

Policies Governing Eligibility and Prioritization to Receive Assistance and Standards for Administering Rapid Rehousing Assistance, and Standards for Sub-Recipient Recordkeeping Requirements

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 rapid rehousing Policies Governing Eligibility and Prioritization to Receive Assistance and Standards for Administering Assistance, and Standards for Sub-Recipient Recordkeeping Requirements for this funding opportunity that expires on September 30, 2023.

POLICY: This policy is specific to the Rapid Rehousing Pilot Projects operated by ICAN Housing and Refuge of Hope. These pilot projects provide housing and supportive services to assist persons experiencing homelessness with the highest level of needs based on order of priority as defined by the HCCSC D.3 Policies Governing Eligibility and Prioritization to Receive CoC Assistance and Standards for Administering Assistance and defined in Section I.C of this policy. The Rapid Rehousing Pilot Projects provide housing and supportive services to assist persons experiencing homelessness with severe service needs and offering an opportunity to transfer into Permanent Supportive Housing (PSH) or Emergency Housing Vouchers (EHVs) for those with long-continuing need. The goal of this policy is to ensure that housing resources are targeted to the most vulnerable.

Section - I. Eligibility, Eligible Uses of Funds and Prioritization for Rapid Rehousing Pilot Projects Receiving ESG-CV Funds

1. Eligibility for Rapid Rehousing Pilot Projects. To be eligible for Rapid Rehousing Pilot Projects offered by participating agencies, individuals and families must:
 1. Be residents of Stark County with funding targeted towards City of Canton residents
 2. Be ineligible for system diversion
 3. Meet Homeless Navigation Pre-Screen eligibility, complete HMIS intake and SPDAT assessment process 4. Be Literally Homeless¹ or meet the criteria under paragraph (4) of the "homeless" definition and live in an emergency shelter or other place described in paragraph (1) of the "homeless" definition;
 5. Have an annual income at or below 50% AMI² at annual income verification.
2. Eligible Uses of Rapid Rehousing Pilot Project Funds.
 1. Rental assistance, 24 month cap for medium-term rental assistance (must include rental arrears)³
 2. Rental arrears, up to 6 months including any late fees on those arrears⁴
 3. Landlord incentives (incentives amount must not exceed three times the rent charged for the unit: signing

¹ Notice: CPD-21-08 -An individual may qualify as homeless under paragraph (1)(iii) of the homeless definition in 24 CFR 576.2 so long as the individual is exiting an institution where the individual resided for 120 days or less and the individual resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.

²Income Limits—Notice: CPD-21-08 Waiver Meet [Very Low Income Limit for the area as established by HUD for HUD's Section 8 and Public Housing Programs](#) HUD is waiving 24 CFR 576.401(b)(i), which requires that the re-evaluation must verify the program participant does not have an annual income that exceeds 30 percent of median family income for the area, as determined by HUD, and establishing the alternative requirement that the re-evaluation must verify the program participant does not have an annual income that exceeds the Very Low- Income limit for the area, as established for HUD's Section 8 and Public Housing programs at www.huduser.gov/portal/datasets/il.html. HUD has determined that increasing the annual income allowance for program participants receiving rapid re-housing assistance.

³ Notice: CPD-21-08 Waiver: Helping Current ESG Program Participants Maintain Housing. In order to ensure current program

participants receiving rapid re-housing assistance do not lose their housing during the coronavirus public health crisis and the subsequent economic downturn caused by the crisis, the requirements in 24 CFR 576.105(c) and 576.106(a) are waived as follows: (i) The requirement at 24 CFR 576.105(c) limiting the total period of time for which any program participant may receive the services under paragraph (b) to 24 months during any 3-year period is waived; and (ii) The requirement at 24 CFR 576.106(a) limiting the total number of months a program participant can receive rental assistance to 24 months in a 3-year period is waived. * [Program participants who receive the maximum amount of assistance](#) (24 months within 3 years) between January 21, 2020 and March 1, 2021 may receive an additional 6 months of rental assistance and services.

⁴ [Payment of rental arrears](#) consists of a one-time payment for up to 6 months of rent in arrears, including any late fees on those arrears.

bonuses equal to up to 2 months of rent; security deposits equal to up to 3 months of rent; paying the cost to repair damages incurred by the program participant not covered by the security deposit or that are incurred while the program participant is still residing in the unit; and paying the costs of extra cleaning or maintenance of a program participant's unit or appliances).

4. [Hotel/ motel](#) - * Funds may be used to pay for the following hotel/motel costs for individuals and families 1) experiencing homelessness, 2) receiving rapid rehousing (RRH) assistance under the CoC or ESG programs, 3) receiving homelessness prevention (HP) assistance under the ESG program, or 4) residing in permanent supportive housing. Costs for these populations include:
 - i. Hotel or motel rooms, directly or through a voucher;
 - ii. Cleaning of hotel and motel rooms used by program participants;
 - iii. Repair damages caused by program participants above the normal wear and tear of the room;
 - iv. Essential services as established at 24 CFR 576.102(a)(1)
5. Rental application fees
6. Security deposits
7. Utility security deposits and payments (up to 24 months of utility payments per program participant, per service, including up to 6 months of utility payments in arrears, per service)
8. Volunteer Incentives - Funds may be used to provide reasonable incentives to volunteers who have been and are currently helping to provide necessary street outreach, emergency shelter, essential services, and housing relocation and stabilization services during the coronavirus outbreak
9. Moving costs
10. Housing search and placement
11. Housing stability case management
12. Landlord-tenant mediation
13. Tenant legal services
14. Credit repair
15. Sponsor-Based Rental Assistance (funds may now be used for sponsor-based rental assistance)⁵
16. Renter's Insurance⁶
17. Laundry Services⁷

⁵ [ESG-CV Notice CPD-21-08 Summary](#) Waiver: Alternative requirement for project- based rental assistance provided under 24 CFR 576.106(i): The recipient or subrecipient may make monthly rental assistance payments only for each whole or partial month an assisted unit is leased to a program participant, except that if a program participant moves out of an assisted unit before expiration of the agreement, the recipient or subrecipient may use ESG-CV funds to cover up to 100 percent of the rent for the unit for up to 30 days from the end of the month in which the unit was vacated, while the recipient or subrecipient attempts to house another eligible program participant in that unit. This payment will not count toward the total rental assistance provided to the next program participant housed in the unit, unless the program participant moves in during the first half of the month that is paid using this flexibility. This payment will not prevent paying up to 100 percent of the first month's rent for the new program participant as provided under 24 CFR 576.106(i)(2), as long as the payments are made for different months. This flexibility is necessary to assure recipients and subrecipients can maintain the availability of assisted units in which individuals and families experiencing or at risk of homelessness can

be quickly re-housed.

⁶ [ESG-CV Notice CPD-21-08 Summary](#) Waiver / New Eligible Cost: In order to pay for renters insurance for program participants, the recipient or subrecipient must: (i) demonstrate that the payment of renters insurance is necessary to obtain or maintain housing (e.g., the landlord requires renters to have renters insurance to reside in the unit); and (ii) pay the renters insurance directly to the insurance company on behalf of the program participant.

⁷ [ESG-CV Notice CPD-21-08 Summary](#) Waiver / New Eligible Cost: Alternative requirements are established to the extent necessary to authorize ESG-CV funds to be used under 24 CFR.576.101(a) for the costs of providing laundry services to prevent the spread of coronavirus among individuals and families experiencing unsheltered homelessness, including by paying for laundry trucks to outdoor locations where people are residing.

18. Furniture & Household Furnishings⁸

19. Essential Services (Services available to those receiving rapid rehousing assistance are expanded to include all listed at 24 CFR 576.102(a)(1))⁹

20. Personal Protective Equipment (PPE)¹⁰

21. Vaccine Incentives¹¹

22. Expanded Use of Cell phones & Internet¹² (limitations apply, see [Notice: CPD-21-08](#))

3. Prioritization for Rapid Rehousing Pilot Projects.¹³ Participant choice must be considered in determining type and frequency of services, location and characteristics of housing and length of program support. The following rules will be followed in prioritizing households for Rapid Rehousing Pilot Projects:

1. First Priority – Chronically Homeless Individuals and Families with the Longest History of Homelessness and with Severe Service Needs. Highest priority will be given to chronically homeless individuals or heads of household (in the case of families), as defined in 24 CFR 578.3,5 for whom both of the following are true:
 - i. The chronically homeless individuals or heads of household have been homeless and living in a place not meant for human habitation, a safe haven, or in an emergency shelter for at least 12 months either continuously or on at least 4 separate occasions in the last 3 years, where the cumulative total length of the 4 occasions equals at least 12 months; and
 - ii. The individuals or heads of household have been identified as having “severe service needs” that are identified and verified by standardized assessment
2. Second Priority – Homeless Individuals and Families with a Disability and Severe Service Needs. Second priority will be given to homeless individuals or heads of household (in the case families), as defined in 24 CFR 578.3, who are eligible for CoC Program-funded PSH and who have severe service needs. In the case of individuals or heads of household with equally severe service needs, those with the longest cumulative length of documented homelessness during the last 3 years will receive priority.
3. Third Priority – Homeless Individuals and Families with a Disability Without Severe Service Needs. Third priority will be given to individuals and heads of households (in the case of families) who are eligible for

⁸ [ESG-CV Notice CPD-21-08 Summary](#) Waiver/ New Eligible Activity: This waiver and alternative requirement are also needed in order to respond to coronavirus by assuring program participants can still obtain and maintain housing during the economic downturn caused by coronavirus when their incomes and resources are not enough to obtain the furniture necessary to contribute to housing stability. ⁹

[Notice: CPD-21-08](#) Waiver / New Eligible Costs: ESG-CV funds to be used for the costs of providing essential services established at 24 CFR 576.102(a)(1) such as mental health services, outpatient health services, transportation, and substance abuse services. ¹⁰ [Notice: CPD-21-08](#) Waiver / New Eligible Costs: ESG-CV funds to be used to buy PPE (such as masks, disposable gloves, and hand sanitizer) to the extent the program participant needs the PPE to avoid exposure to and prevent the spread of coronavirus (e.g., to go out in public or enter common areas of housing).

¹¹ [Notice: CPD-21-08](#) Waiver / New Eligible Costs: ESG-CV funds may only be used for vaccine incentives to the extent that other vaccine incentives are inaccessible or unavailable to people experiencing homelessness within the community (direct, cash payments of up to \$50 per dose to people experiencing homelessness).

¹² Notice: CPD-21-08 Waiver / New Eligible Costs: ESG-CV funds to be used under 24 CFR 576.101(a), 24 CFR 576.102(a)(1), and 24 CFR 576.105(b) for the costs of providing temporary cell phones for individuals and families experiencing homelessness, receiving rapid rehousing assistance under the Continuum of Care (CoC) Program, and ESG Program, receiving homelessness prevention assistance under the ESG Program, or residing in permanent supportive housing funded under the CoC.

¹³ HCCSC D.3 HCCSC Policies Governing Eligibility and Prioritization to Receive CoC Assistance and Standards for Administering Assistance

CoC Program-funded PSH but who have not been identified as having severe service needs. In the case of individuals or heads of household in this category, those with a higher SPDAT score will be prioritized before those with a lower score. Where scores are equal, those with the longest cumulative length of documented homelessness during the last 3 years will receive priority.

Section - II. Rapid Rehousing Pilot Project Transfer into Permanent Supportive Housing (PSH) or Emergency Housing Voucher (EHV) Project

A. In General.

1. Participant transfer into a PSH unit or an EHV will be determined on a case by case basis by the Rapid Review Team and depend on availability at the time of participants' exit from a Rapid Rehousing Pilot Project. A transfer is not guaranteed at the time of participants' exit from a Rapid Rehousing Pilot Project. Rapid Rehousing Pilot Project staff members will make every attempt to connect Rapid Rehousing Pilot Project participants' exiting the project without a transfer into a PSH unit or an EHV to additional community resources and housing stability assistance.
2. Requests for participant transfers into a PSH unit or an EHV will be considered if a participant originally scored for PSH and will be exiting from a RRH pilot due to the following reasons; 1) project funding has been depleted or 2) the duration of the program has ended. If the project case manager feels that the participant will not be able to maintain stable housing, the case manager can submit a transfer request to Homeless Navigation Supervisor for the Rapid Review Team to review.
3. Transfer forms must be complete in full by the Rapid Rehousing Pilot Project case manager or project supervisor and must be uploaded to HMIS for consideration of placement on the transfer list. i. If the transfer request is approved, the participant will be added to the transfer list and reviewed at the weekly By Names Workgroup meetings.
 - ii. If the request is denied, the Rapid Rehousing Pilot Project case managers and project supervisor will be notified in writing with a narrative on why the Rapid Review Team has made the decision. The Rapid Rehousing Pilot Project supervisor can appeal the decision within three months.
 - iii. The transfer list will be maintained by Coordinated Entry and reviewed during the weekly By Names Workgroup meetings.
4. Participants transferring from a Rapid Rehousing Pilot Project are allowed to enroll in a PSH or an EHV project without losing their homeless or chronically homeless status, so long as the household was homeless or chronically homeless and met the prioritization criteria for the PSH prioritization list at entry into the initial Rapid Rehousing Pilot Project.
5. Violence Against Women Act (VAWA) transfers. Transfer for VAWA eligible participants from Rapid Rehousing Pilot Project into PSH or EHV will follow the HCCSC's F.8/D.8 Homeless Continuum of Care of Stark County's Policies Governing Emergency Transfers for Victims of Domestic Violence policies and procedures.

B. Rapid Review Team.

1. **Rapid Review Team Members.** The Rapid Review Team must include, but is not limited to, the following: 1)

a HCCSC Board Chair or designee; 2) Homeless Navigation Project Manager or HN Supervisor; 3) a Coordinated Entry Committee co-chair; 4) the participant’s Rapid Rehousing case manager and/or project supervisor; and 5) other relevant project staff members that will advocate on behalf of the participant’s transfer request.

2. Rapid Review Team Frequency of Meetings. The Rapid Review Team will meet as needed, in addition to granted transfer requests being included for review during the weekly By Names Workgroup meetings.
3. Criteria Considered in Transfer Decision Process. The following will be considered by the Rapid Review Team:
 - i. Completed SPDAT that qualified household for PSH prior to RRH Pilot Project referral
 - ii. Length of time homeless prior to housing
 - iii. History of homelessness
 - iv. Barriers presented by the Rapid Rehousing Pilot Project supervisor and/or case management staff
 - v. Efforts made by the program supervisor and case management staff to stabilize the participant
 - vi. Availability of Permanent Supportive Housing units and Emergency Housing Vouchers
 - vii. Length of stay in the Rapid Rehousing Pilot Project
4. Prioritization for Transfers into PSH. Rapid Rehousing Transfer requests into PSH that are granted by the Rapid Review Team will be placed on the PSH prioritization list after PSH to PSH transfer requests and in the priority specified in the HCCSC D.3 Policies Governing Eligibility and Prioritization to Receive CoC Assistance and Standards for Administering Assistance and defined in Section I.C of this policy.

Section - III. Recordkeeping Requirements for ESG-CV Rapid Rehousing 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 Subrecipients 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 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 Monthly Request for Payment Form & Progress 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 monthly 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 Request for Payment Form & Progress Report and CAPER within 60 days of the end of the term of the grant agreement. This status report should be accompanied by a CAPER generated from the HMIS to include the full term of funding allocation.
- f. Requirement to Upload to HMIS all Documents Proving Eligibility. As reflected in Section V.B. of the HCCSC's Coordinated Entry Guide, an HCCSC project must confirm and document 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.
- g. Program Participant Sharing in Rent. The sub-recipient may require the program participant to pay a portion of the monthly rental cost. In such cases, the sub-recipient must have written policies and procedures for determining the program participant's portion, and the rental assistance agreement should specify the amount of rent to be paid by the sub-recipient and the amount to be paid by the program participant, as indicated in §576.106(b). Households must pay a minimum of 30% of their monthly, adjusted income toward their rent.
- h. Rental Assistance Agreements and Lease Agreements.¹⁴ Rental Assistance Agreements. The rental assistance agreement required between the sub-recipient and property owner must set forth the terms under which the rental assistance is being provided. It *must at least* include the following:
 - 1. A provision requiring the owner to give the sub-recipient a copy of any notice to the program participant to vacate the housing unit, or any complaint used under state or local law to commence an eviction action against the program participant, as indicated in §576.106(e)).
 - 2. The same payment due date, grace period, and late payment penalty requirements as the program participant's lease, as indicated in §576.106(f)).
 - 3. For **project-based rental assistance**, the initial term of the rental assistance agreement must be 1 year. For **tenant-based rental assistance**, sub-recipients should establish the term of the rental assistance agreement for the period of time they anticipate providing assistance.

The rental assistance agreement should also include provisions addressing the following:

- i. The type of rental assistance being provided
- ii. Late Payments
- iii. Program Participant Sharing in Rent
- iv. Termination

¹⁴ [Requirements](#) for Rental Assistance Agreements and Leases Under the Emergency Solutions Grants (ESG) Program

Lease Agreements. Each program participant receiving rental assistance must have a legally binding, written lease for the rental unit, unless the rental assistance is provided solely for rental arrears (in which case, an oral agreement may be accepted). The lease must be between the program participant and the owner (or their agent, such as a property manager).

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 (if applicable, must take place not less than once annually), Rent Reasonableness¹⁵ form, Homeowner and Duplication of Benefits Affidavit¹⁶, 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. 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.
- 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.
- 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. 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

¹⁵ Notice: CPD-21-08 Waiver: Short-Term and Medium-Term Rental Assistance. (i) Providing rental assistance in units with rents above Fair Market Rent (FMR). The requirement at 24 CFR 576.106(d) that prohibits rental assistance where the rent for the unit exceeds the FMR established by HUD, as provided under 24 CFR Part 888, is waived so long as the rent complies with HUD's standards of rent reasonableness, as established under 24 CFR 982.507.

¹⁶ 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.

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 as outlined in the participant and provider established financial assistance plan¹⁸
 - 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
 - g. Failure to comply with agreed upon case management¹⁷

*Exception: Recipients and sub-recipients are exempt from the requirement to meet with program participants monthly if they also receive funding under the Violence Against Women Act of 1994 (VAWA) or the Family Violence Prevention and Services Act (FVSP) because these programs prohibit making housing conditional on the program participant's acceptance of services.¹⁸

- xi. Other Federal requirements. The sub-recipients must comply with the Federal requirements in § 576.407 and § 576.409, as applicable, including:
 - 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

¹⁷ Notice: CPD-21-08 Waiver: HUD is making an across-the-board waiver of the ESG requirement in 24 CFR 576.401(e)(1) that housing stability case managers meet not less than once per month with each program participant receiving rapid re-housing assistance. HUD is waiving this requirement for all program participants receiving this assistance after qualifying as homeless, in order to be consistent with the CARES Act prohibition stated in Section III.F.12.

¹⁸ ESG CRF

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 – IV Recordkeeping Requirements for ESG-CV Rapid Rehousing Project Participant Required Documents

A. ESG-CV Participant Required Documentation

1. Homeless Status. 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, 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 (as applicable), 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 / or social security card) must be included in participant file for any additional household members.
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.
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. Agreements must include program participant's portion of the rent (as applicable); the rental assistance agreement should specify the amount of rent to be paid by the sub-recipient and the amount to be paid by the program participant, as indicated in §576.106(b). Rental assistance agreements: Even when the assistance is solely for arrears, a rental assistance agreement is required, because rental arrears are considered rental assistance. For payments of rental arrears, the agreement should provide the amount paid by the sub-recipient, include the number of months of arrears paid, and any other terms and conditions of the payment. The agreement should reflect the evidence / documentation used to justify that the arrears are an eligible payment. Leases: When the assistance is solely for arrears, an oral lease agreement may be accepted in place of a written lease, if the agreement gives the program participant an enforceable leasehold interest under state law and the agreement and rent owed are sufficiently documented by the owner's financial records, rent ledgers, or canceled checks.
12. Rent Reasonableness Eligibility. Rental assistance comply with HUD's standard of rent reasonableness, as established under 24 CFR 982.507. Rent Reasonableness documentation must be included in file.
13. Tracking ESG-CV Participants Assistance. Services and assistance provided to program participant, including, but not limited to, the security deposit, rental assistance, rental application fees, and utility payments made

on behalf of the program participant must be included in file. Utility allowance; the records must document the monthly allowance for utilities (excluding telephone) used to determine compliance with the rent restriction.

14. Housing Quality Standards (HQS) Inspections¹⁹. HQS documentation of inspections must be included in the participant file. Notice: CPD-20-08 states that "housing for which ESG-CV funds must meet the applicable standards in 24 CFR 576.403(b) and 576.403(c).²⁴ HQS documentation of unit that did not pass inspection must be included in the file and HQS documentation of the unit re-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 housing occupied by program participants. The recipient or sub-recipient cannot use ESG-CV funds to help a program participant remain or move into housing that does not meet the minimum habitability standards.²⁵
15. Transfer into Permanent Supportive Housing (PSH). Transfer requests into a PSH or an EHV unit must be included in participant file. Transfer forms must be complete, included in participant file and uploaded to the HMIS. Rapid Rehousing Transfer Review Team determination documentation must be included in participant file regardless of the decision of the Rapid Rehousing Transfer Review Team to grant or deny the request.
16. Participants Enrollment in Projects. Participants are able to enroll in a PSH project without losing their homeless or chronically homeless status, so long as the household was homeless or chronically homeless and met the prioritization criteria for the PSH prioritization list at entry into the initial Rapid Rehousing Pilot Project. Initial eligibility for homeless or chronically homeless status for transfer into a PSH unit must be included in file.
17. Verification of Disability²⁰(as applicable for considering transfers into PSH). For participants being considered for transfer into a PSH project, appropriate documentation must be uploaded into HMIS and

¹⁹ [Notice: CPD-21-08 Waiver Permanent Housing - Habitability and Housing Quality Standards](#). As provided in Section III.F.14, recipients and subrecipients must ensure that housing meets minimum habitability standards established in 24 CFR 576.403(c) or Housing Quality Standards (HQS) established under 24 CFR 982.401 before helping a program participant remain or move into housing. Additionally, recipients may provide housing relocation and stabilization services for individuals and families receiving homelessness prevention assistance without conducting habitability or HQS inspections. Habitability Inspections when Providing Housing Relocation and Stabilization Services – Homelessness Prevention. T Providing housing relocation and stabilization services can help these households maintain their current housing by avoiding eviction records or additional economic insecurity caused by having to pay security deposits and other costs related to renting a new unit. Therefore, allowing recipients and subrecipients to provide housing relocation and stabilization services under the homelessness prevention component is necessary to prevent, prepare for, and respond to coronavirus. This alternative requirement does not waive the requirements at 24 CFR 576.403(c) with respect to other activities under the homelessness prevention component or with respect to any activity under the rapid re-housing component. ²⁰ [Verification of Disability – HUD](#)

included in the participant file. Acceptable forms of documentation include²⁶:

- a. 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;
- b. Written verification from the Social Security Administration;
- c. The receipt of a disability check (e.g., Social Security Disability Insurance check or Veteran Disability Compensation);
- d. Other documentation approved by HUD.

Further, acceptable evidence of a disability for an individual with HIV/AIDS would include written verification from a professional licensed by the state to diagnose and treat HIV/AIDS. There would not be an expectation that the licensed professional would also certify that the condition is expected to be of long-continuing or indefinite duration and substantially impede the individual's ability to live independently.

18. Annual Income²¹. For each program participant who receives rapid rehousing assistance, longer than one year, the following documentation of annual income must be maintained:
 - a. Income evaluation form containing the minimum requirements specified by HUD and completed by the sub-recipient; and
 - b. 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);
 - c. 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
 - d. 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.
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. Ineligibility: For each individual or family determined ineligible to receive ESG assistance, the sub-recipient must document the reason for that determination.
22. Communication.

²¹ Notice: CPD-21-08 Waiver: HUD is waiving 24 CFR 576.401(b)(i), which requires that the re-evaluation must verify the program participant does not have an annual income that exceeds 30 percent of median family income for the area, as determined by HUD, and establishing the alternative requirement that the re-evaluation must verify the program participant does not have an annual income that exceeds the Very Low- Income limit for the area, as established for HUD's Section 8 and Public Housing programs at www.huduser.gov/portal/datasets/il.html.

- a. 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.
- b. Sub-recipients will document a participant's termination and include any form of communication in the participant file.
- c. Sub-recipients will document any communication and/or negotiations with landlords or property owner. Documentation must include any agreed upon resolutions.
- d. Documentation of project communication with the participant must be included in file (ex. written

communication or documented oral communication that resulted in an outcome and/or resolution). e. Documentation of mediation, including any resolutions, must be included in the file.

f. Documentation of project communication with utility companies must be included in file (ex. written communication or documented oral communication that resulted in an outcome and/or resolution).