

Homeless Services Section (HSS) Program Standards Guidance July 1, 2025



HSS Program Standards Guidance

Contacts

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Published date: July 1, 2025

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NOTE: Guidance in this manual is specific to the Homeless Services Section (HSS) programs. Any other guidance from other manuals produced by OHCS does not apply to HSS and are not comparable or transferable. Programs included in HSS are EHAP, EHAP DRF, ERA, ESG, HSP, HTBRA and SHAP.

1. Program Standards Guidance Summary

The general purpose of this document is to provide information regarding required program standards to subgrantees/subrecipients of Homeless Services Section funding. Each subgrantee/subrecipient must comply with these standards when delivering Homeless Services Section programing. Provision of the standards included in this document apply to the Emergency Housing Assistance Program, inclusive of Document Recording Fee program, Elderly Rental Assistance, Emergency Solutions Grant, Housing Stabilization Program, HOME Tenant-Based Rental Assistance, and the State Homeless Assistance Program.

2. General Program Requirements

(A) *Policies/Procedures*

All policies/procedures required to be submitted to OHCS for **prior** approval, must be submitted during the funding application process. Policies/procedures must receive approval by OHCS prior to any notice of allocation in OPUS during **each** funding application process.

Policies/procedures approved in a previous funding application process must be renewed and reapproved in subsequent funding application processes.

(B) *Subgrantees and Subrecipients: Understanding the Difference*

For the purposes of this manual, “subgrantee” refers to entity that receives funding directly from Oregon Housing and Community Services (OHCS) to administer or carry out activities under Homeless Services Section Programs.

For the purposes of this operations manual, the term “subrecipient” shall mean any subgrantee’s subcontractors, contractors, vendors, subrecipients and any subcontractors, contractors, vendors or subrecipients of a subcontractor, contractor, vendor or subrecipient **receiving OHCS funds** for performing activities related to the delivery of program services/financial assistance.

Subgrantees may choose to directly administer the program, or they may choose to identify subrecipients in their service area to carry out program activities. Subgrantees must determine whether relevant payments made in furtherance of the delivery of OHCS programs constitute an award under a subgrant or a payment for goods and services under a procurement contract. Determination must be made using the criteria set forth in 2 CFR Part 200.331 and subgrantee shall document the determination for monitoring purposes.

Subgrantees must notify and receive prior-approval from OHCS when adding subrecipients, removing and/or amending subrecipients each funding cycle. Notification and approval normally occurs during the subgrantee’s grant agreement/contract funding application

process; however, if changes are made outside of the funding application process, subgrantees must submit an Implementation Report Amendment Request form for approval of subrecipient additions, deletions, or modifications within 30 calendar days of such change. No funds may be provided to a subrecipient without OHCS prior approval and any expenses incurred prior to OHCS' prior-approval will not be approved or allowable.

All subgrantee's subaward agreements must contain all required provisions from the OHCS Subgrantee Agreement/Contract. Subaward agreements must cite the correct regulations and the correct grant(s). OHCS reserves the right to request that any subrecipient agreement be submitted for review and approval by OHCS within ten (10) calendar days from the date of written request.

All subrecipients must comply with all applicable program rules and regulations for the expenditure of funds as noted in this manual, the subgrantee's grant agreement/contract and relevant Program Element or Scope of Work.

(C) Training

Subgrantee and subrecipient staff that provide direct services must receive relevant training related to the delivery of programs with the intent to serve houseless and unstably individuals/families.

Training may include HMIS training and technical assistance either for the subgrantee or to support subrecipient organizations to maximize effective use of HMIS system for data entry, reporting and program management. HMIS training may include costs for staffing to conduct trainings related to HMIS, development and management of HMIS specific workflows, development and management of data quality plans and providing end-user support, ad hoc reporting support and troubleshooting related to HMIS.

Training is an allowable Program Delivery expense.

Required training must occur for staff minimally, within one year from the beginning date of employment and current staff must receive training minimally once every four years from the date of the previous training taken. Subgrantee and subrecipients must track who attended each training, the date of the training and the synopsis of the training. Records for training must be made available to OHCS, upon request. Training, related to the intent and delivery of OHCS programs **must** minimally include:

- (1) Trauma Informed Services;
- (2) Mental Health First Aid;
- (3) Harm Reduction;
- (4) Supporting Victims of Domestic Violence;
- (5) Fair Housing;
- (6) Cultural Competency, De-Escalation, Implicit Bias and other racial equity related topics; and
- (7) For those using OHCS funds for Street Outreach, training must include Outreach Safety Strategies.

(D) *Culturally Response Services*

OHCS is committed to advancing culturally responsive services in alignment with the Statewide Housing Plan and/or similarly structured state plans or ideals. OHCS is committed to an intentional, data-driven approach to reduce disparities in housing and social service provisions. Subgrantees are expected to further culturally responsive practices in program design and program delivery. Subgrantees are required to respond, to the satisfaction of OHCS, to any questions related to culturally responsive practices through the funding application and/or reporting when required by OHCS, to ensure that subgrantees are practicing the delivery of culturally responsive services and engaging with other culturally responsive organizations, in alignment with any rules or policies identified in contract or guidance.

(E) *Equal Access*

OHCS prioritizes equity in the delivery of programs to address houselessness and housing instability. For the purposes of equal access, gender identity means the gender with which a person identifies, regardless of the sex assigned to that person at birth and regardless of the person's perceived gender identity. Perceived gender identity means the gender with which a person is perceived to identify based on that person's appearance, behavior, expression, other gender related characteristics, or sex assigned to the individual at birth or identified in documents. Sexual orientation means one's emotional or physical attraction to the same and/or opposite gender (e.g., homosexuality, heterosexuality, or bisexuality).

OHCS programs will be open to all eligible individuals and families regardless of sexual orientation, gender identity, or marital status. Subgrantees and subrecipients, as well as owners, operators, and managers of shelters, and other buildings and facilities and providers of services, funded in whole or in part by any OHCS HSS program, must grant equal access to such facilities, and other buildings and facilities, benefits, accommodations, and services to individuals in accordance with the individual's gender identity, and in a manner that affords equal access to the individual's family.

The admissions, occupancy, and operating policies and procedures of subgrantees/subrecipients must include policies and procedures to protect privacy, health, safety, and security and must be established or amended, as necessary, and administered in a nondiscriminatory manner to ensure that:

- (1) Equal access to OHCS programs, shelters, other buildings and facilities, benefits, services, and accommodations is provided to an individual in accordance with the individual's gender identity, and in a manner that affords equal access to the individual's family;
- (2) An individual is placed, served, and accommodated in accordance with the gender identity of the individual;
- (3) An individual is not subjected to intrusive questioning or asked to provide anatomical information or documentary, physical, or medical evidence of the individual's gender identity;
- (4) Nondiscriminatory steps are taken to address privacy concerns, including updating operating policies and procedures; and

- (5) Eligibility determinations are made in OHCS programs without regard to actual or perceived sexual orientation, gender identity, or marital status

Placement and accommodation of an individual in temporary, emergency shelters and other buildings and facilities with physical limitations or configurations that require and are permitted to have shared sleeping quarters or shared bathing facilities shall be made in accordance with the individual's gender identity.

In federally-funded programs, subgrantees and subrecipients must provide the Notice of Equal Access to clients receiving housing assistance. The Notice of Equal Access form can be requested from OHCS.

Subgrantee/subrecipients must document and maintain records of compliance with the requirements in this section for a period of 6 years (see Records Retention section of this manual).

(F) *Duplication of Benefits*

Per the subgrantee's grant agreement/contract Standard Terms and Condition, OHCS funds shall not be issued if it duplicates a benefit already paid through other sources. If a duplicate payment is made, subgrantee has thirty (30) calendar days in which to return the duplicative payment. Subgrantees and subrecipients must check to ensure that benefits issued do not duplicate other benefits for the same payment/service using HMIS and any other data system for which the subgrantee or subrecipient have access.

Subgrantees must have a stand-alone policy/procedure that identifies:

- 1) How they will ensure benefits are not duplicated; and
- 2) What system(s) they use to check for duplicated benefits.

Subgrantees must ensure that subrecipients have policies/procedures that align with OHCS requirements and are consistent with the intent of such a policy/procedure as outlined by OHCS. OHCS retains the right to require modification of any policy/procedure that in its determination does not meet basic principles or requirements of such a policy/procedure.

(G) *Privacy Notification*

Subgrantees and subrecipients must have a written document that meets the requirements of this section if provided to applicant/participant in written form, or they must have a stand-alone policy/procedure that describes how the subgrantee or subrecipient are providing this Privacy Notification verbally to applicants/participants.

A Privacy Notification must be provided to applicants/participants either verbally or in writing that identifies the following:

“Personally identifiable information is protected by federal laws (Privacy Act of 1974, as amended) and will be collected for the purpose of determining program eligibility, providing assistance/service, data collection, reporting and monitoring. Personally identifiable information will be shared with Oregon Housing and Community Services and other

state agencies with an information sharing agreement with OHCS and are administering programs that serve the same or similar clients or populations, as is necessary to carry out the intent of an assistance or service program for the benefit of the person applying for such assistance or service and will be disclosed to Oregon Housing and Community Services without written authorization.”

Applicants/Participants may also be asked to sign a Release of Information by the subgrantee or subrecipient that includes the Privacy Notification. If required to sign a Release of Information, in addition to the information above, such form must include a statement that:

“Refusal to sign such authorization cannot be the basis for denying program services to otherwise eligible applicants/participants. Applicant/Participant refusal to sign a Release of Information does not negate the inclusion of personally identifiable in secure reporting to Oregon Housing and Community Services. Oregon Housing and Community Services will de-identify applicant/participant demographic data for the purposes of reporting”.

Subgrantees and their subrecipients must document in the applicant/participant file that a privacy notification was provided to the applicant/participant either verbally or in writing. For all other purposes of collecting personally identifiable information, subgrantees and their subrecipients must follow state and federal laws for the collection, use and sharing of applicant/participant information.

Note: The Housing Stabilization Program (HSP) requires a Release of Information that includes Oregon Department of Human Services. See the Release of Information section in the HSP Operations Manual for more information.

Subgrantees must ensure that subrecipients have policies/procedures that align with OHCS requirements and are consistent with the intent of such a policy/procedure as outlined by OHCS. OHCS retains the right to require modification of any policy/procedure that in its determination does not meet basic principles or requirements of such a policy/procedure.

(H) Confidentiality and Cyber Security

Applicant and participant information must be obtained, maintained and retained in a confidential and secure manner in Oregon Housing and Community Services-funded programs. Confidential records include all applications, records, files, and communications relating to applicants and participants of, OHCS funded services. Records include all digital and electronic records, books, documents, papers, plans and writings. During their regular audits and monitoring functions of OHCS-funded programs, federal, state, and subgrantee auditors and examiners have access to all organization’s records.

All subgrantee/subrecipient officers, employees and agents must be aware of and comply with the confidentiality and cyber security policy and must acknowledge such awareness, in writing.

When records are maintained in hard copy, such records will be kept secure, limiting access to only those persons who have a legitimate interest in and are responsible for applicant/participant records.

When records are maintained electronically, subgrantee/subrecipient officers, employees and agents must securely maintain all confidential information. Using digital devices to access an organization's emails or accounts introduces security risk to data.

Subgrantees/subrecipients must ensure to:

- Install firewalls, anti-malware software and access authentication systems;
- Arrange for security training to all employees;
- Inform employees regularly about new scam emails or viruses and ways to combat them;
- Investigate security breaches thoroughly; and
- Employ physical and digital shields to protect information (inclusive of multifactor authentication).

Employees of subgrantees/subrecipients must keep computers, tablets and cell phones secure and will:

- Keep all devices password protected;
- Keep organization-issued antivirus software installed and updated;
- Ensure that devices are not left exposed or unattended;
- Install security and system updates as required;
- Log into the organizations accounts and systems through secure networks;
- Access internal systems and accounts from organization-issued devices and not other people's devices; and
- Will not lend any organization-issued device to other people.

Employees of subgrantees/subrecipients will ensure that:

- Computer terminals are located in a secure location, limiting access to only those persons who have a legitimate interest in and are responsible for applicant/participant records;
- Computer monitors are cleared (or a screen saver activated) immediately after accessing a(n) applicant/participant record;
- Computer terminals are on a "locked" mode or turned off if the terminal is unattended; and
- Access to personally identifiable HMIS data shall be given to only authorized personnel as necessary for performing the work required for OHCS-funded programs.

Emails often host scams and malicious software (e.g. worms.) To avoid virus infection or data theft, employees must:

- Avoid opening attachments and clicking on links when the content is not adequately explained (e.g. "watch this video, it's amazing.");
- Be suspicious of clickbait titles (e.g. offering prizes, advice.);

- Check email and names of people they received a message from to ensure they are legitimate; and
- Look for inconsistencies or give-aways (e.g. grammar mistakes, capital letters, excessive number of exclamation marks.).

If employees are not sure that an email they received is safe, they must not open such email, but will request assistance from the organization's information technology specialist. Subgrantees/subrecipients will ensure that employees receive and attend required training as provided by the subgrantee/subrecipient.

Password leaks are dangerous since they can compromise the entire technological infrastructure. Passwords must be secure, so they are not easily hacked. Subgrantee/subrecipients must keep passwords in accordance with the subgrantee's/subrecipient's policies and procedures.

Transferring data introduces security risk. Subgrantees/subrecipients must:

- Avoid transferring sensitive data (e.g. customer information, employee records) to other devices or accounts;
- Share confidential data only over the organization's network/ system and not over public Wi-Fi or private connection;
- Ensure that the recipients of the data are properly authorized people or organizations that have adequate security policies; and
- Report scams, privacy breaches and hacking attempts.

To reduce the likelihood of security breaches, subgrantee/subrecipient employees must:

- Report stolen or damaged equipment as soon as possible;
- Change all account passwords at once when a device is stolen;
- Report a perceived threat or possible security weakness;
- Refrain from downloading suspicious, unauthorized or illegal software on their organization-issued equipment; and
- Avoid accessing suspicious websites.

Employees of subgrantees/subrecipients must comply with the subgrantee's/subrecipient's security policies and procedures.

Employees of subgrantee/subrecipients must follow the subgrantee's/subrecipient's Confidentiality and Cyber Security Policy. Subgrantees/subrecipients must identify in policies/procedures how security breaches are addressed.

Find more information at:

- Resources for cyber reporting procedures: <https://www.ecfr.gov/current/title-32/section-236.4>
- Definitions for types of cyber security/reporting: <https://www.ecfr.gov/current/title-48/section-204.7301>

- OMB Guidance: <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-D/section-200.303>.

Subgrantees must have a stand-alone policy/procedure for the confidentiality and cyber security of all records. Such policy/procedure must include:

- 1) Identification of how all applicant/participant records are secured and confidentially maintained.
- 2) A statement that all applicant/participant records must be maintained within state guidelines for the proper retention and destruction of records.
- 3) A requirement that all subgrantee officers, employees and agents are aware of and comply with the subgrantees' confidentiality and cyber security policy and must include an acknowledgement of such policy, in writing.
- 4) A statement of the organization's commitment to ensuring cyber security through installing firewalls, anti malware software and access authentication systems; providing security training; informing employees of new security threats, investigating security breaches thoroughly, and employing physical and digital shields to protect information (inclusive of multifactor authentication).
- 5) Procedures for data transfer, ensuring security and preventing unauthorized access, including password requirements.
- 6) Reporting mechanisms for scams, privacy breaches, and potential security threats, ensuring timely response and resolution.
- 7) Reference to, or includes procedures for, disciplinary action for security breaches.
- 8) A statement that all records shall be open for review to federal and state authorized representatives, and auditors and/or examiners during their regular audits and monitoring functions of OHCS funded programs.

Subgrantees must ensure that subrecipients have policies/procedures that align with OHCS requirements and are consistent with the intent of such a policy/procedure as outlined by OHCS. OHCS retains the right to require modification of any policy/procedure that in its determination does not meet basic principles or requirements of such a policy/procedure.

Domestic Violence Shelter Confidentiality Provision:

The address and location of shelters operating solely as domestic violence shelter facilities funded, partially or in whole, by OHCS must be protected from public disclosure except as authorized by the director of the organization responsible for operations of the shelter in compliance with federal, state, or local rules and regulations. OHCS retains the right to obtain shelter addresses and locations funded, partially or in whole by OHCS; however, such information is protected from public disclosure except as authorized by federal, state, or local rules and regulations.

(I) *Grievances and Appeals*

Subgrantees are required to have an established, written stand-alone policy/procedure for addressing applicant/participant grievances/appeal requests. Subgrantees must ensure that subrecipients have policies/procedures that align with OHCS requirements and are consistent with the intent of such a policy/procedure as outlined by OHCS. Applicants/Participants must have the right and opportunity to grieve/appeal any decision that terminates, denies, limits, reduces or modifies benefits for any reason. Applicants/Participants must be notified of their right for a grievance or appeal of such decision and subgrantee policy must clarify how and when applicants/participants are notified of their right to grieve/appeal decisions. Such grievance/appeal policy/procedure can be posted in a public place; however, applicants/participants **must** receive a written notification for any decision that terminates, denies, limits, reduces or modifies any benefit. Applicants/Participants must still receive a denial notice in writing even if the reason for denial is a subgrantee's/subrecipient's lack of funding. At a minimum, the policy/procedure must include the following components:

- (1) Informs the participant/applicant that they can contest any subgrantee's or subrecipient's decision that terminates, denies, limits reduces or modifies any benefits and identifies the steps to follow to contest the decision;
- (2) Informs the participant/applicant of the reason for termination, denial, limitation, reduction or modification of benefit;
- (3) Allows any aggrieved person a minimum of thirty (30) calendar days to request an administrative review/appeal of such decision;
- (4) Informs the applicant/participant of their right to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the decision;
- (5) Identifies what reasonable accommodations are available for applicant/participants who have language, mobility or disability barriers that would prevent them from participating in the review/appeal process and how to request such accommodations; and
- (6) Informs the applicant/participant and OHCS in writing of the final determination and basis for the decision within ten (10) calendar days of the final determination.

Any person or persons designated by subgrantee and subrecipient can complete the administrative review/appeal, other than the person who made or approved the decision under review/appeal or a subordinate of this person.

OHCS retains the right to require modification of any policy/procedure that in its determination does not meet basic principles or requirements for such a policy/procedure.

(J) *Nondiscrimination*

Subgrantees are required to comply with all state and federal statutes relating to nondiscrimination. Subgrantee must have a stand-alone policy/procedure that complies with the following:

- 1) A statement that subgrantees will comply with all state, federal or local statutes, rules and guidelines for all protected classes and will not take any of the following actions based on race, color, national origin, age, religion, gender, familial status, or disability (federal) or victims of domestic violence, marital status, sexual orientation, gender identity or source of income (state):
 - (a) Refuse to accept an application for housing assistance or services;
 - (b) Deny an application for housing assistance or services;
 - (c) Set different terms, conditions or privileges for housing assistance or services;
 - (d) Provide different or specific housing, facilities or services;
 - (e) Falsely deny that housing is available for inspection or rental or that services are available; or
 - (f) Deny anyone access to a facility or service; and
- 2) Identifies how applicants or participants can request reasonable accommodation to access assistance or services, how that process is communicated to applicants and participants and how those requests are processed.

Subgrantees must ensure that subrecipients have policies/procedures that align with OHCS requirements and are consistent with the intent of such a policy/procedure as outlined by OHCS. OHCS retains the right to require modification of any policy/procedure that in its determination does not meet basic principles or requirements of such a policy/procedure.

The Fair Housing Act prohibits discrimination based on protected classes in the housing activities of advertising, screening, and unit rentals. Using a **target population** in screening is allowed; however, refusal to accept applications or provide information on services or available housing to any protected class, even if these groups do not fit into the targeting strategy, is prohibited.

Screening criteria cannot be discriminatory and must be consistently applied. A **priority population** means persons that are determined to have the greatest need and will receive services first; however, priority cannot be used as means of denying any person assistance and refusal to accept applications or provide information on services, or available housing, to any protected class, even if these groups do not fit into the priority population, is prohibited. For example, a provider might decide to give priority to applicants/participants who graduate from a tenant readiness education program that is inclusive of all protected classes. If two requests come in at the same time and both meet the screening criteria, the applicant/participant who also has the tenant readiness education experience could receive priority over the applicant who does not; however, providers must always accept the first request meeting their criteria and prioritization policy.

OHCS reserves the right to require a prioritization of participants when such prioritization is intended from a specific funding source. Subgrantees and their subrecipients must

adhere to such prioritization required by OHCS and such prioritization requirement takes precedence over any subgrantee or subrecipient prioritization.

For more information, see the [Guide to Fair Housing for Homeless and Domestic Violence Shelter Providers](#) produced by the Fair Housing Council of Oregon, or contact them directly at www.fhco.org.

(K) *Limited English Proficiency*

The Federal government has issued a series of policy documents, guides and regulations describing how subgrantees and subrecipients address the needs of persons who have limited English proficiency (LEP). The abbreviated definition of persons with limited English proficiency are those who: have difficulty reading, writing, speaking, or understanding English, and do not use English as their primary language.

Subgrantee must have a LEP stand-alone policy/procedure that describes the following, **unless** a federal program specifically requires a Language Access Plan. If a federal program requires a Language Access Plan, follow the guidance distributed by OHCS for that program's requirement:

- (1) The actions subgrantee took to identify LEP populations in their service area and cites any source(s) used for evaluation;
- (2) Defines actions subgrantee will take to provide language assistance and address language barriers;
- (3) States how and how often staff will receive training about assisting LEP persons; and
- (4) Identifies that, minimally, LEP populations are evaluated biennially and that updates to the LEP Policy incorporates any needed changes to address new or emerging LEP populations.

Subgrantees must ensure that subrecipients have policies/procedures that align with OHCS requirements and are consistent with the intent of such a policy/procedure as outlined by OHCS. OHCS retains the right to require modification of any policy/procedure that in its determination does not meet basic principles or requirements of such a policy/procedure.

Subgrantees and subrecipients can create a written Language Access Plan (LAP) to provide a framework to document how the agency's programs will be accessible to all populations in their service area. Subgrantees and subrecipient who serve few persons needing LEP assistance can choose not to establish a LAP; however, the absence of a written LAP does not release subgrantee's and subrecipient's obligation to ensure LEP persons have access to programs or activities.

Links to more information about Limited English Proficiency requirements are provided in the appendices "Applicable Rules and Regulations" of the relevant program's operations manual.

(L) *Conflict of Interest*

In the performance of work under Homeless Services Section programming, subgrantees and subrecipients will create no potential or actual conflict of interest, as defined by ORS Chapter 244, for a director, officer, agent, or employee of subgrantee or subrecipient. A conflict of interest exists if, among other things, a decision or recommendation could affect the finances of the subgrantee or subrecipient's officers, agents or employees or the finances of their officer's, agent's, or employees' relative. If a conflict of interest exists, the subgrantee or subrecipient's officer, agent or employee must always give written notice of the conflict, and in some situations the officer, agent or employee is restricted in their ability to participate in the matter that presents the conflict of interest. No subgrantee or subrecipient officer, agency or employee may carry out the initial evaluation required to obtain services for any person in which an actual or perceived conflict of interest does or would exist.

Subgrantee must have a conflict of interest policy/procedure that outlines the process for disclosing, in writing, any potential or actual conflict of interest. This includes procedures for staff when employees, board members, friends or family members apply for program services. Subgrantees and subrecipients must comply with conflict of interest standards for both individuals and organizations as identified in 24 CFR 576.404(a), 24 CFR 85.36, and 24 CFR 84.42. Subgrantee and subrecipient must keep records to show compliance with program conflict of interest requirements.

(1) *Organizational*

The provision of any type or amount of assistance must not be conditioned on an individual's or household's acceptance or occupancy of emergency shelter or housing owned by subgrantee, subrecipient or an affiliated organization. Conflict of interest waivers regarding rent assistance and rental agreement requirements can only be approved by OHCS (where applicable, such waivers may need to be approved for the federal award entity, see 24 CFR 576.404(a). If a subgrantee or subrecipient wishes to apply for a waiver, they must contact the OHCS Program Analyst or Assistant Director for guidance in submission of a waiver request, which must be approved by OHCS.

A subgrantee and subrecipient can conduct a participant's intake assessment to determine program eligibility if the participant resides in housing where the subgrantee or subrecipient has ownership interest for the expediency of housing placement services and to create seamless service delivery while keeping the participant engaged in services. A waiver of the conflict of interest policy for this purpose is not required.

Subgrantees and subrecipients cannot steer potential renters to units owned or operated by the subgrantee or subrecipient, if the renters will be using a rent subsidy paid with any OHCS funds. Rent-subsidized tenants are free to execute a rental contract with another landlord within the subgrantee or subrecipient's jurisdiction or they can choose to rent a unit owned or operated by the subgrantee or subrecipient. A waiver request is not required for this situation; however, subgrantees and subrecipients must comply with this provision of the conflict of interest policy.

(2) Individual

For the procurement of goods and services, subgrantee and subrecipient must comply with the codes of conduct and conflict of interest requirements under 24 CFR 85.36 (for governments) or 24 CFR 84.42 (for private nonprofit organizations).

Persons for whom the conflict of interest requirements apply include any person who is an employee, agent, consultant, officer or elected or appointed official of the subgrantee or subrecipient agency. No person who exercises or has exercised any functions or responsibilities with respect to activities assisted under the programs, or who is in a position to participate in decision-making processes or gain inside information with regard to activities assisted under the programs, can obtain a financial interest or benefit from an assisted activity; have a financial interest in any contract, subcontract or agreement with respect to an assisted activity; or have a financial interest in the proceeds derived from an assisted activity, either for him or herself or for those with whom he or she has a family or business tie, during his or her tenure or during the one-year period following his or her tenure.

Upon written request, OHCS may grant exceptions to provisions of this section on a case-by-case basis. Subgrantees and subrecipient wishing an exception must submit requests to OHCS for review, which may require further approval by HUD for federally-funded programs. There is no guarantee that an exception will be approved.

Subgrantee must have a Conflict of Interest stand-alone policy/procedure that complies with the following:

- 1) States that subgrantees officers, agents or employees will create no perceived, potential or actual conflict of interest;
- 2) Identifies how officers, agents and employees are notified of policy;
- 3) Outlines the process for disclosing, in writing, any potential or actual conflict of interest;
- 4) Identifies the process the subgrantee will follow when notice of a perceived, potential or actual conflict of interest is received and must include procedures for staff when employees, board members, friends or family members apply for program services; and
- 5) Identifies how records are kept of perceived, potential or actual conflicts of interest.

Subgrantees must ensure that subrecipients have policies/procedures that align with OHCS requirements and are consistent with the intent of such a policy/procedure as outlined by OHCS. OHCS retains the right to require modification of any policy/procedure that in its determination does not meet basic principles or requirements of such a policy/procedure.

(M) Monitoring

Subgrantees will be notified thirty (30) calendar days in advance of the monitoring visit and informed of what documents and records will be reviewed and any required staff or Board interviews. OHCS will provide subgrantees with a written monitoring report inclusive of any findings, concerns, or comments. Subgrantees are required to submit timely corrective

action to findings and failure to do so can result in the withholding of funds or a requirement to return HSS funds to OHCS or other remedies as described in the subgrantee's grant agreement/contract.

(N) Subrecipient Monitoring

Records of subrecipient monitoring performed by the subgrantee or subrecipient will be reviewed during OHCS monitoring. Subrecipient monitoring reports must be retained by the subgrantee and available for review by OHCS or other authorized entity, in compliance with program rules.

At least once during each biennium, Subgrantee must timely monitor the organizations and the activities and expenditures of its subrecipients to ensure:

- (1) compliance with subgrantee's grant agreement/contract and program rules and requirements; and
- (2) achievement of performance goals.

Subgrantees must have a stand-alone policy/procedure that identifies the following:

- (1) An evaluation of each subrecipient's risk (risk assessment) to include any non-compliance with rules, regulations, and the review of any terms and conditions of the applicable subaward for purposes of identifying risk and determining the appropriate level and type of subrecipient monitoring;
- (2) Frequency of subrecipient monitoring, which must be minimally once during a biennium or the term of the subgrantee's grant agreement/contract (if contracting annually, monitoring must minimally occur once within the biennium in which OHCS funds were awarded to the subgrantee);
- (3) The number of relevant samplings of fiscal transactions per program;
- (4) The number of relevant samplings of participant files and that such review includes eligibility, notification and documentation;
- (5) The number of relevant samplings of HMIS entries to ensure appropriate entry and tracking of participant information and service transactions;
- (6) A review of subrecipients records related to any equipment purchases to ensure compliance with procurement requirements and management of asset inventory (subrecipient cannot purchase vehicles with OHCS funds);
- (7) A review of participant records to ensure compliance with security, maintenance, retention, and destruction of records; and
- (8) A review of subrecipient's policies and procedures, forms, documents and notifications to ensure compliance with all program, state and federal rules, regulations and requirements.

OHCS retains the right to require modification of any policy/procedure that in its determination does not meet basic principles or requirements of such a policy/procedure.

Subgrantee's monitoring of its subrecipients shall maintain documentation of its subrecipient monitoring and must include:

- (1) a legally binding document that complies with the requirements of the subgrantee's OHCS grant agreement/contract;
- (2) documentation of the non-profit status of the subrecipient;
- (3) copies of all the subrecipients audits performed under the requirement of 2 CFR Subtitle B with guidance at 2 CFR, Part 200, as well as applicable supplemental regulations, if the subrecipient is required to have such an audit;
- (4) documentation of follow-up that the subrecipient takes timely and appropriate action on all deficiencies pertaining to the award as detected through audits, on-site reviews, and other means;
- (5) a risk assessment of the subrecipient organization, including an evaluation of each subrecipient's risk of non-compliance with rules, regulations, and terms and conditions of any applicable subaward for purposes of determining the appropriate level and type of subrecipient monitoring;
- (6) a review of financial and performance reports, along with review of a sampling of fiscal transactions;
- (7) a review of subrecipient policies and procedures, forms, documentation, client records including eligibility, notifications and documentation;
- (8) a review of subrecipient asset inventory and equipment purchases;
- (9) a review of participant records to ensure compliance with security, maintenance, retention and destruction of records; and
- (10) follow-up on all deficiencies pertaining to any OHCS funding in accordance with all program rules and regulations.

(O) Eligibility Documentation

[also see Records Section]

- (1) Documentation of all participant/applicant eligibility information must be available in participant/applicant files or if kept electronically, available upon request in the format requested (see digital signature information below for rent/lease agreements electronically signed). Documentation of all efforts to obtain higher preference of verification (Third party and Intake Worker/Case Manager Observation) when lower forms of preference are used, must be in writing and kept in the participant/applicant file. Third party documentation is a requirement for payment of mortgage/property tax assistance, when such expense is allowable within program-specific requirements.
- (2) Rental/lease agreements are the priority method for documenting a client's housing situation and is the document referred to when ensuring that funds for arrears is provided do not exceed program limitation and for validating the monthly liability. As a fraud prevention method, if a rental/lease agreement includes a "digital signature", it **must** meet the following guidelines or a request would be ineligible:

Digital signatures must include validation of the signer, determined by checking the authenticity of the signature's digital ID certificate status and document integrity. Authenticity must be verified to ensure a signer's certificate is trusted and ensures

validation that the document wasn't altered. Digital signatures must capture the IP address of the signer to protect against the fraudulent submission of multiple requests for assistance under the same IP address with different identities (e.g., DocuSign).



If a rental/lease agreement does not meet these standards, subgrantees/subrecipients must verify the validity of the document through alternative methods identified in their policies and procedures and such validation must be documented in the tenant's file identifying how the rental/lease agreement was validated. Such methodology may include personal knowledge of both client and landlord, positive history of prior assistance provided to landlord in which a payment will be made, positive history of unit or property management company in which a payment will be made, etc. If a lease/rental agreement is not available during OHCS monitoring of a client file that includes a digital signature, the cost will be disallowed.

(3) **Remote Application and Documentation**

The standard preference is for applicants/participants to apply for assistance in person or to have in-person contact with the subgrantee or subrecipient throughout the application and service delivery process. A remote application and documentation process can be used when necessitated; however, the identity of the applicant/participant **must** be verified. Client file must reflect what method of identity verification was used.

Applicants/participants who apply for assistance and provide eligibility or other documentation remotely can do so via electronic and other communication; e.g., phone, email, text, electronic messaging, mail and other electronic or remote means. Eligibility and other documentation must be kept in each applicant/participant file to meet eligibility and monitoring requirements.

Subgrantees must have a stand-alone policy/procedure for the use of a remote application and eligibility documentation process. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy/procedure as outlined by OHCS. Such policy must be applied equitably across services that use or are supported by OHCS funding and where allowed by the funding source. OHCS retains the right to require modification

of any policy/procedure that in its determination does not meet basic principles or requirements of such a policy/procedure.

The subgrantee's Remote Application and Documentation policy/procedure must address the following elements:

- a) In what circumstances a remote application and documentation process will be used;
- b) How the verification of the identity of the applicant is ascertained;
- c) How the verification and documentation of qualification for assistance in relation to program eligibility criteria are ascertained;
- d) When remote verification and documentation is appropriate for ongoing demonstration of eligibility; and
- e) How notifications are provided to applicant/participant, inclusive of privacy notification and grievance/appeal notification.

(4) Order of Preference

Subgrantees and subrecipients must establish written intake procedures that include a requirement for written documentation verifying eligibility for program services in accordance with the following preferred order of documentation:

- **Third-Party documentation**, source documents by an outside source, is the preferable form of documentation. Third-party documentation includes a written statement or document from an employer, landlord, public benefit worker, agency service provider, etc. Written verification sent directly to program staff or via the applicant/participant is preferred.
- **Intake/Case Manager Worker Observation**, documented by subgrantee/subrecipient staff. Staff documentation includes oral statements made by a social worker, case manager, or other appropriate official at an institution, shelter, or other facility and documented by the program intake worker/case manager. When the intake worker/case manager is unable to obtain a written or oral statement from a shelter, institution or facility staff, the intake worker/case manager must document, in writing, their efforts to obtain eligibility documentation and must place their documentation in the applicant/participant's file.
- **Applicant/Participant Self-Certification**, an applicant/participant signed document certifying eligibility, requires a written and signed document by the individual or head of household seeking assistance attesting to the eligibility facts for which they are certifying. A third-party can be designated by an applicant/participant to sign documents on their behalf when they are unable to do so and such designation must be made in writing and verified as authentic. It is the responsibility of the subgrantee and subrecipient to provide access to language interpretation services and assistive devices necessary for

applicants/participants to understand the documents they are certifying. Self-certification documentation is only used when documented staff efforts verify that third-party or intake worker/case manager observation documentation is not available. However, lack of third-party documentation must not prevent an individual or household from being immediately admitted to emergency shelter, receiving street outreach services, or immediately accessing domestic violence/victim service shelter and assistance.

(5) Simplified Documentation Option

When a subgrantee or subrecipient moves an active client from the Housing Stabilization Program (HSP) to EHAP GF/DRF, SHAP or Elderly Rental Assistance (ERA) programs or when moving clients between state funds (EHAP GF/DRF, SHAP, ERA), they can choose to use a simplified documentation process for the client's houseless status and income; whereby the subgrantee or subrecipient case manager verifies that the client meets the houseless status and income of the funding source at the time of entry and that the participant is eligible for the funding source to which they are moving, without requiring additional documentation.

Eligibility requirements specific to a funding source (such as Veteran status and household composition, age requirement in ERA, categorical eligibility in HSP) will still remain requirements that must be documented. The simplified documentation option is available for housing status and income. Documentation from the original source of funding must be readily accessible for monitoring purposes.

To use the Simplified Documentation Option, there can be no lapse in service from one program to the other. Subgrantee and subrecipient can use the sample form provided on the OHCS website to document the client file using this simplified documentation option.

Emergency Solution Grant (ESG) and Home TBRA (HTBRA) funds still require separate documentation and are not subject to a simplified documentation option.

(P) *Expenditure of Funds*

When OHCS funds are provided to a partner organization of subgrantees, such partner organizations must be identified and prior-approved as a subrecipient of the subgrantee in the subgrantee's Implementation Report (or amendment) and must follow OHCS guidance and specific requirements related to the delivery of OHCS programs as identified in this manual and a requirement to follow OHCS rules and guidelines must be written into the subrecipient contract.

Documentation of allowable program components and expenditures must identify how an expense or service helped a participant obtain or maintain permanent housing. OHCS-funded assistance must be the least amount needed to stabilize clients in their permanent housing or facilitate their transition into permanent housing.

Where state guidance is silent or absent, OHCS-funded programs comply with OMB Uniform Administrative Requirements, Cost Principles and Audit Requirements at [2 CFR 200](#).

HSS funds expressly prohibit the expenditures of funds in, or for, residential treatment facilities; residential homes; nursing, memory care or assisted living facilities; permanent supportive housing; hospitals; jails; and other similar institutions.

Funds cannot be used for the purpose of creating or funding landlord damage/loss mitigation programs.

(Q) *Distinguishing Between Maintenance and Renovation/Rehab*

ESG, EHAP GF and SHAP can be used for “Repairs to facility” as identified in the category of Shelter Operations. Rehabilitation/renovation on transitional housing is only allowable in HSS programs that allow for this use. This is meant to define minor or routine repairs.

Distinguishing between maintenance activities and more extensive repair and rehabilitation/renovation activities requires careful consideration. This information provided will assist in determining whether an activity is maintenance and therefore exempt from further environmental review, or, if it is rehabilitation/renovation and therefore requires further environmental review. of funds.

In general, maintenance activities slow or halt deterioration of a building and do not materially add to its value or adapt it to new uses. Sometimes, maintenance of a building feature or system requires periodic replacement of individual component parts that are subject to normal wear and tear. While maintenance is often budgeted as an operating expense, and repairs and rehabilitation/renovation are treated as capital expenses, it is the nature of the activity itself, not its budget category that determines whether it qualifies as maintenance. Simultaneous maintenance work in multiple units or buildings is still considered maintenance.

For environmental review purposes, deferred maintenance that has resulted in a need for extensive repairs and rehabilitation/renovation does not qualify as maintenance. If items that would otherwise be considered maintenance are done as part of an extensive remodeling or renovation of a building that amounts to rehabilitation, the entire job is considered rehabilitation. Depending on the extent of damage, activities performed after a disaster event will typically not be considered maintenance.

(1) Shelter Operations: Maintenance

In general, maintenance activities include: cleaning; minor or routine repairs of furnishing, equipment, and fixtures not permanently affixed to the building; protective or preventative measures to keep a building, its systems, and its grounds in working order; periodic replacement of a limited number of component parts of a building feature or system that are subject to normal wear and tear; and replacement of a damaged or malfunctioning component part of a building feature or system.

Replacement of all or most parts or an entire system is not maintenance. Maintenance activities:

- Do not materially add to the value of the building/property;
- Do not appreciably prolong the useful life of the building/property; and
- Do not adapt the building/property to new uses.

See the Table in the Appendix for specific examples of maintenance activities.

(2) Rehabilitation and Renovation

In general, an activity that does materially add to the value of the building, appreciably prolongs its useful life, or adapts it to new uses would be considered rehabilitation/renovation.

See the Table in the Appendix for specific examples of maintenance activities.

When the activity is renovation/rehabilitation, the scope of the environmental review may be limited if the work is minor and does not involve ground disturbance. Consult Regional Environmental Officers, Field Environmental Officers, and Program Environmental Clearance Officers for information and examples of Environmental Review Record documentation for limited reviews.

The scope of an environmental review relates to the nature and extent of the rehabilitation activities. Some activities, especially those limited to interior spaces, may not have the potential to affect the natural environment, and therefore not require analysis under some of the related laws and authorities like those addressing Wild and Scenic Rivers, Endangered Species, Farmland Protection, or Protection of Wetlands. A reviewer can quickly document such instances in the Environmental Review Record, and focus effort and further analysis on those environmental areas that may be impacted by a project. In residential rehabilitation, those typically include Floodplain Management, Historic Preservation, Noise Abatement, Toxic Chemicals and Radioactive Materials. Historic Preservation review (Section 106) may be expedited through Programmatic Agreements and other program alternatives.

It is also possible to group multiple years of expected activities into one environmental review. For instance, rehabilitation activities could be outlined in a 5-year environmental review for a property and be reviewed once, without requiring individual reviews each time a single activity occurs during the time period.

Depending on the cost of the rehab/renovation and value of the building, it might be considered minor rehabilitation or major rehabilitation (see below).

Rehab/Renovation costs can include architect's fees, engineering costs, permits, and other costs of a rehab/renovation project when they are reasonable and appropriate, and directly related to the rehab/renovation project. The chart below shows each activity, the definition, the minimum period of use requirement, and the level of environmental review for each.

Note that for rehab/renovation activities, the minimum period of use starts on the date the building is first occupied by houseless individuals or families after the rehab/renovation or, if the building is occupied during the rehab/renovation, the period of use starts on the date the rehab/renovation is completed.

Type of Rehab/ Renovation Activities	Definition	Minimum Period of Use	Level of Environmental Review Required
Minor Rehab/Renovation	The cost of the rehab/renovation of an existing emergency shelter/transitional housing is 75% or less of the value of the building before rehabilitation/renovation*	3 Years	Environmental Assessment (can require an Environmental Impact Statement (EIS))
Major Rehab/Renovation	The cost of the rehab/renovation of an existing emergency shelter/transitional housing exceeds 75% of the value of the building before rehabilitation/renovation*	10 Years	Environmental Assessment (can require an Environmental Impact Statement (EIS))

* The value of the building is the reasonable monetary value assigned to the building, e.g., by an independent real estate appraiser or other OHCS approved process and applies to the building(s) that either will operate as an emergency shelter or transitional housing or that with rehabilitation/ renovation activities will operate for the purpose of emergency shelter or transitional housing on the site of the property.

(A) Emergency Shelter or Transitional Housing Facilities Rehab/Renovation

[Refer to your Subgrantee Contract/Agreement for Procurement requirements as well as any relevant federal assurances]

Subgrantee must notify and receive approval from OHCS of the intent to use OHCS funds for the renovation/ rehabilitation of property prior to using funds for this purpose. Follow specific guidance as identified in the appropriate operations manual of each HSS funding source.

To notify OHCS, Subgrantee must complete the online form at: <https://app.smartsheet.com/b/form/33ab4f86297c4a4c86e64a4bd2bb28e1>. Funds for renovation/rehabilitation of property must be drawn from the OPUS category identified as Rehab/Renovation in state-funded programs.

(1) Rehabilitation/Renovation Instructions

Renovation or Rehabilitation is action taken to return a property to a useful state by means of repair, modification, or alteration.

Reporting on all rehabilitation/renovation projects must be provided to OHCS in the form and format required and must be submitted by the due date identified by OHCS.

Continued reporting of any acquisition projects approved under previous OHCS grant funds remains a requirement throughout the restrictive use period originally identified in the approval of the project.

A subgrantee's failure to provide required report is non-compliant with program rules and guidelines and could be subject to the repayment of funds. Please read the requirements carefully to ensure compliance.

Report forms are located on the OHCS HSS Dashboard at: <https://app.smartsheet.com/b/publish?EQBCT=8a215621578a4f76ae98113d719d5e64>.

OHCS does not have a direct contractual relationship with subrecipients and cannot approve any request submitted by a subrecipient. When subrecipients of a subgrantee wish to use OHCS funds for the purpose of rehabilitation/renovation of shelter/transitional housing property, the subgrantee is responsible for facilitating the use of funds. OHCS only allocates OHCS funds to the subgrantee and funds must be drawn from the appropriate OPUS category. All requirements of the grant agreements, program guidelines, notification/approval and reporting of activities are the direct responsibility of the subgrantee.

a) Notification/Approval

Prior to the expenditure of any OHCS funds, subgrantee must notify OHCS of the intent to perform activities related to the rehabilitation/renovation of real property and receive OHCS approval. Prior approval by OHCS is required for any rehabilitation/renovation of property and prior to incurring any expenses related to the project proposed for the use of OHCS funds.

Submit the Notification/Approval form available on the HSS Dashboard. You will be able to upload documentation to support the notification/approval process within the form. Failure to comply with all reporting requirements for an OHCS-funded project may result in a monitoring finding and may place your agency at-risk of future funding opportunities and/or require remedies as afforded in the OHCS Agreement/Contract.

b) Restrictive Use Period

The Restrictive Use Period for the OHCS-funded rehabilitation/renovation is dependent on activity type. Any previously allowed acquisition requires a restrictive use period of 10 years. The Restrictive Use Period begins from the date the project was placed into service.

Placed into service is identified as when all OHCS-funded project activities are complete.

The Certificate of Compliance is due annually for the period of the restrictive use. The project owner must annually certify compliance with this requirement and submit such certification to OHCS by using the Certificate of Compliance form available on the HSS Dashboard.

Rehabilitation and Renovation Minimum Period of Use		
Type of Rehab/Renovation Activities	Definition	Minimum Period of Use
Minor Rehabilitation/ Renovation	The cost of the rehabilitation/ renovation of an existing emergency shelter/transitional housing is 75% or less of the value of the building before rehabilitation/renovation*	3 Years
Major Rehabilitation/ Renovation	The cost of the rehabilitation/ renovation of an existing emergency shelter/transitional housing exceeds 75% of the value of the building before rehabilitation/renovation*	10 Years

* The value of the building is the reasonable monetary value assigned to the building(s), e.g., by an independent real estate appraiser or other OHCS approved process and applies to the building(s) that either will operate as an emergency shelter or transitional housing or that with rehabilitation/renovation activities will operate for the purpose of emergency or transitional housing on the site of the property.

c) **Contracted Oversight**

Architectural: All rehab/renovation concepts must be reviewed and approved by any appropriately licensed/certified/credentialed architect of subgrantee's choosing. For any rehab/renovation activity costing more than \$30,000, or if any internal or external doors, windows or walls will be added, removed, or moved, the subgrantee **must** hire an architect of record to develop the construction documents (such requirement is subject to OHCS monitoring).

General Contractor: For any construction costing more than \$50,000 or involving three or more trade specialties, the subgrantee **must** hire a general contractor of the subgrantee's choosing that is appropriately licensed/certified/credentialed (such requirement is subject to OHCS monitoring).

d) **Period of Fund Availability**

All project costs to be paid with OHCS funds **must** be incurred on or before the last day of the biennium in which the allocation was made.

e) **Procurement Requirements**

Subgrantees must follow procurement requirements as outlined in the subgrantee contract/agreement, for material goods and services that exceed \$10,000.

f) **OHCS Anti-Displacement and Relocation Assistance Policy**

OHCS-funded rehabilitation/renovation should not cause the involuntary displacement of current tenants. OHCS encourages subgrantees to pursue projects that will not permanently displace current tenants. If activities will displace current tenants, Subgrantee will provide OHCS with a description of the relocation plan and whether existing residents will have an opportunity to return to the facility, as well as any relocation activities to other permanent housing to be performed. Subgrantee's description shall include advance notice (in compliance with ORS 90) to affected tenants; and identify what funding/assistance the subgrantee will provide to facilitate the relocation of affected persons. Subgrantee must comply with any laws addressing tenant protections and evictions. OHCS provides a template for an Anti-Displacement and Relocation Assistance Policy on the HSS Dashboard (forms).

Additionally, more information on this subject can be found at the HUD website at: <https://www.hudexchange.info/programs/relocation/overview/#overview-of-the-ura>.

Submit document as an attachment to your Notification/Approval form.

g) **OHCS Fiscal Monitoring**

Subgrantee must maintain a project file available for review during the monitor's visit or at the monitor's direct request of all project and funding activities

OHCS fiscal monitoring requirements for previously approved acquisition and/or rehab/construction projects are the same as fiscal monitoring of other costs incurred.

h) **Semi-Annual Progress Report**

The Semi-Annual Progress Report form must be submitted by July 20th and January 20th of each year following the **start date** of the project. The start date begins on the date of the first expense of OHCS funds is incurred after approval is provided by OHCS and must continue until the project can be reported as "placed into service".

For example, a project begins March 15th, the first report will be due by July 20th. Subsequent reports are due each January and July until the project is placed into service.

The Semi-Annual Progress Report must include detail of the project work completed during that reporting period and the percentage of completion achieved to-date. Once a project is placed into service, subgrantee must complete the Placed Into Service Report and further Semi-Annual Progress Reports will not be required.

Submit the Semi-Annual Progress Report form, available on the OHCS HSS Dashboard.

i) **Placed into Service Report**

Once a project is placed into service, submit a Placed Into Service Report. Subgrantees are required to provide OHCS with a narrative report describing the project and how it is being used in the community. The Placed Into Service Report form is available on the OHCS HSS Dashboard.

j) **Annual Certificate of Continuing Program Compliance**

A Certificate of Continuing Program Compliance is required to be submitted annually. “Annually” is defined as each year, in the same month in which the OHCS-funded project was Placed Into Service.

For example, if your project was placed into service in the month of April, the Certificate of Compliance will be required to be submitted every April following the year the project was placed into service. If a project was placed into service in April, 2020 and has a 3 year restricted use period, the annual compliance reported must be submitted in April 2021, 2022 and 2023.

Subgrantee will use the Certificate of Continuing Program Compliance to confirm the operation of the project is being used within the original project scope for emergency shelter or transitional housing and that the population served meets the eligibility requirements of the program for which the funding was received, and that the project complies with the restrictive use.

Submit the Certificate of Compliance form available on the OHCS HSS Dashboard.

k) **Environmental Review**

Subgrantee must complete the appropriate Environmental Assessment or Environmental Impact Statement. Such environmental review must be performed by the responsible entity. The responsible entity must be the unit of general local government within which the project is located that exercises land use responsibility. Such review must be kept on file for monitoring purposes.

If an environmental review is determined not to be needed, documentation must be kept on file identifying what authority made the decision that such review is not required and the rationale behind why such a review was not required.

l) **Certificate of Occupancy/Final Inspection**

Subgrantee must complete a Certificate of Occupancy or Final Inspection that identifies that the property passes inspection and meets requirements for occupancy, signed by their local jurisdiction or inspector, upon completion of the project. This must be kept on file for monitoring purposes.

m) **Repurposing the Property**

Subgrantee cannot repurpose the use of the property before the end of the required restrictive use period and must continue to support and maintain the property as

emergency shelter or transitional housing. This requirement applies even if the program terminates or if the OHCS agreement or contract terminates.

n) **Transferring Property Ownership**

Within the Restrictive Use Period, the subgrantee **may not** transfer, sell, assign, bequeath, or dispose of any interest in the project to any person, entity, or other assignee, without obtaining the **prior written consent of OHCS**. The proposed use of any monies gained from such transaction must be pre-approved by OHCS.

The Transfer of Property, in which OHCS funds were used for a previously approved acquisition of real property or for real property in which rehabilitation/renovation occurred, can be requested within the restrictive use period. Prior written consent of OHCS is required. Even if approved by OHCS, the restrictive use must remain in effect for the length required by OHCS guidelines. Such transfer of property will not be approved prior to (1) the timely receipt of Semi-Annual Reports on the project's progress as identified in this guidance; (2) the submission of a Placed into Service Report (3) the performance of Environmental Review; (4) the submission of the first Annual Certificate of Continuing Compliance. All documents regarding the transfer of property must be submitted to OHCS at: hss.acq.rehab@hcs.oregon.gov.

To be approved for the Transfer of Property in which OHCS funds were used, the Subgrantee must enter into a Memorandum of Understanding (MOU) with the partner organization that will be the recipient of the transfer of property with the following requirements:

- MOU must be effective for the duration of the required restrictive use period;
- MOU must include the Subgrantee's continued timely submission to OHCS of the Annual Certificate of Continuing Compliance for the length of the required restrictive use period (this requirement cannot be transferred to another entity and is the responsibility of the subgrantee);
- MOU must include the partner organization's compliance with Subgrantee's Nondiscrimination, Confidentiality, Grievance and Appeals and Limited English Proficiency Policies, as approved by OHCS. This requirement can be met by a reference in the MOU to the guidance for compliance of these policies as identified in this manual and as a reference to the subgrantee's policies/procedures;
- MOU must include the Subgrantee's continued monitoring of the project to meet the OHCS requirements for the project for the length of the required restrictive use period, which must include access to the property and the property records for the same duration (records must be available and accessible for six years following the restrictive use period);
- MOU must include access to the property and property records by OHCS and OHCS' authorized representatives for the purposes of monitoring as required by OHCS program guidelines;

- MOU must include the requirement for the maintenance, retention and destruction of records in compliance with OHCS program guidelines, for a period of 6 years following the end of the required restrictive use period; and
- MOU must be submitted to OHCS **prior** to execution, for pre-approval. Upon execution, OHCS **must** receive the executed copy of the MOU, as approved. Submit to OHCS at hss.acq.rehab@hcs.oregon.gov.

The above guidance provides the flexibility for subgrantee's to transfer property; however, it maintains the integrity of the program dollars that are spent for the purposes of the project. While this will require continued follow-up on the Subgrantee's behalf, it provides for the transfer of property to meet the Subgrantee's and their partner organization's needs while still retaining emergency shelter or transitional housing for the needs of the community.

(2) Checklist of Steps to Follow

File review is the basis for OHCS monitoring. Subgrantee must keep a complete file of all project requirements for 6 years following the end of the restrictive use period. Subgrantee must follow all reporting requirements for previously approved acquisition, or rehabilitation/renovation of property and must follow the reporting requirements identified below for current/proposed projects:

- 1) Read through the manual section related to previously approved acquisition and rehabilitation/renovation for all requirements to ensure you understand them and the responsibilities included in this guidance.

Failure to submit reports in a timely manner may result in a monitoring finding, require the repayment of funds and may place your agency at-risk in future funding opportunities.

- 2) Submit Notification/Approval form to OHCS **prior to** the expenditure of any funds, located on the HSS Dashboard.
- 3) Submit all required reports , in form and format required by OHCS.
- 4) Submit your Semi-Annual Progress Report, due July 20th and January 20th following the start date of the project. Submit the form located on the HSS Dashboard.
- 5) Retain Environmental Review records on file for monitoring purposes.
- 6) Retain Certificate of Occupancy/Final Inspection on file for monitoring purposes.
- 7) Submit a Placed Into Service Report upon completion of the project. Submit the form located on the HSS Dashboard.
- 8) Submit the Certificate of Continuing Program Compliance for each year of the restricted use period. Submit the form located on the HSS Dashboard.

3. Financial Management

(A) ***Fiscal Standards***

These fiscal standards ensure that subgrantees and their subrecipients have accurate, transparent, and appropriate fiscal controls. Technical assistance regarding these standards can be provided by OHCS when requested by the subgrantee:

1. Subgrantees/Subrecipients must charge administrative duties (executive leadership, HR, IT, etc.) to Admin and never to Program.
2. Subgrantees/Subrecipients must not charge salary & fringe to least restrictive funding rather than proportionate to all activities worked.
3. Subgrantees/Subrecipients costs must be allocable to the appropriate grant, in alignment with a subgrantee's/subrecipient's cost allocation plan and 2 CFR 200. Costs cannot be allocated to a grant just because there are funds available in that grant if the costs are not allocable to the grant.
4. Subgrantees/Subrecipients must follow policies and procedures for both fiscal and procurement and ensure everyone understands the requirements.
5. Subgrantees/Subrecipients must support the procurement process with adequate documentation and decisions made on the resulting contract or purchase.
6. Subgrantees/Subrecipients must not establish long term contracts with no term dates and no process for reviewing them.
7. Subgrantees/Subrecipients must ensure errors in bank records are explained and do not move funds back and forth between accounts to prevent insufficient funds.
8. Subgrantees/Subrecipients must avoid numerous correcting entries in the general ledger.
9. Subgrantees/Subrecipients must ensure the accounting system used provides prompt and timely reporting of transactions.
10. Subgrantees/Subrecipients must have a written and adequate cost allocation plan on file that include all activities in the indirect cost allocation process and identifies all costs included and excluded in an indirect cost rate, and such plan must be available for monitoring purposes.
11. Subgrantees/Subrecipients must have a documented base for allocation of costs.
12. Subgrantees/Subrecipients must ensure that the use of the de minimis indirect cost rate is documented and that there is documentation that identifies all excluded costs and such documentation of the modified total direct cost base must be available for monitoring purposes. An indirect cost rate cannot be applied to excluded costs.
13. Subgrantees/Subrecipients must ensure adequate documentation that supports the cost.
14. Subgrantees/Subrecipients must ensure costs allocated to a grant can be charged to the grant.
15. Subgrantees/Subrecipients must ensure travel costs are adequately documented and support business purposes.
16. Subgrantees/Subrecipients must not have one individual responsible for determining allowability of costs, cost allocation, and all monitoring activities (ensure appropriate separation of duties).

17. Subgrantees/Subrecipients must reconcile bank statements timely (monthly) and ensure different individuals reconcile and approve the reconciliation (appropriate separation of duties). There must be appropriate oversight and identification of how a subgrantee/subrecipients mitigates risks.
18. Subgrantees/Subrecipients must not modify documents after approved by management (such as timesheets or invoices).
19. Subgrantees/Subrecipients must ensure there is an internal process established for reviewing subgrantee/subrecipient compliance with grant requirements.

(B) Advance Requests for Funds

OHCS expects subgrantees to invoice OHCS for all expenses as a reimbursement; however, subgrantees can request an advance payment of funds. Such requests **must be rare in nature** and minimizes the time elapsing between the transfer of funds and expenditure of funds. Subgrantee must have internal financial management systems that meet the standards for fund control and accountability. See the subgrantee's grant agreement/contract for more information. Advance requests for funds are subject to both OHCS' fiscal and program analyst approvals and such approvals are at OHCS' sole discretion.

Advance payment to a subgrantee must be limited to the **minimum amount needed** and be timed to be in accordance with the actual, immediate cash requirements of the subgrantee in carrying out the purpose of the approved program or project. The timing and amount of advance payment must be as close as is administratively feasible to the actual expenditure of funds for allowable costs. Subgrantee must make timely payment to contractors/subrecipients in accordance with provisions of any contract between the subgrantee and its contractors/subrecipients.

An advance can be requested using the field labeled "Projected" in OPUS on the AGR screen.

The need for an advance must be justified by a short comment in the AGR "Comment" field stating "see attached" and must include the submission of an Advance Request for Funds form. The OHCS HSD Advance Request for Funds provides details to justify your request and demonstrates the impact to subgrantee's operations and cash flow. Find this form on the HSS Dashboard.

OHCS is mindful of subgrantee's operational needs and cash flow as they work to deliver critical programs. Funds that are approved to be advanced, must be fully expended and reported in a subsequent request for funds (general ledger submitted in OPUS through a request for funds) prior to the approval of any additional request for funds. Advance of funds is limited and intended to cover a maximum of a 30-calendar day need for HSS programs. If there are additional questions or if a subgrantee would like to talk through their operational and cash flow needs, contact OHCS via email at mga.fiscal@hcs.oregon.gov.

(C) **Use of OPUS**

The OPUS System is a web-based centralized data system designed to meet business-processing needs. Subgrantee staff must complete training before being authorized to use the fiscal operations program of OPUS and access is limited to the business need. Training can be provided by the Fiscal Grant Specialist at OHCS. A video replay of OPUS Fiscal Training can be found on the HSS Dashboard.

OHCS maintains an OPUS Manual and an OPUS Help Desk. View the OPUS User Manual from the OPUS landing page, under the Help tab, after logging into OPUS. This includes detailed information (with screen shots) for notices of allocations, requesting funds, submitting financial status reports and more.



OPUS Help Desk can be reached at:

Email: opushelp@hcs.oregon.gov

Ph: (503) 986-2099

Toll Free: (800) 453-5511 Option 6

(D) **Request for Funds Documentation**

Subgrantees/subrecipients must retain supporting documentation of all costs charged to the applicable grant and be able to provide evidence that grant funds were spent on allowable costs.

When using an indirect cost rate, subgrantees must ensure that a cost allocation plan including inclusions and exclusions to the indirect cost base are documented and kept on file for monitoring purposes.

When subgrantee submits an Agency Grant Request (AGR)/Request for Funds (RFF) in OPUS, they are required to upload documentation of the costs for which they are requesting payment. Any AGR/RFF submitted without accompanying documentation or with insufficient documentation will be voided and returned to the subgrantee with instructions to resubmit with appropriate documentation.

Subgrantee are required to **frequently and regularly** submit AGR/RFFs to appropriately expend their funds within their identified spending targets. Frequently and regularly is defined as **at least** once every 60 calendar days per program; however, OHCS prefers and recommends submission to occur once every 30 calendar days per program. Lack of submitting request for funds frequently and regularly will subject the grantee to possible recapture of funds by OHCS. An AGR/RFF can be denied/voided if documentation is insufficient, if unallowable costs are included, if drawing funds from the incorrect category or if submitted after the grant close-out period has ended.

(E) *Budget Change Requests and Implementation Report Amendments*

Changes in a subgrantee's scope of work can necessitate the submission of a budget change request. All budget changes require OHCS approval by submitting a Budget Change Request form electronically to: mga.fiscal@hcs.oregon.gov.

Budget changes will not be approved if such change would limit the subgrantee's ability to meet minimum percentage standards required by specific program standards.

No Budget Change Request will be approved if submitted **within 10 calendar days** of the end of that grant's final Financial Status Report (FSR) due date (08/30) as there is not sufficient time to process that request and draw the funds to meet the FSR timeline.

At the discretion of OHCS, additional information can be required for a budget change request, in form and format required by OHCS.

Implementation Report Amendments are required for the following:

1. Amend Agency Information (such as legal name change or address update)
2. Add, Edit, Remove Subrecipient
3. Adjust Time-Bound Expenditure Plan
4. Submit a Policy for OHCS Approval

All Implementation Report Amendments require OHCS approval by submitting an Implementation Report Amendment Request through the appropriate Smartsheet form located on the HSS Dashboard.

Submission of IR Amendments for Time-Bound Expenditure Plans (TBEP) will not be approved if submitted for a period that has already passed. Any request to amend and TBEP for a specific fiscal year received after March 15 of that fiscal year, will not be approved.

Subgrantees **must** identify, and receive OHCS approval, of all subrecipients through the funding application. For any additional subrecipients, changes to subrecipients or deletion of subrecipients, identified outside of the funding application, subgrantees must notify OHCS within 30 calendar days of such amendment for OHCS' approval. by submitting an Implementation Report Amendment Request through the appropriate Smartsheet form.

(F) *Funds Spend Down*

Subgrantees are expected to fully expend grant funds during the grant's performance period. Subgrantees must meet spending targets identified in their Implementation Report spenddown plan (Standard or Time-Bound Expenditure Plan (TBEP), as applicable. OHCS will review subgrantee's grant spending in accordance with subgrantee's grant agreement/contract and OHCS guidance. Any spending below the minimum standard spending target or the time-bound expenditure plan is subject to rescission of grant funds, at OHCS' sole discretion. See Standard Terms and Condition of subgrantee's grant agreement/contract for more information.

Expenditures shall be managed by subgrantee so that services are available throughout the intended service delivery period, unless a specific program's guidance allows for early expenditure of funds, such as ERA, HSP or DRF programs, or due to an award being less than

\$25,000. Expenditures-to-date are to be monitored monthly by subgrantee to ensure that the budget-to-actual amounts demonstrate expenditure rates that are consistent with the percentages identified in the approved standard/TBEP.

Any funds not drawn by 60 calendar days following the end of the funding period, are subject to recapture/deallocation by OHCS. Exceptions are not guaranteed; however, requests for any exception must be received prior to the 60-calendar day deadline and **cannot** be for the purposes of late invoicing by subrecipients or lack of adequate staffing. Acceptance and approval of any exception is at OHCS's sole discretion.

(G) *Internal Controls for Fraud*

As stated in the subgrantee's OHCS agreement/contract, subgrantees and their subrecipients are responsible for maintaining an internal controls framework, satisfactory to OHCS, which assures compliance with program requirements. Written policy and procedures must be established and outlined in local documentation (e.g., staff policy/procedure manuals) and are subject to OHCS monitoring.

Subgrantees/Subrecipients must establish and maintain clear policies/procedures for the management of program applicants and participants who may have committed fraud and for dealing with public complaints regarding potential fraud, including preventing, detecting, investigating and dealing with fraud.

Subgrantees/Subrecipients must establish and maintain clear policies/procedures for preventing, detecting, investigating and dealing with employee fraud.

All incidents of fraud must be reported to OHCS at hsd.homelesservices@hcs.or.gov. Subgrantees and subrecipients are responsible for repayment of funds to OHCS which were gained through any act of fraud.

(H) *Procurement*

Purchases of equipment or property are subject to additional provisions and requirements as stated in the subgrantee's grant agreement/contract Standard Terms and Conditions and Special Provisions exhibits and subgrantee's must ensure that subsequent subaward agreement with subrecipients include these terms and conditions.

Fixed assets with a value at or greater than \$10,000, including computer equipment, electronic equipment, photography equipment, hand tools and other items and are subject to **pre-approval** by OHCS prior to purchase (before incurring the expense - purchases made prior to OHCS approval will be disallowed and if OHCS were used for the purchase, they must be repaid to OHCS). Subrecipients of subgrantees may purchase fixed assets (equipment). When a subrecipient wishes to purchase fixed assets, they must coordinate with the subgrantee to ensure that pre-approval from OHCS is obtained by the subgrantee before the subrecipient's purchase. It is the subgrantee's responsibility to obtain pre-approval for a subrecipient's fixed asset purchase from OHCS. OHCS will not accept requests from the subrecipient. No equipment purchased with OHCS funds may be donated to or borrowed by another entity (2 CFR 200.434(a)).

Please note that **no approval** for purchases will be granted in the last quarter of a biennium, or performance period, as is applicable, (exceptions can be made for an emergency/unforeseen need) as there is not sufficient time to administer the request and receive the purchase prior to the end of expenditure period of the grant. Purchases requiring OHCS approval should be planned to adequately provide sufficient time to meet processing requirements.

Title to all equipment, where titles are required, as defined in 2 CFR Part 200, purchased in whole or part with OHCS funds shall rest with the subgrantee. Subgrantee is responsible to provide OHCS with a copy of the title after purchase.

All vehicle purchases are subject to **pre-approval** by OHCS prior to purchase. Subrecipients of a subgrantee cannot use OHCS funds to purchase vehicles. No vehicle purchased with OHCS funds may be donated to or borrowed by another entity (2 CFR 200.434(a)).

Note that equipment and vehicle purchases are unallowable as an indirect cost (2 CFR 200.439(7) and 2 CFR 200.436).

Equipment and vehicle purchase approval must be made through the forms located on the HSS Dashboard.

Insurance Requirements: The subgrantee is responsible for controlling the use of the property (in accordance with its intended purpose) and taking good care of it (that is, taking adequate steps to prevent its damage, theft, or loss and maintaining it in good repair and condition). Subgrantees are required to provide insurance coverage for real property, vehicles and equipment, as found necessary to protect the investment, acquired or improved with OHCS funds and must name OHCS as an additional insured party, in accordance with the Standard Terms and Condition of the subgrantee's grant agreement. Subgrantee is responsible to provide OHCS with a copy of the insurance declaration documentation after purchase.

Disposition: Disposal of any item funded by OHCS having an original cost at or greater than \$10,000 or those purchases which have a current per-unit, fair market value of \$10,000 or more requires **pre-approval** by OHCS prior to disposal. Pre-approval of disposal requests must be made through the form located on the HSS Dashboard.

Once approved, proceeds from the disposition of any vehicle or equipment that exceed \$10,000 must be used for the intent and purpose from which the funds originated and used for allowable program expenses.

Theft or loss of vehicle or equipment purchased with OHCS funds must follow this guidance and must be reported as a disposition request. Insurance claim proceeds from the theft or loss of this property must be used for the intent and purpose from which the funds originated and used for allowable program expenses. Depending on the subgrantee's accounting framework, subgrantee may need to report the insurance proceeds and the loss separately on financial statements (please be sure to connect with an accountant or

financial advisor for further guidance) Documentation of all expenditures made with insurance proceeds must be available during monitoring.

Property and equipment purchased with OHCS grants shall not be used for collateral or to secure financing. See subgrantee's grant agreement/contract for more information.

Subgrantee can contract for services purchased in whole or in part with OHCS funds. Contractor must be of recognized professional expertise, certification, license, registration, or stature in the relevant field where required. Contractor shall further be registered to do business in the State of Oregon, as required by Oregon Law.

When OHCS approval is required, subgrantee is expected to obtain multiple bids or pricing, and if required, provide sufficient information on cost allocation principals in accordance with 2 CFR 200. Subgrantee must provide sufficient information, in OHCS' determination, to justify reasonableness and cost allocation of the purchase. If using a sole source contract, subgrantee must have written justification documentation to explain why they were not able to obtain more options. All subgrantee/subrecipient purchasing must comply with subgrantee's/subrecipient's own policies and procedures and the subgrantee's OHCS grant agreement/contract.

(I) *Program Income*

Subgrantee/subrecipient shall not charge any fee to applicants or clients in order to access OHCS funds. Such fees create a disparate impact on disadvantaged populations and is unallowable.

In accordance with 2 CFR 200.307, program income means gross income earned by the subgrantee/subrecipient that is directly generated by an award-supported activity or earned as a result of an OHCS award during the award period. Program income includes income from fees for services performed, the use or rental of real or personal property acquired under OHCS grants, the sale of commodities or items fabricated under OHCS grants, license fees and royalties on patents and copyrights. Examples of program income include fees collected for conference registration, exhibit booths, website advertisements, proceeds from the sale of vehicles or equipment purchased with OHCS funds, or insurance proceeds from the theft of vehicles and equipment purchased with OHCS funds. Loans are not an allowable use of OHCS Homeless Services grants funds and federal guidance stating income can be generated from the principal or interest on loans made with grant funds, is not applicable.

Except as otherwise provided by OHCS, program income does not include rebates, credits, discounts, or interest earned on any of these. Interest earned on advance of OHCS funds is not program income.

The subgrantee/subrecipient may not earn or keep any profit resulting from an OHCS award unless expressly authorized in writing by OHCS.

Program income generated from an award can be used in the following ways:

- Deducted from total allowable program costs to determine net allowable costs to reduce the OHCS award
- Added to the OHCS award to increase funds committed to the program.
- Used to meet the cost sharing or matching requirement of the OHCS award.
- Used to defray program costs and reduce the state's share of the program.

Earned program income can be spent only on allowable costs incurred during the award period. Proceeds from the sale or theft of vehicles and equipment that occur after the award period must still be reported appropriately and used for the purposes identified above.

Subgrantees/subrecipients cannot keep program income as a reserve, but must expend such income prior to drawing down award funds.

Program income cannot be commingled with other awards and cannot be used for purposes outside the scope of the award that generated the income. Program income must be identified in the subgrantee/subrecipient's general ledger. Subgrantees/subrecipients must declare, in advance, the expectation of receiving program income in the subgrantee's Funding Application and must report the use of such program income in the subgrantee's annual report.

Unused program income remaining 60 calendar days after the award end date must be promptly returned to OHCS.

(J) Volunteers

According to the United States Department of Labor, individuals may volunteer or donate their services. When they do this without contemplation of pay or profit motivation, they are not considered employees, but rather volunteers. The Oregon Department of Administrative Services provides guidance for using volunteers.

Apart from compensation, there should be little difference from the direction provided for employees and volunteers. However, there is a difference between the control an agency can provide over a volunteer. Too much control over a volunteer may make them an employee under civil rights law. In other words, train volunteers well and supervise them with a light hand. Volunteers must be allowed to refuse work and have a voice in when they work. Volunteers must not be disciplined or promised future jobs. Volunteers must be provided with:

1. Descriptions of the scope of work to be performed.
2. Training for how to perform the work satisfactorily and safely.
3. Training for how to interact with others appropriately in the workplace.

Risk to agencies is include:

1. Acceptance of liability for volunteer as an agent of the organization.
2. Lawsuits for work practice violations.

3. Volunteer injuries.

Insurance Coverage:

Volunteer injury coverage options: Organizations have three options for providing injury coverage to volunteers. The three options are no coverage, workers' compensation coverage, or Voluntary Injury Coverage (known as VIC). Worker's compensation coverage is supplied by the organization's worker's compensation insurance carrier and is similar to coverage provided to employees. When providing full workers' compensation coverage, hours and assumed wages must be reported as part of the payroll reporting process. Oregon's minimum wage, used as the assumed wage, now varies by region of the state where the work is performed. VIC coverage can be purchased by the organization and acts as a supplement to the volunteer's health insurance benefit.

Allowable Expenditures:

Funds **cannot** be expended on remuneration of volunteers, as defined by the IRS; however, funds can be expended for the reimbursement of meal, lodging and travel expenses under the OHCS program, aligned with the allowable reimbursement of expenses for board and commission members as identified in the Administration section of program operations manuals. Funds for meals, lodging, and travel reimbursement are allowable under the Administration category of the OHCS grant. (Travel expenses must be expended and documented in accordance with guidance for travel identified in the Administration Section of this manual).

No gifts such as cash or cash equivalents can be provided to volunteers.

Funds cannot be expended on childcare or other needs a volunteer may have in order to provide volunteer services.

For more information on remuneration, see: <https://www.irs.gov/government-entities/federal-state-local-governments/de-minimis-fringe-benefits>.

Any subgrantee/subrecipient-owned property assigned to the volunteer (such as cell phone or computers) must be tracked and recovered at the end of the volunteer's service.

Ensure that volunteers understand and adhere to the subgrantee/subrecipient's Discrimination and Harassment-Free Workplace, Professional Workplace and Violence-Free Workplace policies, if the organization has such policies.

Provide volunteers the same safety and health training that would be provided employees doing the same work.

Minors:

Minors may volunteer. When utilizing minors as volunteers, use the Bureau of Labor and Industries' Child Labor Laws as a best practice guide. Limitations for minors under Oregon

Administrative Rule include but are not limited to restrictions of work hours, operation of power-driven machinery, driving, arduous work restrictions and hazardous exposures. <https://www.oregon.gov/boli/employers/pages/minor-workers.aspx>

When utilizing minors as volunteers, ensure parents/legal guardians complete Volunteer Injury Coverage forms and secure medical releases in case injury treatment is required (completed forms must be kept in a confidential locked location). Consider requiring parental/legal guardianship accompaniment when minors are performing volunteer work. Otherwise, consider how the organization will provide adequate personal protection of the minors.

4. Data, Submission and Reporting Requirements

(A) *Data Entry*

HMIS Data and Technical Standards have been established by the U.S. Department of Housing and Urban Development (HUD). Subgrantees and their subrecipients must adhere to the more stringent of either their CoC's HMIS Data Quality Plan or OHCS's data standards (see the Data Crosswalk for data requirements can be found in the Sharepoint site in the Master Download folder.

Subgrantees and their subrecipients are required to enter reliable, valid, and accurate participant/client and participant/client service data into the applicable community-wide Homeless Management Information System (HMIS), in accordance with standards on participation, data collection and reporting under a local HMIS (24 CFR 576.400(f) and based on the rules and guidance of their geographic (local) Continuum of Care (CoC).

Please note: If the subgrantee or subrecipient is a HUD-defined Victim Service Provider (VSP), it may use a comparable database that collects client-level data over time (i.e., longitudinal data) and generates unduplicated aggregate reports based on the data. Information entered into a comparable database and must not be entered directly into or provided to an HMIS (24 CFR 576.400(f)). When data entry is required, VSPs must enter information into a comparable database that meets HUD HMIS standards.

In state-funded programs, data entry is a program delivery expense.

(B) *Data Timeliness*

Timely and accurate data entry is critical to ensuring meaningful data analysis and reporting. For all project types, subgrantees and subrecipients must enter data within two business days or sooner, unless the local CoC HMIS policies/procedures requires more stringent timeliness. Project types, such as Emergency Shelter and Coordinated Entry may require more stringent data timeliness standards.

(C) *Data Entry Requirements for Emergency Shelters*

Subgrantees and subrecipients must report participants who are sheltered overnight for emergency shelter, transitional shelters, and hotel/motel vouchers. Overnight date-in and date-out is entered to be able to determine who and how many people were served by a

shelter or shelter type for any given night. This practice allows reporting on bed nights and daily shelter utilization, in addition to the client-level information for those staying in shelters.

Use ShelterPoint in accordance with local CoC and OHCS HMIS policies/procedures. Facility, congregate-based programs, is tracked separately and reported separately from any hotel/motel, non-congregate program.

(D) *Data Entry Requirement for Other Program Components*

All other allowable components require both an HMIS entry/exit and HMIS Service Transaction to be entered into HMIS, in accordance with OHCS and local CoC's HMIS policies/procedures. Each allowable service is represented with a Service Transaction. Same-day services have the same Service Start and End Date. When entering service transactions for Houselessness Prevention and Rapid Re-Housing costs, including all payments, arrearages, deposits, fees, landlord engagement and client non-categorical services, such transactions should include a HMIS Fund Source and Amount. An HMIS entry/exit and Service Transaction is entered for both services-only and day-access shelter types, in accordance with OHCS and local CoC's HMIS policies/procedures.

(E) *Required Data Elements*

Universal, program specific, and OHCS-required Data Elements are collected in HMIS and are specific to program and project type, in accordance with OHCS or local CoC's HMIS policies/procedures. Refer to the Data Collection Requirement by Program and Project Type document that can be found in the Sharepoint site in the Master Download folder for general applicable data elements specific to each program and/or activity.

(F) *Comparable Database*

Violence Against Women Act (VAWA) and the Family Violence Prevention and Services Act (FVPSA) contains strong, legally codified confidentiality provisions that limit HUD-defined Victim Service Providers (VSPs) from sharing, disclosing, or revealing victims' personally identifying information (PII), including entering information into shared databases like HMIS. To protect clients, VSPs must enter client-level data into a comparable database that is comparable to and complies with all HUD HMIS requirements and in accordance with OHCS or local CoC's HMIS policies/procedures.

Subgrantees/subrecipients defined as HUD VSPs are still subject to reporting requirements to OHCS of the grant for which they receive OHCS funding even if using a comparable database; however, no PII will be shared, only aggregate counts.

(G) *Submissions/Reporting Requirements*

Program reporting (as identified below) is a typically a program delivery expense; however, follow specific guidance in each program's operations manual.

It is critical that subgrantees meet deadlines for the submission of data, budgets, and reports (including, but not limited to annual, quarterly, implementation, and financial status reports, etc.) as required by OHCS. Subgrantees must submit **complete and accurate**

materials requested by OHCS by the deadline provided by OHCS and in the form and format required. **Any submission that is incomplete and/or does not provide accurate information or is submitted after the deadline will be considered by OHCS to be late and out of compliance with requirements.**

Failure to provide required data or reports can result in an audit finding in the Monitoring Report and other remedies as afforded in the OHCS Grant Agreement/Contract.

Subrecipient reporting to subgrantee must occur timely, so that subgrantees can meet the required deadline for reports to OHCS. It is the subgrantee's responsibility to ensure that subrecipients provide information to the subgrantee as required so that subgrantees can meet the reporting requirements of OHCS inclusive of subrecipient information. Lack of compliance by a subrecipient in meeting reporting requirements does not provide an exception to, or reprieve of, the requirement for the subgrantee to report timely and accurately.

At the discretion of OHCS, other reports can be required when deemed necessary by OHCS and subgrantees **are** subject to such requirement.

System Query Data:

Subgrantees directly submit or automate the export of disaggregated HMIS participant, program and service transaction data twenty (20) calendar days following the end of each month or as directed by OHCS. System Query Data may be used in published data visualizations (e.g., Tableau dashboards) and in the HMIS annual report.

Aggregated Quarterly Reports:

Subgrantees directly submit aggregated reports using the report provided in the HMIS reporting tool, SAP Business Objects, or the provided template, twenty (20) calendar days following the end of each quarter, as directed by OHCS.

Bed/Unit Inventory:

Subgrantees must update Bed/Unit Inventory for Shelter and Transitional Housing in HMIS within 30 calendar days of any change (additional or loss of beds, changes in bed type, etc.) as directed by OHCS.

Program Delivery Annual Report:

A narrative annual report must be submitted, in form and format required by OHCS, by the 60th calendar day following the end of the fiscal year (Aug 30) providing detail, including, but not limited to subrecipient budgets, program services, performance, outcomes, successes, and challenges.

Fiscal:

The AGS/FSR is due to OHCS by the 60th calendar day following the end of the fiscal year and must be submitted in OPUS within this timeline.

5. Records Requirements

(A) **Case Files**

Documentation of participant eligibility and services or funds expended on participants must be maintained in the participant case files (paper or electronically).

Documentation for applicants found to be ineligible for assistance or for participants who are no longer eligible to receive assistance is required and must include the participant's request for assistance, why they are ineligible and how it was communicated to the applicant/participant, along with notification of the subgrantee's grievance/appeal process. Ineligible participants do not need to be entered into HMIS unless the use of HMIS is a part of the subgrantee or subrecipient's intake/assessment process.

File documentation will be the basis of OHCS monitoring to ensure subgrantee and subrecipient comply with program requirements, rules, and regulations. OHCS recommends that subgrantees and subrecipients use a participant file checklist to ensure adequate documentation of case files.

(B) **Records Access**

Subgrantees, their subrecipient organizations and subrecipient organization's subrecipients are required to permit OHCS, the Oregon Secretary of State's Office, the federal government, and the duly authorized representatives of such entities access to, and the right to copy, all program records, applicant/participant records and fiscal records for such purposes as research, data collection, evaluations, monitoring, and auditing. At the sole discretion of OHCS, access to records shall include the removal of records as necessitated by OHCS or their duly authorized representative.

(C) **Records Retention**

Subgrantees, subrecipient organizations and subrecipient organization's subrecipients shall retain all program records pertinent to applicant/participant services and expenditures incurred in a manner consistent with the requirements of state and federal law. This includes, but is not limited to, those requirements listed in Administrative Rule, Operations Manual and Special Schedules. Find the OHCS Special Schedule at the Oregon State Archives:

(https://sos.oregon.gov/archives/Pages/state_admin_schedules.aspx).

Find the State Agency General Records Retention Schedules at the Oregon State Archives:
<https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=591>

Records can be stored electronically; however, electronic records must be maintained securely and confidentially and be available in paper format if requested by OHCS for monitoring, audit, or other purposes. HMIS can be used as a method of document collection and maintenance when it represents all required records and is appropriate.

Subgrantees, subrecipient organizations and subrecipient organization's subrecipients shall retain and keep accessible all such **fiscal and program records**, applicant/participant records, digital and electronic records, books, documents, papers, plans, and writings for a

minimum of **(6) six years**, or such longer period as required by applicable law, whichever date is later. Defer to specific program operation manuals for any specific requirements for the duration of record keeping limits. Destruction of records must occur timely and in compliance with applicable law and retention schedules. Retention begins from the later of the date that final payment is made or from the termination of program funding, or until the conclusion of any audit, controversy or litigation arising out of, or relating to the program.

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6. Appendix A – Maintenance/Rehab Activities

EXAMPLES OF MAINTENANCE ACTIVITIES vs. REHABILITATION ACTIVITIES FOR ENVIRONMENTAL REVIEW PURPOSES

Feature or System	Maintenance Activities ⁴	Rehabilitation Activities ⁵
Site	<ul style="list-style-type: none"> lawn care (litter pickup, mowing, raking), trimming trees and shrubs snow/ice removal neighborhood cleanup application of pavement sealants, parking lot restriping, directional signage or marking for handicapped accessibility repair of cracked or broken sidewalks 	<ul style="list-style-type: none"> new landscaping throughout an area construction of new walkways, driveways or parking areas, or replacement thereof
Building Exterior	<ul style="list-style-type: none"> cleaning and fixing gutters and downspouts repainting previously painted surfaces (including limited wet scraping and low-pressure washing) replacing deteriorated section of siding removal of graffiti 	<ul style="list-style-type: none"> cleaning masonry or stripping painted surfaces by sandblasting, acid wash, or high pressure washing applying new exterior siding
Roof	<ul style="list-style-type: none"> fixing leaks application of waterproof coating to a flat roof replacement of deteriorated flashing in-kind replacement of loose or missing shingles or tiles 	<ul style="list-style-type: none"> complete replacement of roof with new shingles, tiles, roll roofing, membrane, or new metal roof installation of solar panels
Windows and Doors	<ul style="list-style-type: none"> washing windows caulking, weather stripping, re-glazing windows and doors fixing broken windowpane(s), storm window(s) or damaged entry door replacing broken door lock replacing a vandalized entry door to restore security of a building or unit replacing a single severely damaged window to match annual switch out of storm and screen panels 	<ul style="list-style-type: none"> replacement of windows replacement of exterior doors adding storm windows or storm doors
Interior Walls and Ceilings	<ul style="list-style-type: none"> patching or mending cracked plaster patching or fixing holes or cracks in drywall replacing stained ceiling tiles painting or wallpapering 	<ul style="list-style-type: none"> installation of new drywall or paneling installation of new acoustical ceiling installation of dropped ceilings
Flooring	<ul style="list-style-type: none"> cleaning floors stripping wooden floors and resealing installation or replacement of carpeting or vinyl flooring* 	<ul style="list-style-type: none"> installation of new wood floor

* These maintenance items may require purchase of flood insurance if they occur in a Special Flood Hazard Area (SFHA), and costs exceed the standard deductible for the specific type of structure or unit under the National Flood Insurance Program (NFIP).

Feature or System	Maintenance Activities ⁴	Rehabilitation Activities ⁵
Circulation	<ul style="list-style-type: none"> • in-kind replacement of broken stair treads or balusters • inspection and servicing of elevators 	<ul style="list-style-type: none"> • rebuilding stair or constructing new stair • installation of new access ramp • elevator replacement
Kitchen	<ul style="list-style-type: none"> • replacement of stoves, refrigerators, and microwaves* • replacing cabinet hardware* 	<ul style="list-style-type: none"> • complete or substantial kitchen remodel
Bathroom/Laundry	<ul style="list-style-type: none"> • unclogging sink or toilet • replacing deteriorated toilet in an occupied housing unit* • replacing broken medicine cabinet* • replacing washing machines and dryers* • installation of grab bars 	<ul style="list-style-type: none"> • complete or substantial bathroom remodel
HVAC	<ul style="list-style-type: none"> • servicing and maintenance of mechanical systems • changing air filters • cleaning air ducts • installing or replacing a window air conditioner • replacing a malfunctioning part of a HVAC system like a thermostat * 	<ul style="list-style-type: none"> • installation of new furnace or heat distribution system • installation of central air conditioning
Electrical/Lighting	<ul style="list-style-type: none"> • changing light bulbs • replacing malfunctioning light fixture, electrical switch or outlet* 	<ul style="list-style-type: none"> • major rewiring of building • installation of new electrical service • replacing or moving electrical panels
Plumbing	<ul style="list-style-type: none"> • fixing plumbing leaks* • repairing damage from frozen pipes* • repairing water or sewer connection within existing utility trench alignment • replacing malfunctioning water heater* 	<ul style="list-style-type: none"> • installation of new plumbing system • new water or sewer connection
Security	<ul style="list-style-type: none"> • repair of security alarm systems • boarding up a vacant building with protective plywood • installation of temporary security fencing • installation of security devices needed for an individual health facility patient 	<ul style="list-style-type: none"> • installation of permanent security bollards • installation of new security alarm system
Life Safety	<ul style="list-style-type: none"> • servicing smoke, fire and CO2 detectors • installation of smoke, fire and CO2 detectors 	<ul style="list-style-type: none"> • making substantial physical changes to a building to comply with fire and life safety codes • installing fire suppression system
Pest Infestation	<ul style="list-style-type: none"> • pest inspection/treatment 	

⁴ Categorically Excluded from NEPA and not subject to the related authorities listed in 24 CFR 50.4 and 58.5, unless Extraordinary Circumstances apply pursuant to 24 CFR 50.19(a) or 58.35(c).

⁵ Generally Categorically Excluded from NEPA and generally require review under related authorities listed in 24 CFR 50.4 and 58.5, but an RE or HUD reviewer may make a determination that an Environmental Assessment or Environmental Impact Statement is required due to individual project circumstances.