies:

- i. Coordination with Continuum(s) of Care and other programs. The sub-recipients must be in compliance with the requirements of ESG Code of Regulations § 576.400 for consulting with the Continuum(s) of Care and coordinating and integrating ESG-CV assistance with programs targeted toward homeless people and mainstream service and assistance programs.
- ii. Acceptance into ESG-CV Project. Projects will accept referrals from Coordinated Entry and verify applicant eligibility.
- iii. Intake Process. Sub-grantee will complete the intake process including eligibility documentation requirements, income verification, Fair Market Rent calculation or Rent Reasonableness form, Homeowner and Duplication of Benefits Affidavit, Duplication of Benefits Worksheet, Subrogation and Assignment Agreement, any forms that may be utilized (ex. zero-income self-certification), and if applicable, participant verification of receipt of any agency project guidelines and/or policies (ex. receipt of HMIS Release of Information and Cause for Termination Statement).
- iv. ESG-CV Assistance Calculation. Sub-grantees will abide by a Universal Procedure established to determine the amount of assistance that the project will provide to participants including how much rental assistance will be provided and the length of assistance, based on the individualized assessment of the participant and potential negotiations with the landlord. Procedures must align with Department of Housing and Urban Development (HUD) ESG-CV Program Recipients and Sub-recipients Notice: CPD-20-08, the Grantor's participant assistance expectations<sup>2</sup>, Emergency Solution Grant Code of Regulations, and the HCCSC's Emergency Solutions Grant CARES Act (ESG-CV) Policies Governing Eligibility and Prioritization to Receive Assistance and Standards for Administering.
- v. Tracking ESG-CV Participants Assistance. Sub-grantee must track assistance and funds provided to participants via the Homeless Management Information System (HMIS) and include tracking verification documentation in participant file.

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<sup>2</sup> \*Assistance cap set by the City of Canton is no more than \$6,000 for the length of assistance. Duplication of Benefits Worksheet must be completed to determine assistance amount; participants cannot receive duplicative services for the same timeframe.

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- vi. **Prioritization of Eligible ESG-CV Participants.** Agencies will take referrals from the Prioritization List. Agencies will document updates to the Prioritization List in a timely manner.
- vii. **Homeless Status<sup>3</sup>.** The sub-recipient must follow intake procedures to ensure compliance with the homeless definition in ESG Code of Regulations § 576.2. Sub-recipients must document at intake evidence relied upon to establish and verify homeless status. The procedures must comply with the order of priority for obtaining evidence as third-party documentation (HUD first choice), intake worker observations (HUD second choice), and certification from the person seeking assistance (HUD third choice). However, lack of third-party documentation must not prevent an individual or family from being immediately admitted to emergency shelter or being immediately admitted to shelter or receiving services provided by a victim service provider. Records contained in an HMIS or comparable database used by victim service or legal service providers are acceptable evidence of third-party documentation and intake worker observations if the HMIS retains an auditable history of all entries, including the person who entered the data, the date of entry, and the change made; and if the HMIS prevents overrides or changes of the dates on which entries are made.
- viii. **Participant File Confidentiality.** Sub-recipient will follow the HCCSC’s System Privacy & Security Policies.
- ix. **Conflict of Interest.** The sub-recipients must be in compliance with the organizational conflicts-of-interest requirements in ESG Code of Regulations § 576.404(a), a copy of the personal conflicts of interest policy or codes of conduct developed and implemented to comply with the requirements in § 576.404(b), and records supporting exceptions to the personal conflicts of interest prohibitions. Additionally, if a referral is for a household being served in another program of a sub-grantee, that household may not be assisted with ESG-CV assistance from the same sub-grantee. However, the referred household may still be served with ESG-CV assistance by another sub-grantee administering the ESG-CV program, exceptions for households in emergency shelter funded by ESG-CV resources.
- x. **Participant Termination.** Sub-grantees’ may terminate a participant from the program under the following circumstances:
  - a. Fraud
  - b. Failure to report income within the specified timeframe (ten days)
  - c. Failure to make contact with sub-grantee for thirty (30) days
  - d. Violent or Threatening behavior towards staff
  - e. Head of Household has deceased and there is no co-applicant
  - f. Failure to comply with participant and provider established financial assistance plan
- xi. **Other Federal requirements.** The sub-recipients must comply with the Federal requirements in § 576.407 and § 576.409, as applicable, including:

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<sup>3</sup> <https://www.govinfo.gov/content/pkg/CFR-2018-title24-vol3/xml/CFR-2018-title24-vol3-part576.xml#seqnum576.500>

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- a. Compliance with the nondiscrimination and equal opportunity requirements under § 576.407(a) and the affirmative outreach requirements in § 576.407(b), including:
    - (i) Data concerning race, ethnicity, disability status, sex, and family characteristics of persons and households who are applicants for, or program participants in, any program or activity funded in whole or in part with ESG-CV funds; and
    - (ii) Documentation required under 24 CFR 5.168 in regard to the recipient's Assessment of Fair Housing and the certification that the recipient will affirmatively further fair housing. (Recipient requirement)
  - b. Compliance with the uniform administrative requirements in 2 CFR part 200.
  - c. Compliance with the environmental review requirements, including flood insurance requirements. (Recipient requirement)
  - d. Certifications and disclosure forms required under the lobbying and disclosure requirements in 24 CFR part 87.
  - e. Data on emergency transfers requested under § 576.409, pertaining to victims of domestic violence, dating violence, sexual assault, or stalking, including data on the outcomes of such requests.
- xii. Allowable Costs. The sub-recipients must keep documentation showing that ESG grant funds were spent on allowable costs in accordance with the requirements for eligible activities under “§§ 576.101 through 576.109, financial management in 2 CFR 200.302, and the cost principles in 2 CFR part 200, subpart E.
  - xiii. Program Income. The sub-recipients must retain records of the receipt and use of program income.
  - xiv. Procurement. The sub-recipient must retain copies of all procurement contracts and documentation of compliance with the procurement requirements in 2 CFR part 200, subpart D.

## Section – II Recordkeeping Requirements for ESG-CV- Project Participant Required Documents

### A. ESG-CV Participant Required Documentation

1. Homeless Status (when applicable). Documentation at intake of the evidence relied upon to establish and verify homeless status. Acceptable forms of documentation include evidence as third-party documentation (HUD first choice), intake worker observations (HUD second choice), and certification from the person seeking assistance (HUD third choice). However, lack of third-party documentation must not prevent an individual or family from being immediately admitted to emergency shelter, being immediately admitted to shelter or receiving services provided by a victim service provider. Records contained in an HMIS or comparable database used by victim service or legal service providers are acceptable evidence of third-party documentation and intake worker observations if the HMIS retains an auditable history of all entries,

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including the person who entered the data, the date of entry, and the change made; and if the HMIS prevents overrides or changes of the dates on which entries are made.

2. Eligibility Documentation. Every sub-grantee of ESG-CV grant funds must establish and maintain eligibility documentation in a participant file to ensure that those funds are used in accordance with the requirements of HUD's ESG-CV Program Recipients and Sub-recipients Notice: CPD-20-08, the City of Canton assistance expectations, and the HCCSC's ESG-CV Policies Governing Eligibility and Prioritization to Receive Assistance and Standards for Administering Assistance.
3. Intake. Sub-grantee will document the intake process including eligibility documentation requirements, income verification, Fair Market Rent calculation or Rent Reasonableness form, Homeowner and Duplication of Benefits Affidavit, Duplication of Benefits Worksheet, Subrogation and Assignment Agreement, any forms that may be utilized (ex. zero-income self-certification), and if applicable, participant verification of receipt of any agency project guidelines and/or policies (ex. receipt of HMIS Release of Information and Cause for Termination Statement)
4. Determinations of Ineligibility. For each individual and family determined ineligible to receive ESG-CV assistance, the participant file must include documentation of the reason for that determination.
5. Duplication of Benefits. Participants must complete a Duplication of Benefits Worksheet and sign a Homeowner and Duplication of Benefits Affidavit and Subrogation and Assignment Agreement as provided by the City of Canton. Completed Duplication of Benefits Worksheet and participant signed Homeowner and Duplication of Benefits Affidavit and Subrogation and Assignment Agreement must be included in participant file.
6. HMIS Release of Information. The Participant Informed Consent and Release of Information Authorization form must be signed by each Participant seen in person whose data is to be entered into the HMIS. Verbal consent must be obtained in situations where the Participant is not seen in person, such as telephone intakes, registrations, and assessments. Participant refusal to sign the consent or verbally agree to data sharing will prevent individual data from being shared. The non-identifying data will still be used in aggregate reports. The HMIS Release of Information should be documented for applicants, co-applicant and any person in the household who is 18 years of age or older.
7. Identification. Participant acceptable identification documentation includes copy of government issued proof of citizenship (birth certificate, social security card, driver's license, state issued identification card, and in some cases a passport) indicating that the participant is a resident of Stark County; geographical area must be included in the documentation. Identification documentation (birth certificate, social security card and government issued proof of citizenship) must be included in participant file for the applicant, and when applicable, the co-applicant. Identification documentation (birth certificate and social security card) must be included in participant file for any household members under 18 years of age.
8. HMIS Intake and Exit Forms. HMIS intake and exit printout must be included in participant file.
9. Household Composition. Household Composition and family-status of all members in household must be included in file. Acceptable forms of documentation include, but are not limited to, the HMIS intake printout.

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10. Household Demographics. Documentation including date of birth, age, race, ethnicity, income, geographic origination information for all household members must be included in file. Acceptable forms of documentation include, but are not limited to, the HMIS intake printout.
11. Rental Assistance Agreements and Payments. The participant files must include copies of all leases and rental assistance agreements for the provision of rental assistance, documentation of payments made to owners for the provision of rental assistance, and supporting documentation for these payments, including dates of occupancy by program participants must be included in file.
12. COVID19 Health and/or Income Hardship (when applicable). Verification of a decline in wages, unemployment, or health impact acceptable documentation includes the following: participant pay-stubs backdating from the date requesting assistance; letter from employer; unemployment letter and/or verification that unemployment has been applied for; zero-income self-certification form signed by participant.
13. Rent Reasonableness Eligibility. Rental assistance cannot be provided unless the rent does not exceed the Fair Market Rent established by HUD, as provided under 24 CFR part 888, and complies with HUD's standard of rent reasonableness, as established under 24 CFR 982.507. Rent Reasonableness documentation must be included in file.
14. Imminent Risk (At-Risk) or Imminent Eviction. Acceptable forms of documentation includes the following:
  - i. A court order resulting from an eviction action that requires the individual or family to leave their residence within 14 days after the date of their application for homeless assistance; or the equivalent notice under applicable state law, a Notice to Quit, or a Notice to Terminate issued under state law;
    - a. For individuals and families whose primary nighttime residence is a hotel or motel room not paid for by charitable organizations or federal, state, or local government programs for low-income individuals, evidence that the individual or family lacks the resources necessary to reside there for more than 14 days after the date of application for homeless assistance; or
  - ii. An oral statement by the individual or head of household that the owner or renter of the housing in which they currently reside will not allow them to stay for more than 14 days after the date of application for homeless assistance. The intake worker must record the statement and certify that it was found credible. To be found credible, the oral statement must either:
    - a. Be verified by the owner or renter of the housing in which the individual or family resides at the time of application for homeless assistance and documented by a written certification by the owner or renter or by the intake worker's recording of the owner or renter's oral statement; or

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- b. If the intake worker is unable to contact the owner or renter, be documented by a written certification by the intake worker of his or her due diligence in attempting to obtain the owner or renter's verification and the written certification by the individual or head of household seeking assistance that his or her statement was true and complete; (a) Certification by the individual or head of household that no subsequent residence has been identified; and (b) Certification or other written documentation that the individual or family lacks the resources and support networks needed to obtain other permanent housing.
15. Annual income. For each program participant who receives homelessness prevention assistance, longer than one year, the following documentation of annual income must be maintained:
  - i. Income evaluation form containing the minimum requirements specified by HUD and completed by the sub-recipient; and
  - ii. Source documents for the assets held by the program participant and income received over the most recent period for which representative data is available before the date of the evaluation (*e.g.*, wage statement, unemployment compensation statement, public benefits statement, bank statement);
  - iii. To the extent that source documents are unobtainable, a written statement by the relevant third party (*e.g.*, employer, government benefits administrator) or the written certification by the sub-recipient's intake staff of the oral verification by the relevant third party of the income the program participant received over the most recent period for which representative data is available; or
  - iv. To the extent that source documents and third party verification are unobtainable, the written certification by the program participant of the amount of income the program participant received for the most recent period representative of the income that the program participant is reasonably expected to receive over the 3-month period following the evaluation.
16. Tracking ESG-CV Participants Assistance. Services and assistance provided to program participant, including, as applicable, the security deposit, rental assistance, rental application fees, and utility payments made on behalf of the program participant. Utility allowance; the records must document the monthly allowance for utilities (excluding telephone) used to determine compliance with the rent restriction.
17. Housing Quality Standards (HQS) Inspections (when applicable). HQS documentation of inspections must be included in the participant file. HQS documentation of unit that did not pass inspection must be included in the file and HQS documentation of the unit that completed another inspection that passed must be included in file. When applicable, 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), apply to all shelters assisted under ESG program and all housing occupied by program participants. Lead-based paint inspection is included in HUD HQS form.
18. Re-evaluations for Homelessness Prevention Assistance. Re-evaluation eligibility verification must be included in participant file. Sub-recipients providing homelessness prevention assistance to re-evaluate the program participant's eligibility, and the types and amounts of assistance the program participant needs.  
*The required frequency of re-evaluations for homelessness prevention assistance under section 576.401(b)*

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*is waived for up to 2-years beginning on April 2, 2020, so long as the recipient or sub-recipient conducts the required re-evaluations not less than once every 6 months.<sup>4</sup>*

19. Utility Documentation. Documentation of utility account, how arrears are preventing participant from obtaining housing, and late payment notice from utility must be included in file.
20. Participant Termination. Sub-grantee's must document any project terminations and include this documentation in participant file.
21. Communication.
  - i. Sub-recipients will document the agency's attempts to contact applicants for assistance and document applicants' failure to respond to the agency. Agencies have the ability to move on after two attempts within three business days from the first day on contact.
  - ii. Sub-recipients will document a participant's termination and include any form of communication in participant file.
  - iii. Sub-recipients will document any communication and/or negotiations with landlords or property owner. Documentation must include any agreed upon resolutions.
  - iv. Documentation of project communication with the participant must be include in file (ex. written communication or documented oral communication that resulted in an outcome and/or resolution).
  - v. Documentation of mediation, including any resolutions, must be included in file.
  - vi. Documentation of project communication with utility companies must be include in file (ex. written communication or documented oral communication that resulted in an outcome and/or resolution).

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<sup>4</sup> Availability of Waivers of Community Planning and Development (CPD) Grant Program and Consolidated Plan Requirements to Prevent the Spread of COVID-19 and Mitigate Economic Impacts Caused by COVID-19 - <https://www.hudexchange.info/resource/6007/availability-of-waivers-of-community-cpd-grant-program-and-consolidated-plan-requirements-to-prevent-the-spread-of-covid19-and-mitigate-economic-impacts-caused-by-covid19/>