OFFICE OF THE SECRETARY OF STATE
TOBIAS READ
SECRETARY OF STATE

MICHAEL KAPLAN
DEPUTY SECRETARY OF STATE

ARCHIVES DIVISION
STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 813
OREGON HOUSING AND COMMUNITY SERVICES DEPARTMENT

FILED
01/23/2025 5:03 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Amend rules for statutory references, purposes and current requirements.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 03/03/2025 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

CONTACT: Nicole Servin
971-388-4525
nicole.servin@hcs.oregon.gov

725 Summer St NE Ste B
Salem,OR 97301

Filed By:
Nicole Servin
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 02/18/2025
TIME: 8:30 AM - 9:00 AM
OFFICER: Sheila Parkins sheila.parkins@hcs.oregon.gov

REMOTE HEARING DETAILS
MEETING URL: Click here to join the meeting
PHONE NUMBER: 000-000-0000
SPECIAL INSTRUCTIONS:
Microsoft Teams Meeting, please register at the link provided. The meeting link and phone number will be provided upon registration. Accessibility Note: A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 72 hours prior to the meeting. Please contact Administrative Services at 503-986-6796, or email housinginfo@hcs.oregon.gov to make your request or the hearing officer listed in this rules notice.

NEED FOR THE RULE(S)

To amend rules for statutory references, purposes and current requirements.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

SHF, ESG, and HSP Program Operations Manuals, dated July 1, 2025, attached in OARD.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

These rules will not have a negative impact to the state's racial justice goals. These rules positively impact the state's racial justice goals by reducing administrative burden and streamlining rules and guidance with current practices that center racial equity.

FISCAL AND ECONOMIC IMPACT:

These rules will not have a fiscal impact, either positive or negative, on state agencies, local government or the public.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

There is no equipment, supplies, labor or increased administration required for compliance with these rules. There are no reporting or other administrative activities required for compliance with these rules.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

These rules will not have a significant adverse impact on small businesses.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

HOUSING IMPACT STATEMENT:

These rules do not affect the cost of development of a 6000 square foot parcel and the construction of a 1200 square foot detached single-family dwelling on that parcel.

RULES PROPOSED:

813-046-0000, 813-046-0011, 813-046-0015, 813-046-0021, 813-046-0040, 813-046-0045, 813-046-0050, 813-046-0061, 813-046-0065, 813-046-0070, 813-046-0081, 813-051-0000, 813-051-0010, 813-051-0015, 813-051-0020, 813-051-0030, 813-051-0040, 813-051-0050, 813-051-0060, 813-051-0070, 813-051-0080, 813-051-0090, 813-053-0000, 813-053-0010, 813-053-0015, 813-053-0020, 813-053-0030, 813-053-0040, 813-053-0050, 813-053-0060, 813-053-0070, 813-053-0080, 813-053-0090, 813-145-0000, 813-145-0010, 813-145-0015, 813-145-0020, 813-145-0026, 813-145-0030, 813-145-0040, 813-145-0050, 813-145-0060, 813-145-0070, 813-145-0080, 813-230-0005, 813-240-0001, 813-240-0005, 813-240-0008, 813-240-0010, 813-240-0020, 813-240-0035, 813-240-0041, 813-240-0050, 813-240-0060, 813-240-0070, 813-240-0080

AMEND: 813-046-0000

RULE SUMMARY: Amend rule to align with statutory references and purpose.

CHANGES TO RULE:

813-046-0000
Purpose and Objectives ¶

The purpose of OAR chapter 813, division 46 of the administrative rules is to implement the Emergency Housing Assistance Program (EHAP) program. Funding for EHA comes from the Emergency Housing Account, as established in ORS 458.620 and described in ORS 458.650. ~~Oregon Housing and Community Services (OHCS) is designated as the state agency responsible for administering state and federal antipoverty programs in Oregon.~~
The purpose of EHA is to fund local homeless programs that assist low income and very low income households, who are homeless or unstably housed, to attain housing stability.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ORS ~~458.505,~~ 458.620, 458.650

AMEND: 813-046-0011

RULE SUMMARY: Amend rule to align with statutory references and current definitions

CHANGES TO RULE:

813-046-0011
Definitions ¶

Terms used throughout this division (OAR 813-046) may be defined in Oregon Revised Statute (ORS) or in the OHCS General Definitions (OAR 813-005-0005). Terms used within this division observe those definitions, except as defined below:¶
(1) "EHAP" means the Emergency Housing Assistance ~~p~~Program administered by OHCS pursuant to this division and other applicable law.¶
(2) "EHAP requirements" means these administrative rules; all funding agreement terms and conditions; OHCS directives (including deficiency notices); the SHF Manual requirements; and applicable state, local, and federal laws and requirements.¶
(3) "EHAP services" means services as defined in OAR 813-046-0045 and the SHF Manual, which are eligible activities with EHAP funding.¶
(4) "Homeless" means an individual, family or household that lacks a fixed, regular, and/or adequate nighttime residence in accordance with department categorical definitions. Categorical definitions are contained in the program manual.¶
(5) "Homeless Management Information System" or "HMIS" is defined in 24 CFR 576.2.¶
(6) "Household" means an individual living alone, a family with or without children or a group of individuals who are living together as one economic unit.¶
(7) "Household income" means the total household income from all sources before taxes. Specific sources and deductions are outlined in the SHF Manual.¶
(8) "Low income" means a household with an annual household income that is more than 50%, but below 80%, of the area median income based on U.S. Department of Housing and Urban Development (HUD) determined guidelines, as adjusted for family size.¶
(9) "SHF Manual" or "Program manual" means the State Ho~~m~~use less Funds Program Operations Manual, as described in OAR 813-046-0015.¶
(10) "Subgrantee" means person, entity, or party that enters into a contract, loan agreement, or grant agreement directly with OHCS to receive funds to administer EHAP.¶
(11) "Subrecipient" means organization as defined in ORS 458.610(6) that works with, collaborates with, or enters into a direct agreement with the subgrantee to provide services under EHAP.¶
(12) "Unstably housed" means an individual or family who is rent-burdened, defined as paying more than 30% of their gross income in rent; or is currently paying more than the Fair Market Rent, defined by HOME FMRs or is at risk of losing their housing and does not otherwise qualify as homeless or imminent risk, has been notified to vacate their current residence, or otherwise demonstrates a high risk of losing their current housing and lacks the resources or support networks to obtain other permanent housing.¶
(1~~1~~3) "Very low income" means an annual household income that is at or less than 50% of the area median income based on HUD determined guidelines, adjusted for family size.¶
(1~~2~~4) "Veteran" means a person who served in the U.S. Armed Forces and was discharged under honorable conditions or is receiving a non-service-connected pension from the U.S. Department of Veterans Affairs as further defined in ORS 40~~5~~8.225 and the program manual.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 24 CFR 576.2, ORS 458.~~505, ORS~~610, 458.6~~1~~20, ~~ORS~~ 458.6~~2~~50, ~~ORS~~ 4~~5~~08.~~650~~225

AMEND: 813-046-0015

RULE SUMMARY: Amend rule to update manual guidance.

CHANGES TO RULE:

813-046-0015
Manuals
Effective on July 1, 202~~3~~5, the State Ho~~m~~us~~e~~less Funds Program Operations Manual (SHF Manual) with the requirements and standards therein, is incorporated into and adopted as part of division 813-046-0015 of the department's administrative rules, 813-046-0000 to 813-046-0081. The SHF Manual, dated July 1, 202~~0~~3, previously incorporated into and adopted as part of these administrative rules remains in effect until July 1, 202~~3~~5, on which date it is repealed. The SHF Manual may be accessed online at the OHCS website.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ~~24 CFR 576.2, ORS 458.505,~~ ORS 458.610, ~~ORS~~ 458.620, ~~ORS~~ 458.650

RULE ATTACHMENTS MAY NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.

Emergency Housing Assistance Program (EHAP)
Elderly Rental Assistance (ERA)
State Homeless Assistance Program (SHAP)
July 1, ~~2023~~2025

State ~~Homeless~~ Houseless Funds Program Operations Manual

Contacts
Oregon Housing and Community Services
Homeless Services Section
(503) 986-2000

Published date: July 1, ~~2023~~2025

Oregon Housing and Community Services | 725 Summer St. NE Suite B, Salem, OR 97301-1266 | (503) 986-2000 | FAX (503) 986-2020

Table of Contents

1. Program Summary 6
2. General Program Requirements 7
   (A) Program Standards 7
   (B) Client Service or Housing Stability Plan 10
3. Applicant Eligibility 18
   (A) Household Composition 19
   (B) Legislatively Targeted Populations for EHAP DRF 19
   (C) Housing Status 19
   (D) Income 21
   (E) Assets 24
   (F) Veteran Status 24
   (G) Citizenship 25
   (H) Oregon Residency 25
4. Allowable Program Components and Expenditures 27
   (A) General Guidance 28
   (B) Street Outreach (Program Delivery) 29
   (C) Emergency Shelter and Transitional Housing Operations 32
   (D) Financial Assistance 49
   (E) Program Delivery 61
   (F) Engagement Incentives 66
   (G) Emergency Shelter or Transitional Housing Facilities Rehab/Renovation 72
   (H) Emergency Systems and Strategy Strengthening 79
5. Financial Management 85
   (A) Fiscal Standards 85
   (B) Administration 85
   (C) Funds Spend Down 88
   (D) Match 90
   (E) Supplementing Existing Funds/Programs 90
6. Data, Submission and Reporting Requirements 91
   (A) Data Entry 91
   (B) Submissions/Reporting Requirements 93
7. Records Requirements 94
   (A) Case Files 94
8. Applicable Rules and Regulations 96
9. Definitions 97
10. Appendix A – Maintenance/Rehab Activities 102
~~1. Program Summary ..... 4~~
~~2. General Program Requirements ..... 4~~
   ~~(A) System Wide Performance Requirements ..... 4~~
   ~~(B) Training ..... 4~~
   ~~(D) Equity and Racial Justice ..... 5~~

(E) Duplication of Benefits 6
(F) Privacy Notification 6
(G) Client Service or Housing Stability Plan 7
(H) Confidentiality 8
(I) Grievances and Appeals 9
(J) Nondiscrimination 10
(K) Limited English Proficiency 11
(L) Conflict of Interest 12
(M) Monitoring 13
(N) Subrecipient Monitoring 14
3. Applicant Eligibility 15
(A) Household Composition 15
(B) Legislatively Targeted Populations for EHA 16
(C) Housing Status 16
(D) Income 17
(E) Veteran Status 20
(F) Citizenship 20
(G) Oregon Residency 20
(H) Eligibility Documentation 21
4. Allowable Program Components and Expenditures 23
(A) Street Outreach 24
(B) Emergency and Transitional Shelter 26
(C) Transitional Housing 33
(D) Homelessness Prevention and Rapid Re-Housing 38
(E) Supportive In-Home Services 45
(F) ERA Rental Subsidy Assistance 46
(G) Distinguishing Between Maintenance and Renovation (Rehab/Conversion) 49
(1) Shelter Operations: Maintenance 49
(2) Renovation and Conversion 50
(H) Shelter or Transitional Housing Facilities Acquisition, Rehab/Conversion 51
(1) Free-Standing Temporary Shelter 52
(2) Acquisition, Rehabilitation, Renovation or Conversion Instructions 52
a) Restrictive Use Period 53
b) Contracted Oversight 54
c) Period of Fund Availability 54
d) Use of HMIS 54
e) Procurement Requirements 54
f) OHCS Anti-Displacement and Relocation Assistance Policy 54
g) OHCS Fiscal Monitoring 55
h) Quarterly Progress Report 55
i) First Year Report 55
j) Annual Certificate of Continuing Program Compliance 55
k) Environmental Review 56
l) Certificate of Occupancy 56
m) Subgrantee's Responsibilities for Subrecipients 56

n) Repurposing the Property 56
o) Transferring Property Ownership 56
(3) Checklist of Steps to Follow 57
(I) Community Capacity Building 58
(J) Data System Expenses 61
(K) Gift Cards 62
5. Financial Management 64
(A) Administration 64
(B) Advance Requests for Funds 65
(C) Use of OPUS 65
(D) Request for Funding Documentation 66
(E) Budget Change Requests and Implementation Report Amendments 66
(F) Funds Spend Down 66
(G) Funds Rollover 67
(H) Internal Controls for Fraud 67
(I) Match 67
(J) Supplementing Existing Funds/Programs 67
(K) Procurement 68
6. Data, Submission and Reporting Requirements 69
(A) Data Entry 69
(B) Data Timeliness 69
(C) Data Entry Requirements for Emergency and Transitional Shelters 69
(D) Data Entry Requirement for Other Program Components 69
(E) Required Data Elements 70
(F) Comparable Database 70
(G) Submissions/Reporting Requirements 70
7. Records Requirements 71
(A) Case Files 71
(B) Records Access 72
(C) Records Retention 72
8. Applicable Rules and Regulations 73
9. Definitions 74
10. Appendix A – Maintenance/Rehab Activities 78

NOTE: If a statute, rule, contract or guidance does not expressly prohibit an activity or expense, it does not mean that the activity or expense is allowable. Statutes, rules, contracts and guidance are meant to express how funds are intended to be used.

Contact OHCS for prior approval before using any OHCS funds for an activity or expense if it is not addressed in statute, rule, contract or guidance. Failure to do so may result in the disallowance of an activity or expense and may result in remedies afforded in contract. It is an incorrect assumption to believe that because language does not say you cannot do something, that it must mean you can. OHCS provides guidance around what is disallowed from frequently asked questions; however, this does not mean to encompass everything that is disallowed.

Contact OHCS for any questions on how to expend OHCS funds if what you want to do is not covered by statute, rule, contract or guidance prior to the use of funds

NOTE: Guidance in this manual is specific to the programs identified in this manual. Unless specifically stated, any other guidance from other manuals produced by OHCS does not apply to these programs and are not comparable or transferable.

1. Program Summary

The general purposes of these programs are to provide an individualized approach to ~~homeless~~houseless households that includes an assessment of individual needs, identification of appropriate solutions that may include services, coordination with other programs and resources and ~~cost effective use of support across agencies coupled with~~ appropriate monitoring and evaluation of ~~homeless~~houseless households' individual progress. This guidance ~~may be~~is ~~appropriate~~ for EHAP, SHAP and ERA (as identified below) and may be used ~~for~~ with other ~~program~~ OHCS funds from state, federal or other sources in which the use of funds aligns with the purpose and intent of these programs.

The **Emergency Housing Assistance Program** (EHAP) provides state funds to supplement ~~effective existing local~~OHCS programs and/or establish new programs designed to prevent and reduce ~~homeless~~houselessness. **EHAP** program funding comes from state general funds (GF) and the Document Recording Fee (DRF). ~~EHA funds, including DRF, and are allocated annually to subgrantees.~~ This manual will use EHAP GF and DRF to differentiate between the funding sources. DRF funding ~~and DRF funding for Veterans~~ requires separate tracking and reporting of participants and expenditures. Twenty-Five (25%) percent of DRF award (ORS 294.187) must be expended on the veteran population (program delivery and financial assistance) and will require that subgrantee's draw funds from separate OPUS categories for tracking purposes.

The **State Homeless Assistance Program** (SHAP) provides operational support for emergency shelters and ~~related participant supportive~~ services for ~~homeless~~houseless individuals, families, and households. **SHAP** program funding comes from state general funds ~~allocated annually to subgrantees~~.

The **Elderly Rental Assistance** (ERA) provides state funds to defray the cost of rental housing for very-low-income households that are ~~homeless or~~ unstably housed and at risk of ~~homeless~~houselessness, where at least one household member is 58 years or older. ERA's only allowable use of funds is for

Houselessness Prevention activities to align with the statutory intent of the program and cannot be used for any other category of program funding. **ERA** program funding comes from state general funds ~~allocated annually to subgrantees~~.

2. General Program Requirements

~~(A) System Wide Performance Requirements~~

~~The Oregon Legislative Fiscal office adopted a set of criteria that agencies must meet when developing key performance measures. In alignment with the federal and state strategic plans to end homelessness, OHCS has established the following key performance measure:~~

> ~~Percentage of homeless households who exited into permanent housing and retained that housing for six months or longer (statewide target 80%).~~

~~This key performance measure uses HMIS as the primary data source.~~

(A) Program Standards

Subgrantee/subrecipients **must** adhere to all program standards as identified in the Homeless Services Section (HSS) Program Standards Guidance. **Failure to adhere to HSS Program Standards will result in audit findings and may put subgrantee/subrecipient funding at risk**. The HSS Program Standards Guidance includes requirements related to policies and procedures, along with general requirements for financial management of HSS grants, data requirements and records requirements. HSS Program Standards apply to EHA GF, EHAP DRF/, ERA and SHAP and align across HSS programs. It is **critical** that subgrantee/subrecipients understand their responsibilities in ensuring that they are following all program and funding requirements. Inclusion of the HSS Program Standards Guidance ensures that subgrantee/subrecipients and OHCS has a central location for the consistency of program standards across multiple programs. Find the HSS Program Standards Guidance on the HSS Dashboard or the OHCS website.

~~(B) Subgrantees must notify and receive approval from OHCS when adding subrecipients and/or renewing subrecipients. Notification and approval normally occur during the subgrantee's grant agreement/contract funding application process. However, if changes are made outside of the funding application, subgrantees must submit an Implementation Report Amendment Request form for approval of subrecipient additions, deletions, or modifications within 30 days of such change.~~ Training

~~Subgrantee and subrecipient staff that provide direct services and supervise staff who provide direct services and manage homeless grants must receive relevant training. 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 is an eligible expense of program delivery and must minimally include:~~

~~(1) Trauma Informed Services;~~
~~(2) Mental Health First Aid;~~

(3) Harm Reduction;
(4) Supporting Victims of Domestic Violence;
(5) Fair Housing; and
(6) For those using OHCS funds for Street Outreach, training must include Outreach Safety Strategies.

(D) *Equity and Racial Justice*

OHCS is committed to advancing equity and racial justice in alignment with the Statewide Housing Plan and informed by national promising practices and lived experience of communities of color. OHCS is committed to an intentional, data-driven approach to reduce disparities in housing and social service provisions. Subgrantees are expected to further equity and racial justice practices by partnering with Culturally Responsive Organizations (CROs) which includes funding CROs in a meaningful way.

Subgrantees must have a stand-alone policy that addresses how they will deliver OHCS-funded programs in a culturally specific way, which will include the minimum of:

(1) Identification of how the subgrantee addresses any barriers identified by the CRO;

(2) Identification of how the subgrantee provides funding to CROs that aligns with OHCS program activities;

(3) Identification of how subgrantee assists CROs bridge access to other funders and support systems;

(4) Identification of regularly scheduled partnership meetings with CROs, no less than twice per fiscal year; and

(5) Partnership agreement/MOU or other written document of partnership (partners, inclusive of all subrecipients, vendors, contractors, who receive OHCS funding, and must include adhering to program requirements).

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

More information can be found at https://www.centerforsocialinclusion.org/our-work/our-four-strategies/, http://center4si.com/sparc/, and https://www.usich.gov/news/racial-equity-an-essential-component-of-our-nations-homelessness-response/

(E) *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) 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 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 that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

(B) *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 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.

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

~~(C)~~(B) *Client Service or Housing Stability Plan*

Case management is one of the primary services offered to individuals and families who face multiple challenges, including severe mental illness, addiction, and ~~homeless~~houselessness. Effective case management includes **assessment, planning, implementation, coordination and evaluation**. Best practices in case management skills are available on the OHCS Homeless Services Section dashboard.

A Client Service/Housing Stability Plan **is** needed when:

1) A client is receiving more than one-time only services;
2) Required by the program based on the type of assistance or services provided to the client;
1) A subgrantee/subrecipient is unable to assist a client with the entirety of their funding request. ~~For those clients receiving case management and/or more than one-time only services the development of a client service or housing stability plan (action plan) is required. Additionally, in cases in which, based on the assistance or services provided, where it is a requirement of the program, a client service or housing stability plan (action plan) can also be required.~~ For example, a client owes six months of rent arrears and the subgrantee/subrecipient is only able to cover three months of that arrears. A plan would be needed to determine how the client will be able to avoid eviction and remain housed so that the three months of assistance covered by OHCS funds is not just a debt payment. Minimally, the client stability plan in this case, should document referrals, such as such as budgeting classes, housing navigation, long-term rental assistance programs, SOAR, assistance is obtaining other needed services, etc., that were provided and the subgrantee/subrecipient's best effort to assist the client in understanding how they can stabilize their situation.
2) A client is receiving hotel/motel voucher as part of an emergency shelter strategy and are receiving **more than 14 days** of hotel/motel voucher assistance within a fiscal year, they must have a client service or housing stability plan, documenting minimally the referrals provided, such as budgeting classes, housing navigation, long-term rental assistance programs, SOAR, assistance is obtaining other needed services, etc., and the subgrantee/subrecipient's best effort to assist the client in understanding how they can stabilize their situation.

Plans are required to be client driven, using input and goal setting by the client. An existing and active client service/housing stability plan from other providers can be shared and amended for purposes of OHCS-funded programs.

A Client Service/Housing Stability Plan is **NOT** needed when:

~~If client is receiving hotel/motel voucher as part of an emergency shelter strategy and are receiving more than 14 days of hotel/motel voucher assistance within a fiscal year, they must have a client service or housing stability plan.~~

3) A client is assisted within an Inclement Weather ~~Warming/cooling centers~~Centers. ~~are excluded from this requirement.~~ If hotel/motel vouchers are used in lieu of ~~a warming/cooling~~an inclement weather center, where there are no

~~warming/cooling~~inclement weather centers or they exceed capacity, then a client service/housing stability plan is also not required.

4) Temporary stays in emergency shelter in which the client is **not** receiving case management activities.

~~Existing and active client service/housing stability plans with other providers can be used and amended for purposes of OHCS-funded programs.~~

~~(D) *Confidentiality*~~

~~Confidential records include all applications, records, files, and communications relating to applicants and participants of, OHCS-funded services regardless of hard-copy or electronic format.~~

~~Subgrantees must have a stand-alone policy for the confidentiality of applicant/participant records. Such policy 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 policy and must include an acknowledgement of such policy, in writing;~~

~~4) A provision for the electronic collection of applicant/participant information which states that:~~

- ~~Computer terminals must be 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 must be cleared (or a screen saver activated) immediately after accessing a(n) applicant/participant record;~~
- ~~Computer terminals must be 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; and~~

~~5) 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 that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.~~

~~**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.

(E) *Grievances and Appeals*

Subgrantees are required to have an established, written stand-alone policy for addressing applicant/participant grievances/appeal requests. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy 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 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 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) 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) 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 that in its determination does not meet basic principles or requirements for such a policy.~~

~~(F) *Nondiscrimination*~~

~~Subgrantees are required to comply with all state and federal statutes relating to nondiscrimination. Subgrantee must have a stand-alone policy 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 that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.~~

~~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 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 or 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.

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.

(G) *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 that describes the following:

(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 that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

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".

(H) *Conflict of Interest*

In the performance of work under EHA, (DRF/DRF VET), ERA and SHAP, 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, unless in rare circumstances it is in the interest of the participant for the expediency of housing placement services or to create a seamless service delivery while keeping the participant engaged in services and such situation is documented in the participant file.~~

~~Subgrantee must have a conflict of interest policy 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. If a subgrantee or subrecipient wishes to apply for a waiver, they must contact the OHCS homeless program analyst or manager 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.

Subgrantee must have a Conflict of Interest stand-alone policy 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 that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

(I) *Monitoring*

OHCS will conduct a program monitoring of subgrantees once every two fiscal years or more frequently at OHCS' discretion. OHCS program monitoring may include desk audit, site visit and/or site visit with subrecipients (or subrecipient organization's subrecipient). Fiscal monitoring will be conducted once every two fiscal years unless circumstances and/or risk assessment require less or more frequent monitoring at OHCS' discretion. Subgrantees will be notified thirty (30) 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 EHA (DRF/DRF VET) ERA and SHAP funds to OHCS or other remedies as described in the subgrantee's grant agreement/contract.

Subgrantees must notify and receive approval from OHCS when adding subrecipients and/or renewing subrecipients. Notification and approval normally occur during the subgrantee's grant agreement/contract funding application process. However, if changes are made outside of the funding application, subgrantees must submit an Implementation Report Amendment Request form for approval of subrecipient additions, deletions, or modifications within 30 days of such change.

(J) *Subrecipient Monitoring*

For the purposes of this operations manual the term "subrecipient" shall mean any subgrantee's subcontractors, contractors, vendor, subrecipients and any subcontractors, contractors, vendors or subrecipients of a subcontractor, contractor, vendor or subrecipient. Subrecipients must follow program intent, rules, and guidelines for the expenditure of funds.

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

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

- Frequency of subrecipient monitoring, which must be minimally once during a biennium or the term of the subgrantee's grant agreement/contract;
- The number of relevant samplings of fiscal transactions per program;
- The number of relevant samplings of participant files and that such review includes eligibility, notification and documentation;
- The number of relevant samplings of HMIS entries to ensure appropriate entry and tracking of participant information and service transactions;
- A review of participant records to ensure compliance with security, maintenance, retention, and destruction of records; and
- 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 that in its determination does not meet basic principles or requirements of such a policy.

At least once during each biennium, Subgrantee must monitor 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.

(1) Subgrantee's monitoring of its subrecipients must include: 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;~~

~~(2) a review of financial and performance reports;~~

~~(3) a review of subrecipient policies and procedures, forms, documentation, client records including eligibility, notifications and documentation;~~

~~(4) a review of participant records to ensure compliance with security, maintenance, retention and destruction of records; and~~

~~(5) follow up on all deficiencies pertaining to any OHCS funding in accordance with all program rules and regulations.~~

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

~~(1) Frequency of subrecipient monitoring, which must be minimally once during a biennium or the term of the subgrantee's grant agreement/contract;~~

~~(2)~~(1) ~~The number of relevant samplings of fiscal transactions per program;~~

~~(3)~~(1) ~~The number of relevant samplings of participant files and that such review includes eligibility, notification and documentation;~~

~~(4)~~(1) ~~The number of relevant samplings of HMIS entries to ensure appropriate entry and tracking of participant information and service transactions;~~

~~(5)~~(1) ~~A review of participant records to ensure compliance with security, maintenance, retention, and destruction of records; and~~

~~(6)~~(1) ~~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.~~

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

Applicant Eligibility	Emergency Housing Assistance (EHAP GF/~~EHA~~ DRF~~/EHA VET DRF~~)	State Assistance Program (SHAP)	Elderly Rental Assistance (ERA)
~~Homeless~~Houseless Status	• literally ~~homeless~~houseless • imminent risk • other federal statutes • fleeing DV • unstably housed	• literally ~~homeless~~houseless • other federal statutes • fleeing DV	~~• literally homeless~~ • imminent risk ~~• fleeing DV~~ • unstably housed
Income Requirement	80% or below area median income	no income requirements	50% or below area median income

Age	N/A	N/A	One member of household is 58 years or older

(A) *Household Composition*

"Household" means an individual living alone, family with or without children, or a group of individuals who are living together as one economic unit. For **ERA**, one member of the household must include a member that is 58 years of age or older.

(B) *Legislatively Targeted Populations for EHAP DRF*

Legislatively targeted populations for **EHAP** DRF include veterans (ORS 294.187). ~~, seniors over 65 years of age, persons with disabilities, farmworkers, and Native Americans.~~ Subgrantees/Subrecipients must expend a minimum of 25% of EHAP DRF ~~VET~~ funds ~~must be exclusively expended~~ on households that include a veteran. DRF Allocations in OPUS will require that funds for households with a veteran be provided for the purpose of program delivery and financial assistance and must equal 25% of the DRF award.

(C) *Housing Status*

~~Homeless~~Houseless households are eligible to receive **EHAP GF/**~~(~~DRF~~/DRF VET), ERA~~ and **SHAP** funded services and financial assistance.

~~; and u~~Unstably housed households ~~can~~ are eligible to receive **EHAP GF/**~~(~~DRF~~/DRF VET)~~ **and ERA** funded services and financial assistance.

Eligible applicants ~~for program~~OHCS-funded services must meet one of the following categorical definitions of homeless or unstably housed ~~and at risk of homelessness~~:

Category 1: Literally Homeless—An ~~i~~individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

- Living in a primary nighttime residence that is a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human being, ~~human habitation (~~including~~, but not exclusive to,~~ a car, park, abandoned building, bus or train station, airport or camping ground~~)~~; **OR**
- Living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional ~~shelter~~housing, and hotels ~~or~~ and motels paid for by charitable organizations or by federal, state or local government programs for low-income individuals); **OR**
- Exiting an institution where he or she ~~has~~ resided for 90 days or less **AND** who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.

Category 2: Imminent Risk of Homelessness—Individual or family who will imminently lose their primary nighttime residence provided that:

- The primary nighttime residence will be lost within ~~21~~ 14 days of the date of application for homeless assistance; **AND**
- No subsequent residence has been identified; **AND**
- The individual or family lacks the resources or support networks (e.g., family, friends, faith-based or other social networks) needed to obtain other permanent housing.

Category 3: Homeless Under Other Federal Statutes—Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, ~~(literally homeless, imminent risk of homelessness or fleeing/attempting to flee domestic violence)~~ but who:

- Are defined as homeless under Section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)) or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)~~Are defined as under other listed federal statutes~~; **AND**
- Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance~~prior to the program assistance application~~; **AND**
- Have experienced persistent instability as measured by two moves or more during the ~~preceding~~ 60 day period immediately preceding the date of applying for homeless assistance~~s~~; **AND**
- Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment.~~due to special needs or barriers~~.

~~1. Other Federal Statutes include:~~

- ~~11434a)Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.),~~
- ~~Head Start Act (42 U.S.C. 9831 et seq.),~~
- ~~Subtitle N of the Violence against Women Act of 1994 (42 U.S.C. 14043e et seq.) (VAWA),~~
- ~~Section 330 of the Public Health Service Act (42 U.S.C. 254b),~~
- ~~Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),~~
- ~~Section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), and~~
- ~~Subtitle B of title VII of the McKinney-Vento Act (42 U.S.C. 11431 et seq.)~~

Category 4: Fleeing/Attempting to Flee Domestic Violence—Individual or family who:

- Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence; **AND**
- Has no other ~~safe~~ residence; **AND**
- Lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, to obtain other permanent housing.

Category 5: Unstably Housed—Individual or family who:

- Is rent-burdened, defined as paying more than 30% of their gross income in rent (documented income/rent amount); **OR**
- Is currently paying more than the Fair Market Rent, defined by HOME FMRs (https://www.oregon.gov/ohcs/compliance-monitoring/Pages/rent-income-limits.aspx) or Small Area FMRs, as applicable (with documented income/rent amount); **OR**
- Is at risk of losing their housing, and does not otherwise qualify as homeless or imminent risk under the above listed (1-4) categories, provided that:
  - They have been notified to vacate current residence or otherwise demonstrate high risk of losing current housing (rationale for high risk of losing current housing must be documented and kept in the client file); **AND**
  - Lack the resources or support networks to obtain other permanent housing (must be evidenced by documentation in the client file).

(D) *Income*

If a person is assisted with **EHAP GF/DRF** and is residing in shelter, ~~T~~there is no income eligibility requirement.

For persons assisted with **EHA GF/DRF or ERA** that are not in shelter, ~~for **SHAP** funded assistance~~such persons are required to meet income eligibility requirements.

If a person is assisted with **SHAP,** regardless of whether sheltered or unsheltered, such persons are not subject to income eligibility requirements.

If a person, not residing in shelter, is/was employed and fleeing domestic violence, but leaving behind earned income to do so, the client file must have documentation of the loss of employment to qualify for a no-income eligibility criteria; otherwise, they must meet **EHAP GF/DRF** income eligibility requirements as identified below (if residing in shelter, no income eligibility requirement apply):

EHAP GF/DRF-provided services require applicants to be low-income; i.e., gross household income at or below 80% of area median income (as determined by HOME AMI limits located at: https://www.oregon.gov/ohcs/compliance-monitoring/Pages/rent-income-limits.aspx).

ERA-provided houseless prevention services require applicants to be very-low-income; i.e., gross household income at or below 50% of area median income (as determined by HOME

AMI limits located at: https://www.oregon.gov/ohcs/compliance-monitoring/Pages/rent-income-limits.aspx).

Income includes the current gross income of all adult household members. Income earned by household members who are minors or full-time students **and** are not considered heads of household is excluded.

~~While household assets must be identified to determine that a program applicant lacks the resources to obtain or retain permanent housing, if using the unstably housed housing status, they are generally not counted as income, unless an income is derived from such assets dividends on investments, stocks, bitcoins, etc., which must be counted as part of the household's available income.~~

Subgrantee's process for determining income eligibility and the documentation required must be consistent with OHCS program requirements.

Subgrantees' policies and procedures must identify what method they will use to calculate income eligibility and income eligibility must be calculated consistently between applicants of the same program. 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.

Documentation methods may include:

- Previous 12 months of income;
- Year-to-date income divided the number of months included in the year-to-date income; or
- Previous 30 days (or the previous 60 days or other specified period of days) of income.

Convert periodic wages to annual income by multiplying:

1. *Hourly wages by the number of hours worked per year (2,080 hours for full-time employment with a 40-hour week and no overtime);*
2. *Weekly wages by 52;*
3. *Bi-weekly wages (paid every other week) by 26;*
4. *Semi-monthly wages (paid twice each month) by 24; and*
5. *Monthly wages by 12.*

To annualize other than full-time income, multiply the wages by the actual number of hours or weeks the person is expected to work.

A "Snapshot" of current income can be used **as an exception** to subgrantee's policies and procedures, when warranted and documented in the client file. **"Snapshot" Method** means the process of determining the estimated annual income that uses a "snapshot" of the household income at the time of application. It does not rely on a specific period in the past to determine the annual income amount. The method must only be used when a household's income has recently changed drastically and is not expected to change from the time of the

snapshot (such as in a recent job loss) or when income tends to be very volatile. The snapshot method **cannot** be used to avoid accounting for income.

(1) Standardization: Subgrantees/subrecipients have the discretion to calculate income standards in a manner best suited for the organization, based on their own policies/procedures. Example policies/procedures include using a year-to-date amount divided by the number of months in the year-to-date amount; using the last 30 days of paystubs or the last 60 days of paystubs. The main requirement is that the way income is calculated is consistent between clients. Exceptions to the standard way of calculating income must be identified in policy/procedure (such as circumstances in which a snapshot method is used).

(2) Consistency: Subgrantee/subrecipient must be consistent in how income calculation standards are applied, even if that means it excludes someone from being able to be assisted. Subgrantee/subrecipient cannot use the most current paystub for one person, the last 30 days for another, and a year-to-date for someone else, especially if the fluctuating use shows that it is being done to under-calculate income. Income calculation standards must be documented in policy/procedure and such policy/procedure will be subject to OHCS monitoring.

(3) Client quit a job: If an applicant/client quits their job within the past 30 days and meets other eligibility, assistance may still be provided; however, the income can be calculated on the "snapshot" method. The snapshot method is an exception to a standardization of income calculation and must be identified in the subgrantee/subrecipient policy/procedure as well as documented in the client file as to why the exception was granted.

(4) Overtime and Bonuses cannot be excluded from income calculations. Income cannot be excluded just because it would put the applicant/participant over the income limit. Year-to-date income methodology is an effective way to determine income when income is varied and includes overtime or bonuses.

(5) Income from a live-in aide is not considered part of the income determination; however, a live-in aide must meet the following criteria:

a. Live-in aide means a person who resides with one or more elderly household member, or near-elderly household member, or member of the household with disabilities, and who:
    i. Is determined to be essential to the care and well-being of the household member;
    ii. Is not obligated for the support of the household member;
    iii. Would not be living in the unit except to provide the necessary supportive services; and
    iv. Provides documentation of payment for the live-in aide services provided to the household.

(6) Child tax credits, Earned Income Tax Credits, Stimulus Payment and Tax Refunds are not considered income.

(7) Self-employment: When calculating self-employment, use the previous year's tax information, if available. Use the gross income and subtract out the deductions claimed on Schedule C to get a net income. Schedule C is the Profit and Loss form used for a Business, which deducts expenses, such as their vehicle, supplies, offices expenses, travel, utilities, etc. The net income is then divided by 12 and the result is used for the household's monthly income.

More information on income can be found on the OHCS website in the Income Inclusions and Exclusions form.

(E) *Assets*

Unstably housed (category 5) housing status requires that households lack the resources to obtain or retain permanent housing. Documentation of assets must be completed when using category 5 housing status. ~~While household assets must be identified to determine that a program applicant lacks the resources to obtain or retain permanent housing, if using the unstably housed housing status, they are generally~~Such assets are not counted as income, unless an income is derived from such assets, i.e., ~~–~~dividends on investments, stocks, ~~bitcoins~~digital currency, etc., Income derived from assets ~~which~~ must be counted as part of the household's available income for eligibility purposes.

~~(E)~~(F) *Veteran Status*

Eligible applicants for **EHAP DRF** veterans funding ~~(EHA-DRF-VET)~~ must meet one of the following conditions as documented with original discharge papers or DD214 Identification or other acceptable Veteran's Affairs documentation:

(1) Served on active duty with the Armed Forces of the United States for an identifiable period of time as further defined in ORS 408.225 and was discharged or released from active duty under honorable conditions; **OR**

(2) Received a combat or campaign ribbon or an expeditionary medal for service in the Armed Forces of the United States and was discharged or released from active duty under honorable conditions; **OR**

(3) Is receiving a non-service-connected pension from the United States Department of Veterans Affairs; **OR**

(4) Includes a person who served in the military, naval, or air service that has been discharged or released from that service and has been determined by the United States Department of Veteran's Affairs to be eligible to receive any benefit from that Department.

Documentation of veteran status may include evidence of receiving any benefit from the Veteran's Affairs Department, such as a signed statement on the letterhead of a Supportive Services for Veteran Families (SSVF) provider. Veterans have up to 12 months from the date of application in which to provide documentation of eligible veteran status. If desired, a template ~~extension~~ "Veteran Status Documentation Extension" form is available to subgrantees/subrecipients on the OHCS ~~dashboard.~~website If documentation is not received within 12 months of the date of application, EHAP ~~VET~~ DRF funds drawn from the veteran set-aside cannot be used for assistance/services and subgrantee must rebook the costs with

another allowable funding source, such as regular EHA DRF or EHAP GF. If funds cannot be rebooked, they must be repaid to OHCS within 30 days.

~~(F)~~(G) *U.S. Citizenship*

There is no applicant/participant United States citizenship requirement to be eligible for **EHAP GF/ ~~(~~DRF~~/DRF VET)~~-, ERA**- and **SHAP**-funded assistance.

~~(G)~~(H) *Oregon Residency*

Services must be provided to those residing and intending to reside within the state of Oregon; however, there is no length of time prior to receiving services or financial assistance in which a participant had to have been a resident in the state of Oregon.

If a household's documented housing status is Category 4, Fleeing Domestic Violence, **EHAP GF/~~(and EHA~~ DRF~~/EHA DRF VET)~~** and **SHAP** can be used for eligible categorical costs associated with moving out of Oregon to a safe location, providing that there is documentation in the client's service/housing plan, indicating that the client's destination has been confirmed as an available safe, housing option and that no funds are used for rent, hotel/motel, utilities or other services in a state other than Oregon. Such allowable costs are restricted to moving costs.

OHCS does not require strict adherence to an organization's service boundaries within Oregon; however, some clients may start intake and assessment with one organization and then find housing or move to another organization's jurisdiction. OHCS recommends that organizations coordinate with one another ~~and work together~~ to meet the needs of the client, or one organization can provide a soft hand-off to another organization for continued support. Roles and responsibilities should be clearly identified between the organizations to effectively support the client.

~~(H) *Eligibility Documentation*~~

~~*[also see Records Section of this Manual]*~~

~~(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. 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 assistance.~~

~~(2) **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 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 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 that in its determination does not meet basic principles or requirements of such a policy.

The subgrantee's Remote Application and Documentation policy 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.

(3) **Order of Preference**

OHCS requires program staff to comply with the following general documentation standards listed in order of preference:

- **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 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. 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.

(4) **Simplified Documentation Option**

When a subgrantee or subrecipient moves an active client from the Housing Stabilization Program (HSP) to EHA (DRF/DRF VET), SHAP or Elderly Rental Assistance (ERA) programs or between state funds (EHA (DRF/DRF VET), SHAP, ERA), they can choose to use a simplified documentation process for the client's homeless status and income; whereby the subgrantee or subrecipient case manager verifies that the client meets the homeless 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) will still remain requirements that must documented when using a simplified documentation option 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) funds still require separate documentation and are not subject to a simplified documentation option.

4. Allowable Program Components and Expenditures

Emergency Housing Assistance (EHAP GF/EHA DRF/EHA VET DRF)	State Homeless Assistance Program (SHAP)	Elderly Rental Assistance (ERA)
• Street Outreach • Emergency Shelter & Transitional ShelterHousing Operations • Transitional HousingFinancial Assistance	• Street Outreach • Emergency Shelter & Transitional ShelterOperations • RRH Financial Assistance • RRH Program Delivery	• Transitional Housing • HP/RRHHP Financial Assistance • HP Program Delivery • Supportive In-Home Services

• ~~HP/RRH~~Program Delivery • ~~Supportive In-Home Services~~ • ~~Acquisition/~~Rehab, Renovation • ~~Community Capacity Building~~Emergency System and Strategy Strengthening • ~~Data System Expenses~~ • Engagement Incentives	• ~~Acquisition/~~Rehab, Renovation • ~~Data System Expenses~~	• ~~Data System Expenses~~ • ~~Rental Subsidy~~

(A) *General Guidance*

Follow requirements identified in the HSS Program Standards Guidance. ~~Documentation of allowable program components and expenditures must identify how an expense or service helped a participant maintain or attain permanent housing. OHCS-funded assistance provided 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. Allowable component expenditures do not include costs associated with residential treatment facilities, residential homes, nursing, memory care or assisted living facilities, permanent supportive housing, hospital, jails and other similar institutions.~~

Twenty-Five (25%) percent of DRF award must be expended on the veteran population for program delivery and financial assistance and will require that subgrantee's draw funds from separate OPUS categories for tracking purposes

~~**EHA (inclusive of EHA Document Recording Fee (DRF) and EHA DRF VET), ERA** and **SHAP** can be used in **one or more** of the following program components, where the program allows:~~

~~(A) Street Outreach~~
~~(B) Emergency & Transitional Shelter~~
~~(C) Transitional Housing~~
~~(D) Homelessness Prevention & Rapid Re-Housing~~
~~(E) Supportive In-Home Services~~
~~(F) ERA Rental Subsidy~~
~~(G) Shelter or Transitional Housing Facilities Acquisition. Rehab/Conversion~~
~~a. Distinguishing Between Maintenance and Rehab/Conversion~~
~~(I) Community Capacity Building~~
~~(J) Data System Expenses~~
~~(K) Gift Cards~~
~~(L) Engagement Incentives~~

~~(A)~~(B) *Street Outreach (Program Delivery)*

EHAP GF/(DRF~~/DRF VET)~~ and **SHAP** funding can pay for street outreach services. Street Outreach is service delivery that targets unsheltered ~~homeless~~houseless individuals and households. Street Outreach is drawn from the Program Delivery category of the grant. Street outreach includes reaching out to people who **do not otherwise seek assistance**. Street outreach involves going outside of the agency to connect with individuals and households (non-clients) where they build rapport and meaningfully engage with unhoused individuals and families for assessment, eligibility screening, and case management so that subgrantee/subrecipient can assist them in obtaining permanent housing. Street outreach includes connecting with individuals and households experiencing ~~homeless~~houselessness who may be disconnected or alienated from supports and services and is focused on moving people into permanent housing without preconditions for receiving assistance.

OHCS encourages the use of multi-disciplinary approaches and partnerships with culturally responsive, healthcare-focused, or other specialty outreach services. Leveraging various fund sources to pay for health services, such as through Medicaid, should be explored whenever possible. It is expected that any health professionals providing specialty outreach services have proper credentialing and licensure through relevant governing bodies (e.g., Oregon Health Authority, Mental Health and Addiction Certification Board of Oregon).

1) **Requirements for the delivery of Street Outreach:**
   a) Employs engagement strategies focused on building rapport as identified in this Section.
      - Includes basic assessment of needs that engages with the individual or household to get an understanding of factors related to immediate health and basic needs, vulnerabilities, and risks, and any other related factors. This does not necessarily need to be a formalized assessment tool and completing an assessment tool (such as coordinated entry assessment) is not a precondition for receiving street outreach services.
   b) Safety in service delivery – the subgrantee must have a written policy/procedure (such policy/procedure must be made available to OHCS upon request, 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) regarding staff safety in service delivery, which may include the following:
      - Never go out alone. Teams of two should be considered the absolute minimum.
      - Establish a system in which threats to safety to teammates are identified unbeknownst to others while conducting street outreach.
      - The office or clinic (e.g., team members not in the field) should always know the location of outreach teams. Keep to a set schedule and use Smartphones that have GPS functionality built-in.

- Wear matching clothing, ideally in bright colors, so the street outreach team is easily identified as the street outreach workers.
- Linkages with crisis response teams and behavioral health support are essential, especially if outreach teams lack a behavioral health provider.
- Use trauma-informed de-escalation training for outreach staff.
- Use harm reduction principles: safety and comfort are two different things, as are perceived threats to safety and actual threats. Witnessing drug use is not necessarily a threat to safety, for example.
- Create time and space for street outreach teams to debrief and process any threatening events. Trauma-informed supervision of outreach personnel is essential.

c) Works toward connecting participants with local coordinated entry (CE) systems and as a means of connecting participants to available permanent supportive housing opportunities, if participant has this need. If participant agrees, this will include completing a CE assessment or referring them for a CE assessment/enrollment. Coordinated Entry is not a requirement of EHAP GF/~~(EHA~~ DRF~~/EHA VET)~~ or SHAP).

~~c)~~d) Street Outreach is only eligible for non-clients. Once a person is officially a client, funds for continued financial assistance and program delivery support must be funded under other eligible components (shelter, prevention, rapid rehousing).

~~d)~~e) Services are person centered, trauma informed, culturally responsive and meet requirements of non-discrimination guidelines.

~~e)~~f) Staff receive appropriate training, that at least covers minimum training requirements, as identified in the Training Section of ~~this manual~~the Program Standards Guidance.

~~f)~~g) Use of street outreach funds to provide ~~safety/comfort resources~~Street Outreach Consumable Purchases for non-clients (such as food, tarps, sleeping bags, clothing, blankets, tents, toiletries, propane tanks, pet food, pet supplies/leashes, pet crates, etc., (veterinary services are allowable for sheltered and unsheltered clients only under Shelter Operations and require HMIS entry) is allowable as a means of building rapport and encouraging program participation. Consumable Purchases must be delivered to the non-client where they are at and does not require them to travel or use a voucher or gift card to obtain the item (gift cards or cash equivalents, such as a pre-paid laundry card) are not allowable in street outreach). ~~, however, t~~The goal must be the connection to permanent housing and subgrantee/subrecipient must utilize donations and other available resources for obtaining these consumable supplies prior to using state funds. ~~and such e~~Efforts to obtain these consumable supplies outside of using state funds must be documented and such document must be available to OHCS, upon request or the subgrantee/subrecipient must be able to articulate appropriate measures taken that align with OHCS' intent identified in this manual. Consumable purchases must meet the intent of street outreach, which is to build rapport sufficiently so that the houseless person(s) receives an assessment, eligibility screening, and case management as a client (see definitions section) to assist them in obtaining permanent housing. This use of funds should be limited and applies only when other donations or resources are not available. Once a person is a client, they no longer receive street outreach services and

are entered into other eligible categories for financial assistance and program delivery services. Subgrantee/subrecipient may track the distribution of Consumable Purchases to houseless individuals through an HMIS service transaction.

~~g)~~h) Data entry - all street outreach events and services must be entered into HMIS

2) Allowable Costs for Street Outreach include:

a) Assessment, enrollment, data entry – conducting an initial assessment of applicant basic needs and eligibility, conducting a CE entry assessment and data entry into HMIS;

b) ~~Safety & Comfort~~ Street Outreach ~~Resources~~ Consumable Purchases ~~such as food, tarps, sleeping bags, clothing, blankets, tents, toiletries, propane tanks are allowed; however, this must not be the sole strategy for street outreach services and such items must be limited and provided as a means of building rapport with homeless individuals to connect them to shelter, permanent housing options and additional health and human services~~(see requirements in (1)(g) above);

c) Providing crisis counseling;

d) Assessing emergent health, behavioral and mental health needs and connecting and/or referring participants to these services;

e) Collaboration with health, behavioral and mental health service providers to connect with street outreach households in the field;

f) Connect street outreach households to appropriate shelter services where basic needs can be met, such as access to shower, laundry, food services and other shelter resources and services;

g) Organizational costs for developing Homeless Connect events;

h) Marketing and outreach costs inclusive of written materials, translation and interpretation services (promotion and marketing must be program specific to EHAP, SHAP and/or ERA and cannot be general promotion or marketing of the organization or of emergency assistance in general);

i) Cell phone costs for outreach workers; and

j) Travel expenses incurred by outreach workers or in conjunction with outreach workers, social workers, medical professionals, or other service agency employees during the provision of allowable street outreach services (Street Outreach program delivery travel expenses must be expended and documented in accordance with guidance for travel identified in the Administration Section of this manual)

3) Unallowable Costs for Street Outreach include:

a) Cash or cash-equivalent funds provided to applicants/participants

b) Use of vouchers or gift cards/cash equivalents

c) Stipend or direct payment to client for any purpose

d) Personal solar or other powered generators

e) Phone purchases for clients

~~a)~~ Veterinary or animal behavioral health services (see Shelter Operations)

~~(B)~~(C) *Emergency ~~and Transitional~~ Shelter and Transitional Housing Operations*

~~(1) Shelter Facility Operations~~

~~**EHA (and DRF/DRF-VET)** and **SHAP** funding can pay for emergency and transitional shelter facility operations.~~ **EHAP GF/DRF** funding can be used for transitional housing facility operations. **EHA GF/DRF** and **SHAP** funding can be used for emergency shelter facility operations.

Emergency~~/Transitional~~ Shelter/Transitional Housing Operations are those costs associated with maintaining and operating emergency ~~or transitional~~ shelter and transitional housing facilities whose primary purpose is to provide temporary ~~or transitional~~ shelter and housing to ~~the general homeless~~houseless or specific populations of ~~the homeless~~houseless households. ~~Use of **EHA DRF VET** funds for emergency and transitional shelter, must include a requirement that recipients of such shelter meet the definition of "veteran" as outlined in this manual.~~

Program delivery services and financial assistance to clients residing in emergency shelters or transitional housing can be provided through Rapid Rehousing activities.

Emergency Shelter (EHAP/DRF, SHAP) means a facility whose primary purpose is to provide emergency shelter to houseless households or specific populations of the houseless and which do not require occupants to sign leases or occupancy agreements (inclusive of transitional shelter; however, not transitional housing). Shelters act as the "front door" of a houseless system of care. They provide emergency services including hygiene, nutrition, and safe sleep, while also helping to connect families and individuals to housing. Shelters may be congregate or non-congregate.

Emergency Shelter must:

- provide protection from the elements;
- provide space to live and securely store belongings (including ability to securely store required prescription medications);
- include kitchen/meal preparation facilities;
- include bathroom (toilet/shower) facilities;
- be free of accumulated trash and debris and all trash kept securely in closed/covered bins;
- receive regular cleaning and areas of high traffic must be regularly disinfected to reduce the spread of germs. Areas such as bathrooms, door handles and light switches must be cleaned daily and bathrooms free of trash/debris;
- receive frequent broom/mop cleaning, particularly in areas in which pets reside;
- appropriately dispose of hazardous materials, such as needles;
- provide access to refrigeration for required prescription medication that is needed for a resident or their pet; and
- not charge residents a fee for such shelter or shelter services.

Any building that uses OHCS funds for the purpose of shelter must meet basic habitability standards as follows (this is not the same as an NSPIRE or HQS inspection and can be performed by subgrantee/subrecipient staff; however, documentation must be on file that such an inspection was performed at a minimum of once every funding cycle – a habitability standards checklist is available on the OHCS website, if desired):

- ***Structure and materials.*** The shelter building must be structurally sound to protect residents from the elements and not pose any threat to health and safety of the residents.
- ***Access.*** The shelter must be accessible to those with disabilities.
- ***Space and security.*** Except where the shelter is intended for day use only, the shelter must provide each program participant in the shelter with an acceptable place to sleep and adequate space and security for themselves and their belongings.
- ***Interior air quality.*** Each room or space within the shelter must have a natural or mechanical means of ventilation. The interior air must be free of pollutants at a level that might threaten or harm the health of residents.
- ***Water supply.*** The shelter's water supply must be free of contamination and contaminates.
- ***Sanitary facilities.*** Each program participant in the shelter must have access to sanitary facilities that are in proper operating condition, are private, and are adequate for personal cleanliness and the disposal of human waste.
- ***Thermal environment.*** The shelter must have any necessary heating/cooling facilities in proper operating condition. This does not mean that a shelter must have air conditioning, but that any heating/cooling system being used is in proper operating condition and minimally, provides adequate heat and cooling functions.
- ***Illumination and electricity.*** The shelter must have adequate natural or artificial illumination to permit normal indoor activities and support health and safety. There must be sufficient electrical sources to permit the safe use of electrical appliances in the shelter.
- ***Food preparation.*** Food preparation areas, if any, must contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.
- ***Sanitary conditions.*** The shelter must be maintained in a sanitary condition.
- ***Fire safety.*** There must be at least one working smoke detector in each occupied unit of the shelter. Where possible, smoke detectors must be located near sleeping areas. The fire alarm system must be designed for hearing-impaired residents. All public areas of the shelter must have at least one working smoke detector. There must also be a second means of exiting the building in the event of fire or other emergency.

Shelters may require that residents sign or agree to a Code of Conduct, which is not the same as an occupancy agreement (see Definitions section of this manual).

Low-Barrier Shelters are a priority at OHCS. Low-barrier shelters have limited entry requirements that enable people, who otherwise are not willing or able to access shelter

services, to be off the streets. Low barrier shelters must not expect residents to abstain from using alcohol or other drugs while living on-site and residents must not engage in these activities in common areas of the house. Low barrier shelters allow pets, allow couples/families to stay together, and can provide secure storage space for personal items. Low barrier shelters do not require documentation of identification, custody, citizenship, or gender and comply with Equal Access requirements. Low-barrier shelters are a state priority and should be implemented whenever feasible. Low-barrier shelters must maintain the same standards for cleaning/sanitation and habitability as emergency shelters as identified above.

Hotel/Motel Vouchers can be used as an emergency shelter strategy in those areas and times when no appropriate emergency shelter is available or to meet the medical needs of the shelter resident(s). Subgrantee/subrecipient must have documentation on file and available for monitoring purposes, that identifies that due diligence has been performed to determine that no appropriate emergency shelter is available or that the client meets a need for non-congregate sheltering options. Hotel/motels do not have to perform inspections for habitability standards related to EHA GF/DRF or SHAP.

~~**Warming/Cooling**~~**Inclement Weather Centers** are a short-term, drop-in and/or overnight facility that operates when temperatures or a combination of precipitation, wind chill, wind, air quality and/or temperature become dangerously inclement. Their paramount purpose is the prevention of death and injury from exposure to the elements and are an allowable use of Emergency Shelter Operation funding. When operated by a subrecipient, such subrecipient must be identified in the subgrantee's Funding Application and must be prior approved by OHCS before receiving OHCS funds. The resulting contract/agreement between the subgrantee and subrecipient must contain all required provisions from the OHCS Subgrantee Agreement/Contract. Subaward agreements must cite the correct regulations and the correct grant(s). 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 Program Element: Scope of Work.

Safe Sleep Sites are locations in which the subgrantee/subrecipient provides houseless individuals/households a safe and lawful place to temporarily place a vehicle and/or tent in which they live and provides access to human and social services.

Safe Sleep Sites must be a strategy taken when no other sheltering options are available to meet the need of housing unsheltered households. There must be documented evidence available for review at OHCS' request, such as a community needs assessment or other analysis that identifies a gap in sheltering options that only Safe Sleep Site are able to fill.

To be an eligible use of Shelter Operations funds, these shelters **must** adhere to local zoning requirements and meet minimum requirements of which the end goal is to be permanent housing and subgrantee/subrecipient **must** have a written plan of operation for each site or policies and procedures that meet the same standard.

The written plan of operation (policy/procedure) of Safe Sleep Sites must be available during monitoring. Safe Sleep Sites must have a minimal level of onsite management that ensures:

1) timely and appropriate responses to compliance with zoning requirements, when identified by state, local or county officials;
2) the safety of participants, such as security personnel or other measures that ensures participant safety;
3) site cleanliness/janitorial services for regular clean-up of the site;
4) garbage collection, inclusive of "sharps" and other bio-hazard disposal;
5) sanitation options, such as portable toilets or access to toilet facilities;
6) access to a potable water source;
7) removal/towing of inoperable and/or abandoned vehicles;
8) waste management that may include plan to address spills and RV waste water disposal
9) provision of subgrantee/subrecipient services to residents, such as case management, rehousing options, housing navigation, links to employment, and needed medical services, etc.; and
10) that site rules are posted at the site and must include contact information for the subgrantee/subrecipient in case of emergency.

~~**EHA** and **SHAP** Shelter Operations can be used to support the operations performed by partners of subgrantees when such partners are operating a warming/cooling center during periods of inclement weather. To provide~~ Shelter

~~a)~~**b)** ~~Operation funds to a partner organizations, such partner organizations must be identified as a subrecipient of the subgrantee and must follow general EHA and SHAP guidance and specific requirements related to the delivery of Shelter Operations as identified in Section (B)(1)(a) and (b) below.~~**Requirements for the delivery of Shelter Operations:**

1) Subgrantees must have an animal policy in place to ensure the safety and welfare of all residents and animals, if animals are accepted at the shelter facility, and such policy must be available to OHCS upon request. Shelters must not implement specific dog breed restrictions. Pets may include service animals and companion animals as defined in ORS 609.500(4). 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. An animal safety policy/procedure must include:
   i. What type of pet is acceptable (dog breed restrictions are prohibited);
   ii. How many pets are acceptable (per person or per shelter limitation);
   iii. Whether muzzles or leashes are required, when and where;
   iv. Requirements on waste clean-up;

v. What happens when guidelines are not met;

vi. If there are any animal facilities (such as kennels) available, what are the rules to use them; and

vii. If there are any requirements for cleanliness of animal or proof of current vaccinations/shots and what are those requirements (or process by which clients could obtain services for these issues?).

viii. What is the process for addressing pet aggression behavior or other pet concerns raised by staff or shelter users/residents?

2) ~~Hotel/Motel vouchers can be used as an emergency shelter strategy when there is a lack of available emergency shelters in the subgrantee's/subrecipient's service area. Use of hotel/motel vouchers for this purpose must be specifically identified in the subgrantee's annual report and funds used for this purpose must be identified in the hotel/motel category of the subgrantee's budget.~~

3) Emergency shelter participants and persons receiving hotel/motel vouchers as an emergency shelter strategy must have the same access to essential services delivered by the subgrantee and subrecipient and/or provision of information and referral to other service providers. Essential services include: case management; child care; education services, employment assistance and job training; outpatient health services; life skills training; mental health services; substance abuse treatment services; transportation; services for special populations and mainstream income and health benefits where appropriate.

4) When hotel/motel voucher is used as an emergency shelter strategy, damages to a hotel/motel unit that occurred while the participant was in residence of that unit can be an allowable cost of shelter operation when expenses are **reasonable and specifically itemized** by the hotel/motel voucher facility and would not be allowable if such expenses were not reasonable and specifically itemized. Such documentation must be kept in the participant's file (for example, it is not reasonable to cover the replacement of carpet over 8 years old if damaged by the guest).

5) Hotel/motel costs, when used as an emergency shelter strategy, includes wi-fi costs as part of the room fee, if charged separately; however, no other incidental costs are covered, such as movie rentals, room service, long-distance phone calls, etc.

6) Food costs, when used to prepare congregate meals is allowed.

7) Childcare services for residents in shelters: Childcare can be provided when needed to allow residents in shelters to attend meetings, appointments or do job search activities. Childcare service providers should be licensed. Shelters can become licensed, see OAR 413-215 for more information. Shelters can also enter into agreements with licensed childcare facilities for drop-in childcare services. Subgrantees must develop policies/procedures that identify how they will provide childcare services that mitigate liability and details when and how clients may access childcare services while they are residents of shelter. Such policy/procedure must be available to OHCS upon request. 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.

8) Costs to board and care for shelter residents' animals, such as boarding costs, kennels, leashes, pet food, pet toys, pet licenses, behavioral services for pets, basic veterinary services not available or inaccessible within the community (such as vaccinations, flea treatment, spay/neuter operations and costs must be limited and reasonable), as well as transportation costs to transport an eligible pet to and from veterinary care or boarding/kennel care. Note: Veterinary or behavioral services provided must have an HMIS record of the service transaction and households must meet the definition of "client" to receive these benefits, whether the client is sheltered or unsheltered.

~~7)~~

~~8) All Emergency Shelter events and services must be entered into HMIS.~~

9) Bed Inventory must remain current in HMIS.

10) Free-Standing Temporary Shelter (FSTS), also known as tiny homes and "Pallet™" shelters, are a type of alternative shelters that do not include a foundation and are allowed under Shelter Operations as an equipment purchase. Any purchase of FSTS, regardless of procurement limitations, must be prior-approved by OHCS before purchase. Funds may also be used for the operations of FSTS.

FSTS are not considered Safe-Sleep Sites, but are physical shelters and are held to a different standard for operation. Prior OHCS approval of the purchase of FSTS is required. Complete a FSTS Pre-Approval Form, located on the HSS Dashboard. The FSTS Pre-Approval Form includes completing information on your purchase process, site location, amenities on site which is inclusive of utilities, waste management, food service, and public safety strategy, as well as your shelter operation plan.

Using OHCS funds for bringing utilities to a site, requiring ground disturbance, for the purpose of operating FSTS, is unallowable.

Regardless of whether FSTS is a purchase request or if funds are used for the operations of these shelters, each FSTS location must include the following:

- Heat in each unit;
- Electricity in each unit;
- Hard-surface walls and roofing in each unit;
- The ability to close and lock a unit door;
- Showers and toilets onsite;
- Potable water onsite;
- Site cleanliness/janitorial services for regular clean-up of the site;
- Garbage collection, inclusive of "sharps" and other bio-hazard disposal;
- Food preparation facilities available onsite **or** an action plan to provide meals to shelter residents;

- Provision of subgrantee/subrecipient services to residents, such as case management, rehousing options, housing navigation, links to employment, and needed medical services, etc.; and
- That site rules are posted at the site and must include contact information for the subgrantee/subrecipient in case of emergency.

For information and instruction and a How To Guide on Building a Shelter Community, visit www.palletshelter.com.

f) Transitional Housing (EHAP/DRF) Transitional Housing provides temporary housing with supportive services to individuals and families experiencing homelessness with the goal of interim stability and support to successfully move to and maintain permanent housing. TH projects can cover housing costs and accompanying supportive services for program participants for up to 24 months TH requires clients to pay some portion of the rent. Transitional Housing is not the same as "transitional shelter", which requires no lease/occupancy agreement.

a) Requirements for the delivery of Transitional Housing Operations:

1) Transitional Housing tenancy should be limited to less than 24 months. If more than 24 months of tenancy is needed, the client file must document the reason and a clear plan of action to move the client to permanent housing which includes time-bound activities.

2) Participants in a TH projects must have a signed lease, sublease, or occupancy agreement with the following requirements:

- An initial term of at least one month
- Automatically renewable upon expiration, except by prior notice by either party
- A maximum term of 24 months

3) Transitional Housing facilities may charge a resident tenant) a portion of a reasonable rent, based on the resident's (tenant's) household income; however, EHA GF/DRF cannot be used to pay the tenant's portion of such rent.

4) Transitional Housing require residents (tenants) to sign a rental or occupancy agreement (this is not the same as a Code of Conduct – see Definitions section of this manual).

5) Transitional Housing must follow the same habitability standards as emergency shelter (see the Emergency Shelter section of this manual).

~~9)~~

c) Allowable Costs for Shelter and Transitional Housing Operations:

Allowable Cost	Shelter Operations (EHAP/DRF, SHAP)	Transitional Housing Operations (EHAP/DRF)
Lease or rent payments for facility	X	X
Utilities (includes water, sewer, garbage, gas, electricity, internet, phone) for facility	X	X

Security equipment, personnel or service to operate facility	X	X
Janitorial supplies, personnel and service to operate facility	X	X
Facility management (staff costs for a facilities manager to manage day-to-day operations necessary to ensure a physical environment that supports the facilities needs and core function)	X	X
Minor maintenance/repairs to facility (see Definitions, Appendix A and Rehabilitation Sections of this manual for more information)	X	X
Furnishings and appliances for shelter facility (televisions are allowable when placed and used in common spaces)	X	
Furnishings and appliances for transitional housing facility, **if** included as part of the unit and not retained by client upon move-out		X
Hotel/Motel costs as shelter operation strategy	X	
Signage that is for the purpose of providing information to users of the shelter. When signage is for the purpose of advertising or public relations, it is allowable as an administrative costs, but only when following OMB 200.421 guidance for such costs.	X	
Food for congregate shelter facility settings	X	
Childcare services for residents	X	
Pet costs	X	

~~**b)**~~

1) ~~Lease or rent payments for shelter facility~~;
2) ~~Utilities (includes water, sewer, garbage, gas, electricity, internet, phone) for shelter facility~~;
3) ~~Security equipment or service to operate shelter facility~~;
4) ~~Janitorial supplies and service to operate shelter facility~~;
5) ~~Facility management (staff costs for a facilities manager to manage day to day operations necessary to ensure a physical environment also supports a shelter's needs and core function)~~;

~~5)~~6)

~~6)~~7) ~~Minor maintenance/repairs to facility (see Definitions, Appendix A and Acquisition/Rehabilitation Sections of this manual for more information)~~;

~~7)~~8) ~~Furnishings and appliances for shelter facility (televisions are allowable when placed and used in common spaces)~~;

~~8)~~9) ~~Signage that is for the purpose of providing information to users of the shelter. When signage is for the purpose of advertising or public relations, it is allowable as~~

~~an administrative costs, but only when following OMB 200.421 guidance for such costs~~.

~~9)~~10) ~~Food for congregate shelter facility settings~~;

~~10)~~11) ~~Childcare services for residents~~; and

12) ~~Costs to board and care for shelter residents' animals, such as boarding costs, kennels, leashes, pet food, pet toys, pet licenses, behavioral services for pets, basic veterinary services not available or inaccessible within the community (such as vaccinations, flea treatment, spay/neuter operations and costs must be limited and reasonable)~~.

d) Unallowable Costs for Shelter Operations

1) The purchase of recreational vehicles as a form of shelter is not allowable.

~~11)~~

~~(2) SHELTER FINANCIAL ASSISTANCE~~

~~**EHA (and DRF/DRF VET)** and **SHAP** funding can be used for Financial Assistance. Financial assistance are those costs paid on behalf of the participant and that meet the financial needs of the participant to facilitate transitioning out of shelter into more stable housing.~~

~~a) **Requirements for the delivery of Shelter Financial Assistance**~~

~~1) **Client Non-Categorical Services** are the rare provision of goods or payments of expenses not included in other allowable expense categories, which directly help a household obtain or maintain permanent housing or meet a unique **essential** household need, as documented in the client service or housing plan. Consumer debt payments are not allowed as a client non-categorical service. Client Non-Categorical Service payment cannot be made for expenses already allowed in a program category and cannot be used as a means of giving funds directly to a client when a landlord or utility is uncooperative or as a means of covering an unallowable expense. Client Non-Categorical Services is not a cash or cash equivalent payment to a client and such use is unallowable, except where expressly identified in this manual. Prior approval by the case manager's supervisor is required before goods or payments are delivered.~~

~~2) **Food** costs associated when facilitating a client out of shelter and into permanent housing is allowable as a one-time emergency benefit, when other resources are not available for this service and at a maximum amount of the standard for SNAP benefit (https://www.fns.usda.gov/snap/recipient/eligibility) for one month, based on household size, inclusive of any grocery delivery fees. Clients receiving this service must be connected to SNAP benefits and if needed, assistance must be given to help a client apply for SNAP benefits. Client file must document steps taken to ascertain that other food resources were not available to meet the emergent need. Gift cards can only be used when a gift card policy has been pre-approved by OHCS and the limitation for food costs are identified in such policy and cannot exceed the limitation stated above. This service cannot be duplicated in the rapid re-housing category.~~

3) **Pet Deposit** means a security deposit required by a landlord to house an individual or family with a pet. This may be referred to as a one-time pet fee at move in or a non-refundable pet deposit. This does not include a pet deposit for clients during an existing rental/lease agreement. Pet deposits are limited to one pet. Pet deposit does not include repayment of any damages caused by a pet. Other sources of non-OHCS funding must be deferred to first and pet deposit assistance is only eligible when other sources of non-OHCS funds cannot be obtained and providing a pet deposit is necessary, and documented in the participant file, to ensure stability in housing.

4) **Pet Rent** means a monthly rent charged for a pet and required by the landlord through a rental/lease agreement, which must be included in the client file for purposes of documentation.

5) **Rent arrearage** means past due rent owed to a current landlord. Payment of arrears is restricted to 6 months past due rent, per calendar year. Subgrantees have the discretion to limit payments for rent arrearage with a policy that details such further restrictions and their purpose, and identification of how those restrictions are communicated to the participants (such policy must be made available to OHCS upon request). Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

6) **Rental-related expenses** include other expenses incurred such as filing fees, property damage, court fees or lease-break fees to a previous landlord (or collection agency) **when being required by a prospective landlord**, with a case manager's supervisor's approval. Fund cannot be used for debt payment. There must be **documented evidence** from the prospective landlord that payment of the arrears is necessary for the participant to obtain permanent housing and maintain stability in that housing and a unit must be lined up and available for the participant's occupancy if such expenses are to be paid.

7) **Utility arrearage** assistance is past due utilities and can only be provided when there is documented evidence of a utility bill in the participant's name. If arrears are owed to a previous utility company or to a collection agency, these arrears can be paid, but only when there is **documented evidence** that payment of the arrears is necessary for the participant to obtain or retain utility service. Payment of utility arrears to a previous utility company or to a collection agency must result in the utilities remaining on or the connection/reconnection of utility service. Documentation in the client file must show the steps taken to defer to other utility assistance first. Utility deposit assistance may only be provided when there is documented evidence of the requirement of the deposit, the utility will be in the client's/participant's name and client file shows the steps taken to defer to other utility assistance first.

8) If using funds for **storage fees** of personal items, such use of funds must be not more than three months of storage rent and provided as a means of securing a homeless person's belonging while obtaining permanent housing. Costs can include arrears, current or future costs or any combination of those costs for the maximum total assistance of 3 months and costs may not be duplicated with rapid re-housing

financial assistance. Such households must be actively in the process of obtaining permanent housing and are awaiting placement in their home.

9) **Moving costs** can be provided to secure the rental of a moving van/truck and could include a transportation payment in alignment with transportation guidelines. In cases where need is demonstrated, moving costs can cover the professional expenses of a contracted moving company. Moving costs do not include cash or gift cards, except as provided in the transportation guidelines. In circumstances in which a client meets the definition of fleeing domestic violence and there are safety concerns with remaining in Oregon, moving costs can be used to assist the client to safely move to another state; however, the client file must have written documentation that a safe place is available in the destination state and such allowability must be in alignment with the client's service/housing plan. This allowability does not extend to paying an out-of-state landlord for rent, security deposit, application fees, etc., and only encompasses moving costs.

10) **Transportation**: costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repairs/insurance are allowable. Payments that allow participants to use public transportation are the highest priority and must be considered first for the purpose of attending required appointments, job search or other critical services. Case managers have the discretion to provide repairs/gas/insurance for a client's personal vehicle. Case managers must document why a client's personal vehicle option is preferred over public transportation options and that the expense will lead to the stabilization of housing. Costs associated with a vehicle not owned by the client are not allowed. Client must have a valid driver's license.

OHCS funds cannot be used to build assets, such as the purchase of a vehicle or loan payments and cannot be used for debt payments, such as traffic violations/fines to obtain a license. Private transportation options can include minor vehicle repair, car insurance, and the least costly option for vehicle registration, with written subgrantee policy on use of funds for these services and such policy must be available to OHCS upon request. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy. For example, repair to a vehicle might be preferable to a bus pass if the community does not have public transportation or if the client works at night when public transportation is not operational.

Transportation does not include insurance to pay for roadside assistance (such as a membership to AAA) or traffic violations or any collection costs associated with these fines. Insurance includes only general liability insurance as required by the State of Oregon; however, comprehensive/collision coverage, can be allowed, but only when there is documented evidence that such coverage is a requirement of a vehicle loan. Insurance is paid before the period of service and vehicle owners have 10 days in which to make payment; therefore, insurance arrears is not a factual cost and is unallowable.

A Private Vehicle Costs policy must include:

I. Dollar limitation per participant and frequency of such limitation (e.g., once per biennium);

II. Number of months limitation per participant for insurance costs;

III. Identification on what factors are used to determine whether such costs are preferable to public transportation; and

IV. Identification of how justification of expense and documentation of that justification is performed. Client files must include such documentation.

b) Allowable Costs for Shelter Financial Assistance:

1) Housing relocation (e.g., rent payments (inclusive of first, last, rent arrears, pet rent, and if accepted by landlord as an incentive, forward rent), manufactured home rental space "lot rent", application fee, security deposit, pet deposit, utility arrears, utility deposit, storage fees);

2) Rental-related expenses;

3) Moving costs (van/truck rental);

4) Purchase of identification and driver's license;

5) Purchase of birth certificates;

6) Food, inclusive of delivery fee;

7) Transportation costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repairs/insurance; and

8) Client non-categorical services.

c) Unallowable Costs for Shelter Financial Assistance:

1) Cash;

2) Cash equivalent funds provided to applicants/participants, except through an OHCS approved gift card policy; and

3) Participant debt payment

(3) SHELTER PROGRAM DELIVERY

EHA (and DRF/DRF VET) and **SHAP** funding can be used for Shelter Program Delivery. Shelter Program Delivery are those costs associated with providing services to facilitate shelter resident's transition out of shelter into more stable housing.

a) Requirements for the delivery of Shelter Program Delivery services

1) Food costs associated with disseminating technical information necessary and reasonable for successful performance of shelter participant education opportunities, such as tenant readiness education, financial/budgeting education and other client educational services is allowable as identified in OMB 200.432 and Oregon Accounting Manual 10.40.10.

2) Case management is one of the primary services offered to individuals and families who face multiple challenges, including severe mental illness, addiction, and homelessness. Effective case management includes **assessment, planning, implementation, coordination and evaluation**. Best practices in case management skills are available on the OHCS Homeless Services Section dashboard.

b) Allowable Costs for Shelter Program Delivery

1) Intake, data entry into HMIS;
2) Case management including pre-eligibility determination for housing and other needed services;
3) Housing navigation assistance;
4) Crisis intervention/counseling;
5) Education and training in such areas as personal finance and budgeting, job search and access to job training, life skills, and literacy;
6) Assistance in completing/submitting applications for other state/federal benefits (SSI/SSDI, TANF, SNAP, Unemployment, etc.);
7) Referrals and/or "warm hand-offs" to counseling, addiction and mental health services;
8) Mediation between client and landlord;
9) Tenant readiness education; and
10) Maintenance costs associated to assist a unit pass an HQS inspection, this does not include major repair/rehabilitation costs (see the Acquisition/Rehabilitation Sections of this manual).

(C) *Transitional Housing*

EHA (and DRF/DRF VET) and **ERA** funding can be used for Transitional Housing. Transitional Housing facilitates a homeless household's transition to permanent housing and is offered to participants for a reasonable amount of time (usually less than 24 months). Transitional Housing is designed to provide interim support to successfully move a participant to, and help them maintain, permanent housing. Transitional Housing will require program participants to sign either a lease or an occupancy agreement and requires participants to pay some portion of the rent. Transitional Housing is not the same as Transitional Shelter, which requires no lease/occupancy agreement.

(1) TRANSITIONAL HOUSING OPERATIONS

EHA (and DRF/DRF VET) and ERA funding can be used for Transitional Housing Operations. Transitional Housing Operations are those costs associated with maintaining and operating Transitional Housing facilities whose primary purpose is to provide housing to the general homeless or specific populations of the homeless while they perform activities that increase their ability to obtain permanent housing.

a) Requirements for the delivery of Transitional Housing Operations:

1) Transitional Housing tenancy should be limited to less than 24 months. If more than 24 months of tenancy is needed, the client file must document the reason and a clear plan of action to move the client to permanent housing which includes time-bound activities.
2) All Transitional Housing events and services must be entered into HMIS.

b) Allowable Costs for Transitional Housing Operations

1) Lease or rent payments for transitional housing facility;
2) Utilities (includes water, sewer, garbage, gas, electricity, internet, phone) for transitional housing facility;
3) Security equipment or service to operate transitional housing facility;
4) Janitorial supplies and service to operate transitional housing facility;
5) Facility management (staff costs for a facilities manager to manage day to day operations necessary to ensure a physical environment supports a transitional housing's needs and core function);
6) Minor maintenance/repairs to facility (see the Definitions Appendix A, and Acquisition/Rehabilitation Sections of this manual); and
7) Furnishings and appliances for transitional housing facility, if included as part of the unit and not retained by client upon move-out.

(2) TRANSITIONAL HOUSING FINANCIAL ASSISTANCE

a) **EHA (and DRF/DRF VET) and ERA** funding can be used for Financial Assistance. Financial Assistance are those costs paid on behalf of the participant and that meet the financial needs of the participant to facilitate transition out of transitional housing and into permanent housing. **Requirements for the delivery of Transitional Housing Financial Assistance**

1) Paying a **tenant's share** of transitional housing placement is not allowed. A purpose of the transitional housing service model is working with participants on building ownership and responsibility in paying housing costs which means having the income necessary to do so. Programs often have graduated rent share levels or do income proportional requirements, etc., so outright paying the tenant's portion of rent is counterproductive to service delivery. Subgrantees and subrecipients can employ different degrees and approaches for flexibility so if there's a month where a participant is unable to pay rent, the transitional housing provider can reassess the current participant's income/rent ration. Subgrantees must have a policy in place on income/rent formula reassessments and such policy must be available to OHCS upon request. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy

   A Transitional Housing Formula Reassessment policy must include:

   I. Frequency of income/rent ratio formula reassessments or what event(s) trigger a reassessment;
   II. Any limitation on frequency of reassessments;
   III. Methodology of formula for reassessment; and
   IV. A statement that formula reassessments are used consistently between participants.

2) **Client Non-Categorical Services** are the rare provision of goods or payments of expenses not included in other allowable expense categories, which directly help a household to obtain or maintain permanent housing or meet a unique **essential** household need, as documented in the client service or housing plan. Consumer debt

payments are not allowed as a client non-categorical service. Client Non-Categorical Service payment cannot be made for expenses already allowed in a program category and cannot be used as a means of covering an unallowable expense. Client Non-Categorical Service is not a cash or cash equivalent payment to a client and such use is unallowable, except where expressly identified in this manual. Prior approval by the case manager's supervisor is required before goods or payments are delivered.

3) **Food** costs when facilitating a client out of transitional housing and into permanent housing as a one-time emergency benefit, when other resources are not available for this service and at a maximum amount of the standard for SNAP benefit (https://www.fns.usda.gov/snap/recipient/eligibility) for one month, based on household size, inclusive of any grocery delivery fees. Clients receiving this service must be connected to SNAP benefits and if needed, assistance must be given to help a client apply for SNAP benefits. Client file must document steps taken to ascertain that other food resources were not available to meet the emergent need. Gift cards can only be used when a gift card policy has been pre-approved by OHCS and the limitation for food costs are identified in such policy and cannot exceed the limitation stated above.

4) **Pet Deposit** means a security deposit required by a landlord to house an individual or family with a pet. This may be referred to as a one-time pet fee at move in or a non-refundable pet deposit. This does not include a pet deposit for clients during an existing rental/lease agreement. Pet deposits are limited to one pet. Pet deposit does not include repayment of any damages caused by a pet. Other sources of non-OHCS funding must be deferred to first and pet deposit assistance is only eligible when other sources of non-OHCS funds cannot be obtained and providing a pet deposit is necessary, and documented in the participant file, to ensure stability in housing.

5) **Pet Rent** means a monthly rent charged on a pet and required by the landlord through a rental/lease agreement, which must be included in the client file for purposes of documentation.

6) **Rent arrearage** means past due rent owed to a current landlord. Payment of arrears is restricted to 6 months past due rent, per calendar year. Subgrantees have the discretion to limit payments for rent arrearage with a policy that details such further restrictions and their purpose, and identification of how those restrictions are communicated to the participants (such policy must be made available to OHCS upon request) Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

7) **Rental-related expenses** include other expenses incurred such as filing fees, property damage, court fees or lease break fees to a previous landlord (or collection agency) **when being required by a prospective landlord**, with a case manager's supervisor's approval. There must be **documented evidence** from the prospective landlord that payment of the arrears is necessary for the participant to obtain permanent housing and maintain stability in that housing and a unit must be lined up and available for the participant's occupancy if such expenses are to be paid.

8) **Utility arrearage** assistance is past due utilities and can only be provided when there is documented evidence of a utility bill in the participant's name. If arrears are owed to a previous utility company or to a collection agency, these arrears can be paid, but only when there is documented evidence that payment of the arrears is necessary for the participant to obtain or retain utility service. Payment of utility arrears to a previous utility company or to a collection agency must result in the utilities remaining on or the connection/reconnection of utility service. Documentation in the client file must show the steps taken to defer to other utility assistance first. Utility deposit assistance may only be provided when there is documented evidence of the requirement of the deposit, the utility will be in the client's/participant's name and shows the steps taken to defer to other utility assistance first.

9) **Transportation:** costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repairs/insurance are allowable. Payments that allow participants to use public transportation are the highest priority and must be considered first for the purpose of attending required appointments, job search or other critical services. Case managers have the discretion to provide repairs/gas/insurance for a client's personal vehicle. Case managers must document why a client's personal vehicle option is preferred over public transportation options and that the expense will lead to the stabilization of housing. Costs associated with a vehicle not owned by the client are not allowed. Client must have a valid driver's license.

OHCS funds cannot be used to build assets, such as the purchase of a vehicle or loan payments and cannot be used for debt payments, such as traffic violations/fines to obtain a license. Private transportation options can include minor vehicle repair, car insurance, and the least costly option for vehicle registration, with written subgrantee policy on use of funds for these services and such policy must be available to OHCS upon request. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy. For example, repair to a vehicle might be preferable to a bus pass if the community does not have public transportation or if the client works at night when public transportation is not operational.

Transportation does not include insurance to pay for roadside assistance (such as a membership to AAA) or traffic violations or any collection costs associated with these fines. Insurance includes only general liability insurance as required by the State of Oregon; however, comprehensive/collision coverage, can be allowed, but only when there is documented evidence that such coverage is a requirement of a vehicle loan. Insurance is paid before the period of service and vehicle owners have 10 days in which to make payment; therefore, insurance arrears is not a factual cost and is unallowable.

A Private Vehicle Costs policy must include:

I. Dollar limitation per participant and frequency of such limitation (e.g., once per biennium);

II. Number of months limitation per participant for insurance costs;

III. Identification on what factors are used to determine whether such costs are preferable to public transportation; and

IV. Identification of how justification of expense and documentation of that justification is performed. Participant files must include such documentation.

b) Allowable Costs for Transitional Housing Financial Assistance:

1) Housing relocation (upfront housing costs related to relocation such as rent arrears, first/last month's rent, application fee, security deposit, pet deposit, pet rent, utility arrears, utility deposit);

2) Rental-related expenses;

3) Purchase of identification and driver's license;

4) Purchase of birth certificates;

5) Food, inclusive of delivery fee;

6) Transportation costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repair/insurance; and

7) Client non-categorical services.

c) Unallowable Costs for Transitional Housing Financial Assistance:

1) Cash

2) Cash equivalent funds provided to applicants/participants, except through an OHCS-approved gift card policy; and

3) Participant debt payment.

(3) TRANSITIONAL HOUSING PROGRAM DELIVERY

EHA (DRF/DRF-VET) and **ERA** funding can pay used for Transitional Housing Program Delivery. Transitional Housing Program Delivery are those costs associated with providing services that facilitate a participant's transition out of transitional housing and into permanent housing.

a) Requirements for the delivery of Transitional Housing Program Delivery services

1) Food costs associated with disseminating technical information necessary and reasonable for successful performance of transitional housing participant education opportunities, such as tenant readiness education, financial/budgeting education and other client educational services is allowable as identified in OMB 200.432 and Oregon Accounting Manual 10.40.10.

2) Case management is one of the primary services offered to individuals and families who face multiple challenges, including severe mental illness, addiction, and homelessness. Effective case management includes **assessment, planning, implementation, coordination and evaluation**. Best practices in case management skills are available on the OHCS Homeless Services Section dashboard.

b) Allowable Costs for Transitional Housing Program Delivery

~~1) Intake, data entry into HMIS;~~

~~2) Case management including pre-eligibility determination for housing and other needed services;~~

~~3) Housing navigation assistance;~~

~~4) Crisis intervention/counseling;~~

~~5) Education and training in such areas as personal finance and budgeting, job search and access to job training, life skills, and literacy;~~

~~6) Assistance in completing/submitting applications for other state/federal benefits (SSI/SSDI, TANF, SNAP, Unemployment, etc.);~~

~~7) Referrals and/or "warm hand-offs" to counseling, addiction and mental health services;~~

~~8) Mediation between client and landlord;~~

~~9) Tenant readiness education; and~~

~~10) Maintenance costs associated to assist a unit pass an HQS inspection, this does not include major repair/rehabilitation costs (see the Acquisition/Rehabilitation Sections of this manual).~~

(D) ~~*Homelessness Prevention and Rapid Re-Housing*~~*Financial Assistance*

EHAP **GF/~~(and~~ DRF~~/DRF VET)~~** ~~and ERA~~ can be used to support ~~Homeless~~Houselessness Prevention and Rapid Re-Housing activities.

ERA can only be used to support Houselessness Prevention activities.

SHAP can only be used to support Rapid Re-Housing activities.

~~**Homeless**~~**Houselessness Prevention** are ~~those services performed~~funds used to prevent ~~homeless~~houselessness and assist a participant in remaining in their current housing. ~~Homeless~~houselessness Prevention is used when a household's housing status is at imminent risk of ~~homeless~~houselessness (category 2) or unstably housed (category 5). ***ERA*** *only allows for houselessness prevention activities. Houselessness Prevention activities are unallowable in* ***SHAP****.*

Rapid Re-Housing are ~~those services performed~~funds used to enable households to obtain permanent housing when they are currently ~~homeless~~houseless. Rapid Re-Housing is used when a household's housing status is literally ~~homeless~~houseless (category 1), ~~homeless~~houseless under other federal statutes (category 3) or when a household is fleeing or attempting to flee a domestic violence situation (category 4). *SHAP only allows for rapid rehousing activities. Rapid rehousing activities are unallowable in* ***ERA****.*

Financial Assistance are those costs paid on behalf of a client to the meet the financial need(s) of the client. Financial Assistance can be provided to participants residing in Emergency Shelter or clients residing in Transitional Housing and can be provided to those who are Rapidly Re-Housed or to prevent Houselessness.

Twenty-five (25%) percent of DRF awards must be expended on the veteran population for financial assistance and program delivery and will require that subgrantee's draw funds from separate OPUS categories for tracking purposes. Both Houselessness Prevention and Rapid Re-Housing can be used under the DRF grant for the purpose of assisting veterans.

1) ~~HP/RRH Financial Assistance~~Requirements of Financial Assistance

~~HP/RRH FA are those costs paid on behalf of a participant to meet the financial need of the participant.~~

~~**a) Requirements of HP/RRH Financial Assistance**~~

a) Paying a **tenant's share** of transitional housing placement is not allowed. A purpose of the transitional housing service model is working with participants on building accountability and responsibility in paying housing costs which means having the income necessary to do so. Programs often have graduated rent share levels or income proportional requirements, etc., so outright paying the tenant's portion of rent is counterproductive to service delivery. Subgrantees and subrecipients can employ different degrees and approaches for flexibility so if there's a month where a participant is unable to pay rent, the transitional housing provider can reassess the current participant's income/rent ration. Subgrantees must have a policy/procedure in place on income/rent formula reassessments and such policy/procedure must be available to OHCS upon request. 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.

A Transitional Housing Formula Reassessment policy/procedure must include:

- Frequency of income/rent ratio formula reassessments or what event(s) trigger a reassessment;
- Any limitation on frequency of reassessments;
- Methodology of formula for reassessment; and
- A statement that formula reassessments are used consistently between participants.

b) **Rent payments** for a client's primary residence in which the lease/rental agreement is verified (lease/rental agreement with signature, if digital, must follow requirements for a digital signature) and/or through a past due notice from the landlord. Rent payments may include a tenant's portion of a Housing Assistance Payment/Voucher rent amount when there is proof of need. A tenant's portion of a Transitional Housing rent amount is not eligible with OHCS funds.

c) **Mortgage payments** (inclusive of property tax) for a client must be for the client's primary home and requires third-party documentation. Arrears for mortgage payments (inclusive of property tax) cannot exceed six months and must be for the purpose avoiding foreclosure.

d) **"Roommate"** situations are areas of high fraud probability and due diligence is needed to ensure that such situations are adequately documented. Self-certifications or dependence on a client's statement **are not** valid methods of meeting documentation requirements for roommate situations. For example, Tenant A is the "landlord" tenant,

Tenant B is the "roommate" tenant. Whether Tenant B will be placed into Tenant's A unit or whether Tenant B currently lives with Tenant A, if OHCS funds are to be used for Tenant B, Tenant B must provide evidence that Tenant A has the authority to enter into a roommate agreement. Such documentation may be a copy of the amended rental agreement providing approval of the tenancy arrangement or it may be evidence that Tenant B paid an application fee to the landlord to be placed as an occupant in the unit. If a lease/rental agreement includes prohibitions for subleasing or unauthorized occupants, this could denote a fraud attempt.

Placing Tenant B into a roommate situation must not jeopardize Tenant A's housing stability with an unauthorized occupant.

If Tenant A is seeking assistance, Tenant A must declare the income received from Tenant B as part of their income for eligibility requirements.

Payments made directly to the landlord must adhere to rent, rent-related and rent arrears standards.

~~a)~~ If paying rent/utilities in a roommate situation whereby the rent/utilities is being paid to Tenant A and not the actual landlord, ~~C~~clear documentation of a roommate arrangement includes the authority document listed above, ~~both~~ a lease/rental agreement with wet signatures (or valid digital signature) demonstrating the tenant/landlord relationship between ~~the two parties~~Tenant A and Tenant B **AND** documented financial records showing a pattern of financial transactions (bank statements, money order receipts, Paypal/Venmo statements, etc.) ~~are needed~~from Tenant B to Tenant A for rent/utility payments, otherwise payments should be made directly to the landlord/utility company rather than to Tenant A. Hand-written receipts **are not** allowed for this purpose, due to the high risk of fraud. All records must be kept in the client file for monitoring purposes.

~~b)~~e) **Utility assistance** programs **must be deferred to first**, utility assistance is only eligible when other utility assistance cannot be obtained and payment of utility assistance is in the context of, and documented in, an action plan or goal designed to increase housing stability, along with documentation of the steps taken to defer to other utility assistance first. There must be documented evidence of a utility bill in the participant's name. If paying a utility deposit for a client to obtain or retain services, there must be documented evidence of the need to pay such a deposit.

~~c)~~f) **Utility arrearage** assistance is past due utilities and can only be provided when there is documented evidence of a utility bill in the participant's name. If arrears are owed to a previous utility company or to a collection agency, these arrears can be paid, but only when there is documented evidence that payment of the arrears is necessary for the participant to obtain or retain utility service by the current utility company. Payment of utility arrears to a previous utility company or to a collection agency must result in the utilities remaining on or the connection/reconnection of utility service. Documentation in the client file must show the steps taken to defer to other utility assistance first. Utility deposit assistance may only be provided when there is documented evidence of the requirement of the deposit, the utility will be in the client's/participant's name and shows the steps taken to defer to other utility assistance first.

~~d)~~g) **Phone services** must be in the participant's name and must only be provided for one line of service (either landline or cellular line) per household and only when such billing statement clearly identifies the costs of a single line of service, or such cost can be ascertained from the phone service provider. Arrearages are allowed, up to 6 months of service, in alignment with the limitation of a single line of service. Purchases of phones are unallowable. Connect ~~and~~ clients ~~can be connected~~ to ~~the Affordable Connectivity Program (https://www.affordableconnectivity.gov) or through~~ Oregon LifeLine (~~https://www.oregon.gov/puc/pages/oregon-lifeline.aspx~~www.lifeline.oregon.gov) to meet the need.

~~e)~~h) **Internet-related fees and taxes, equipment** (modem/router) rental fees are allowed and must be capped at no more than $300 per biennium and must be in the participant's name. Subgrantees and subrecipients must attempt to obtain a participant's documentation or perform outreach to the internet provider to acquire monthly internet service costs; however, if either of these options are unduly burdensome, the subgrantee must have a policy/procedure that applies a reasonable process to determine the amount of the bill that is applicable to the internet costs; however, total internet assistance cannot exceed $300 per funding biennium. Such policy/procedure must be available to OHCS upon request. 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.

Internet providers retain a "price list" which can be requested to determine the separate costs for each type of service which will provide subgrantees/subrecipients a reasonable process to determine the amount to be paid.

~~In addition, the Affordable Connectivity Program (ACP) is a Federal Communications Commission (FCC) program that helps low-income households pay for internet service and connected devices. If eligible, a household can receive up to $30/month discount on internet service; up to a $75/month discount if the household is on qualifying tribal lands; and a one-time discount of up to $100 for a laptop, tablet, or desktop computer (with a co-payment of more than $10, but less than $50. More information can be found at: https://acpbenefit.org/~~Connect clients to Oregon Lifeline to help meet the need for internet services (www.lifeline.oregon.gov).

The costs of internet-related fees and taxes, equipment rental fees can only be provided when there is documented evidence in a client service/housing stability plan that such payment of the expense is needed for the purpose of obtaining/retaining permanent housing as a means of accessing needed services, attending required appointments or needed as part of job search.

~~f)~~i) **Pet Deposit** means a security deposit required by a landlord in order to house an individual or family with a pet. This may be referred to as a one-time pet fee at move in or a non-refundable pet deposit. This does not include a pet deposit for clients during an existing rental/lease agreement and is not allowable under ~~homeless~~houselessness prevention. Pet deposits are limited to one pet. Pet deposits for multiple pets is

unallowable. Pet deposit does not include repayment of any damages caused by a pet. ~~Other sources of non-OHCS funding must be deferred to first and pet deposit assistance is only eligible when other sources of non-OHCS funds cannot be obtained and providing a pet deposit is necessary, and documented in the participant file, to ensure stability in housing~~.

~~g)~~i) **Pet Rent** means a monthly rent charged on a single pet and required by the landlord through a rental/lease agreement, which must be included in the client file for purposes of documentation. Pet rents for multiple pets is unallowable.

~~h)~~k) **Rent arrearage** means past due rent owed to a current landlord. Rent arrears is only allowable for ~~Homeless~~Houseless Prevention. Payment of rent arrears is restricted to 6 months past due rent, per calendar year. A copy of the lease/rental agreement may be necessary in order to determine that any lump-sum past due amount does not exceed the 6-month limitation and to validate the tenancy. Any equity/interest/tax payments within a lease-to-own agreement are unallowable and rent arrearage would apply only to the past-due rental portion amount. Third-party documentation must be included in file for lease-to-own agreements identifying the portion of rent arrears applicable to rent and equity payments when paying for rent arrearages in a lease-to-own agreement. Subgrantees have the discretion to limit payments for rent arrearage with a policy that details such further restrictions and their purpose, and identifies how those restrictions are communicated to the participants (such policy must be made available to OHCS upon request) 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.

~~i)~~l) **Previous Landlord Rental-related expenses** include other expenses incurred such as rent, filing fees, property damage, court fees, late fees, lease break fees or unpaid rent owed to a previous landlord (or collection agency) **when being required by a prospective landlord**, with a case manager's supervisor's approval; however, total expenses cannot exceed 6 months of the rent amount charged at the previous unit. There must be **documented evidence** from the prospective landlord that payment of the arrears is necessary for the participant to obtain permanent housing and maintain stability in that housing and a unit must be lined up and available for the participant's occupancy if such expenses are to be paid.

~~j)~~m) **Rent/Lease-to-Own.** Rent payments (inclusive of late fees) are allowable when there is documented evidence of the amount owed and an active lease/rental agreement with the landlord. When a ~~homeless~~houselessness prevention tenant is under a rent/lease-to-own contract, a contractual monthly payment (or arrears per this manual's guidance) is allowable to keep a tenant from being ~~homeless~~houseless; however, program funds may not be used to enter into a rent/lease-to-own contract and cannot pay the portion of the rent/lease-to-own agreement applicable to an equity/interest/tax payment. OHCS program funds cannot be used for potential asset building. Client file must include third-party documentation that identifies the portion

of payment applicable to both rent and equity payments to ensure payment covers only the rent portion.

~~k)~~n) Rapid Re-Housing funds can be used for **storage fees** – these costs are not allowable under ~~Homeless~~Houselessness Prevention. If using funds for storage fees of personal items, such use of funds must be not more than three months of storage rent and provided as a means of securing a ~~homeless~~houseless person's belonging while obtaining permanent housing for the purpose of rapid re-housing only. Costs can include arrears, current or future costs or any combination of those costs for the maximum total assistance of 3 months a~~nd costs may not be duplicated with shelter financial assistance.~~ Such households must be actively in the process of obtaining permanent housing and are awaiting placement in their home. Such cost is not allowable through ~~homeless~~houselessness prevention.

~~l)~~o) **Moving costs** within the state of Oregon, provided to secure the rental of a moving van/truck and could include a transportation payment in alignment with transportation guidelines. Moving costs do not include cash or gift cards/cash equivalents, except as provided in the transportation guidelines. In circumstances in which a client meets the definition of fleeing domestic violence and there are safety concerns with remaining in Oregon, moving costs can be used to assist the client to safely move to another state; however, the client file must have written documentation that a safe place is available in the destination state and such allowability must be in alignment with the client's service/housing plan. This allowability does not extend to paying an out-of-state landlord for rent, security deposit, application fees, etc., and only encompasses moving costs. Moving costs do not include cleaning of the unit which the client is leaving, disposing of trash/furnishings or other costs associated with moving out of the unit.

~~m)~~p) In ~~Homeless~~**Houseless Prevention**, **Food** costs as a one-time (per fiscal year) emergency benefit, when other resources are not available for this service and at a maximum amount of the standard for SNAP benefit (https://www.fns.usda.gov/snap/recipient/eligibility) for one month, based on household size, inclusive of any grocery delivery fees (for those clients that are home-bound). Clients receiving this service must be connected to SNAP benefits and if needed, assistance must be given to help a client apply for SNAP benefits. Client file must document steps taken to ascertain that other food resources were not available to meet the emergent need. Gift cards/cash equivalents can only be used when a gift card policy/procedure has been pre-approved by OHCS and the limitation for food costs are identified in such policy/procedure and cannot exceed the limitation stated above.

q) In **Rapid Re-Housing**, **Food** costs when facilitating a client out of ~~homeless~~houselessness and into permanent housing as a one-time emergency benefit, when other resources are not available for this service and at a maximum amount of the standard for SNAP benefit (https://www.fns.usda.gov/snap/recipient/eligibility) for one month, based on household size, inclusive of any grocery delivery fees (for clients that are home-bound). Clients receiving this service must be connected to SNAP benefits and if needed, assistance must be given to help a client apply for SNAP

benefits. Client file must document steps taken to ascertain that other food resources were not available to meet the emergent need. Gift cards/cash equivalents can only be used when a gift card policy/procedure has been pre-approved by OHCS and the limitation for food costs are identified in such policy/procedure and cannot exceed the limitation stated above. This benefit cannot be duplicated in the shelter financial assistance category.

r) **Clothing** as needed for employment or when fleeing domestic violence and participant had no options to leave the situation with clothing. Clothing purchases are only allowable when other donations or community resources cannot be obtained and where client file identifies steps taken to ascertain that other resources are not available to meet this need (documentation of how the subgrantee/subrecipient was unable to obtain other donations or community resources to meet this need);

s) Financial assistance to provide for the installation of **housing modifications** such as temporary ramps or grab bars or rails to assist physically challenged households. When used in a rental home, devices must be able to be removed without creating damage to the property.

t) Purchases of **identification, driver's license and birth certificates** are allowable when needed as a support to clients that are assisted with housing stability as documented in the client's service or housing stability plan.

~~n)~~u) **Transportation:** costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repairs/insurance are allowable. Payments that allow participants to use public transportation are the highest priority and must be considered first for the purpose of attending required appointments, job search or other critical services. Case managers have the discretion to provide repairs/gas/insurance for a client's personal vehicle. Case managers must document why a client's personal vehicle option is preferred over public transportation options and that the expense will lead to the stabilization of housing. Costs associated with a vehicle not owned by the client are not allowed. Client must have a valid driver's license to allow any cost related to a client's personal vehicle.

OHCS funds cannot be used to build assets, such as the purchase of a vehicle or vehicle loan payments and cannot be used for debt payments, such as traffic violations/fines to obtain a license. Private transportation options can include minor vehicle repair, car insurance, and the least costly option for vehicle registration, with written subgrantee policy/procedure on use of funds for these services and such policy/procedure must be available to OHCS upon request. 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. For example, repair to a vehicle might be preferable to a bus pass if the community does not have public transportation or if the client works at night when public transportation is not operational.

Transportation does not include insurance to pay for roadside assistance (such as a membership to AAA) or traffic violations or any collection costs associated with these

fines related to traffic violations. Insurance includes only general liability insurance as required by the State of Oregon; however, comprehensive/collision coverage, can be allowed, but only when there is documented evidence that such coverage is a requirement of a vehicle loan. Insurance is paid before the period of service and vehicle owners have 10 days in which to make payment; therefore, insurance arrears is not a factual cost and is unallowable.

A Private Vehicle Costs policy/procedure must include:

I. Dollar limitation per participant and frequency of such limitation (e.g., once per biennium);

II. Number of months limitation per participant for insurance costs;

III. Identification on what factors are used to determine whether such costs are preferable to public transportation; and

IV. Identification of how justification of expense and documentation of that justification is performed. Participant files must include such documentation.

~~o)~~v) **Client Non-Categorical Services** are the **rare** provision of goods or payments of expenses not included in other allowable expense categories, which directly help a household to obtain or maintain permanent housing or meet a unique **essential** household need, as documented in the client service or housing plan. Consumer debt payments are not allowed as a client non-categorical service. Client Non-Categorical Service payment cannot be made for expenses already allowed in a program category and cannot be used as a means of covering an unallowable expense. Client Non-Categorical Services is not a cash or cash-equivalent payment to a client and such use is unallowable, except where expressly identified in this manual. Prior approval by the case manager's supervisor is required before goods or payments are delivered.

~~p)~~w)There are no **duration or amount of assistance** limitations imposed on subgrantees/subrecipients, with the exception of any specific limitations for particular types of services or expenses as identified in this manual (e.g., rent arrears). Subgrantees have the discretion to set a maximum number of months that a participant can receive assistance and a maximum dollar amount of assistance. The process for determining such conditions must be applied consistently for all households and, if subgrantee make any such limitation, they must have a policy/procedure describing these limitations and how such limitations are determined and monitored and communicated in advance to eligible participants. ~~, incorporated into the subgrantee's policies and procedures and communicated in advance to eligible participants.~~ Such policy/procedure must be available to OHCS upon request. Subgrantees must ensure that subrecipients have policies/procedures that align with OHCS requirements and are consistent with the intent of such a policy/procedures 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.

b) Allowable Costs for ~~HP/RRH~~ Financial Assistance:

~~Where allowable, expenses for HP/RRH Financial Assistance:~~

Expense ERA is excluded from al Rapid Rehousing Activities. SHAP is excluded from all Houselessness Prevention Activities.	HP Allowable	RRH Allowable
~~Housing costs such as mortgage~~Mortgage payment (inclusive of property taxes)/manufactured home payments ~~and arrearages (arrears limited to 6 months)~~ *[ERA is excluded from ~~this~~ mortgage payment allowability]*	X	
Housing relocation costs such as rent payments and security deposit (inclusive of first, last, pet rent, and if accepted by landlord as an incentive, forward rent)~~, and late fees~~	~~X~~	X
Rent/mortgage arrears (limited to 6 months and ERA is excluded for mortgage payment arrears allowability).	X	
Previous Landlord Rental-related expenses	~~X~~	X
Rent or~~/~~Lease-to-Own payments, inclusive of late fees. Lease to-Own payments do not include equity/interest/tax payment	X	
Subgrantee/Subrecipient share of a Transitional Housing portion of rent. *[SHAP is excluded from Transitional Housing activities]*		X
Manufactured home rental space "lot rent" or RV space lot if used for primary housing.	X	X
Utility payments and arrearages (utilities include water, sewer, garbage, gas, electricity, phone, internet),	X	~~X~~
Utility arrearages (utilities include water, sewer, garbage, gas, electricity, phone, internet),	X	
Utilities deposits.		X
Phone services.	X	X
Internet-related fees and taxes, equipment,	X	X
Moving costs (van/truck rental).		X
Storage costs.		X
~~Utilities deposits~~		~~X~~
Pet deposit, limited to one pet per household.		X
Pet rent, limited to one pet per household.	X	X

Application fees.		X
Clothing for employment, fleeing DV.	X	X
One-time Food benefit.	X	X
Installation of temporary modifications to housing for purposes of mobility.	X	X
ID, license, birth certificates.	X	X
Transportation costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repair/insurance.	X	X
Client non-categorical services.	X	X

c) Unallowable Costs for HP/RRH Financial Assistance:

1) Cash;
2) Cash-equivalent funds provided to applicants/participants except through an OHCS-prior approved gift card policy;
3) Hotel/motel expenses (emergency shelter costs are covered under the Emergency Shelter component);
4) ~~Participant~~ Consumer debt payment,
5) Home repairs and/or maintenance; ~~and~~
6) For **ERA,** mortgage payments are unallowable;~~.~~
7) Civil or criminal legal services;
8) Parking/carport/garage rent/fees;
9) Childcare/eldercare services/nursing care/cleaning services;
10) Renter's Insurance, even if required by landlord;
11) Personal solar or other powered generators;
12) Stipends or direct payment to client for any purpose;
13) Phone purchases for clients;
14) Property damages to a unit, except as otherwise provided in Previous Landlord Rental Related expenses
15) Loss mitigation programming; and
~~6)~~16) HOA fees

d) **Gift Card Usage in Financial Assistance**

Gift cards/cash equivalents (such as a prepaid laundry card) given to eligible clients for the purpose of purchasing items related to financial assistance must be in support of the client's written housing goals (client case/housing plan) and is allowable within **EHAP GF** and **SHAP** financial assistance funds, provided that adequate documentation exists to support the purpose and the expense and there is an OHCS-approved Gift Card Policy/Procedure with established policies and procedure in place to address the process. Such policy/procedure

must be submitted and approved by OHCS during each funding application process/cycle. (gift cards usage is not allowable in EHA DRF or ERA).

Use of gift cards/cash equivalents must be rare, for very specific housing-related goals and only when other options are not available. "Rare" means very unusual or not occurring often. It is not rare if, for example, 10% of your clients receive gift cards/cash equivalents, which would denote that gift cards/cash equivalents are used as a method of service delivery, which is unallowable. There are multiple alternatives to using gift cards/cash equivalents which are highly recommended:

- Partner[1] with bus or transportation services that bill for their eligible clients.
- Partner with stores for a voucher system. A voucher is a document which is worth a maximum dollar value, and which may be used only for specific items at a specific vendor. Vouchers are very similar to purchase orders. In advance, the organization establishes agreements with a vendor under which the vendor agrees to accept a "voucher" at the point of sale and then invoices the organization for the actual purchase. The voucher is created in multiple parts with one copy being sent to the vendor, one copy given to the individual making the purchase and at least one copy retained by the organization. The voucher must be uniquely numbered and must clearly detail the allowed item(s) and the maximum cost the purchaser is allowed to spend on the item(s). The vendor invoices for the actual amount of the purchase up to the maximum established cost listed on the voucher.
- Partner with clothing stores that will bill for clothing selected by eligible clients and the clothing can be picked up once the bill is paid (for example, Salem-Keizer Schools currently has this arrangement with Kohl's).
- Online purchases. Subgrantees can use a credit card to purchase the item through an online vendor and have the item shipped. Some online vendors (such as Walmart.com) also offer a same day pick up option for items currently available in local stores. Same day pick up allows an organization to make the purchase online and specify the name of an individual(s) authorized to pick the item up at their local store.
- Employee purchase. An employee goes to a store and purchases the needed items with either a company credit card or receives reimbursement by submitting detailed receipts for allowable costs.

1) Gift Card Requirements:

a) Subgrantee must have prior approval of a stand-alone gift card policy/procedure by OHCS **before incurring costs for gift cards/cash equivalents**. Prior approval must occur through the funding application only. Email, text or phone calls cannot be a method used for the approval of a Gift Card Policy/Procedure. Approval of a Gift Card Policy/Procedure in one biennium, does not mean approval is provided in a prior or subsequent biennium. The date in which a Gift Card Policy/Procedure is approved, is the date in which funds may begin to be used for such purpose and does not allow for purchases of gift cards/cash equivalents prior to the approval date, retroactively and will be disallowed. Approval runs through the end of the biennium in which the policy/procedure was

[1] CCB potential for increasing partnerships.

approved. The gift card policy/procedure must be prior-approved each biennium during the OHCS funding application. 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.

b) Subrecipients of a subgrantee **must** follow the provision of the subgrantee's approved gift card policy/procedure and all OHCS requirements for the use of gift cards/cash equivalents; however, subrecipients can create their own procedures for how they will implement the subgrantee's OHCS-approved policy (such as the position title of an approver, etc. – subrecipients cannot have a policy that does not comply with OHCS requirements and if funds are awarded under a policy not meeting OHCS requirements, costs will be disallowed).

c) Costs will be disallowed without a prior OHCS-approved Gift Card Policy/Procedure.

d) Gift cards/cash equivalents cannot be used as a standard way of delivering program services allowable under other components of OHCS funds, such as rent assistance, deposits, hotel/motel costs, etc.

e) Gift cards/cash equivalents cannot be used for events as a means of attracting applicants, but must be specific to clients receiving financial assistance and in support of a client's written housing goals (case/housing plan).

f) Subgrantees must document in their Gift Card Policy/Procedure the justification as to why they must use gifts cards rather than providing assistance through conventional means, such as partnerships with service providers, checks for goods/services to providers, or voucher options.

g) Subgrantee procurement policies/procedures must be followed when purchasing gift cards/cash equivalents.

h) Gift cards/cash equivalents must be purchased and issued to clients within the same grant period. For any gift cards/cash equivalent that are not issued within the same grant period in which they were purchased, subgrantees must submit a negative request for funds for the grant period in which the gift cards/cash equivalents were purchased totaling the amount of the unissued gift cards/cash equivalents and other non-OHCS funds must be used for the cost of the gift cards/cash equivalents. Such negative request for funds must be submitted within 60 days after the end of the performance period (Aug 30).

i) Subgrantee must maintain complete record of gift card/cash equivalent purchases and issuance and gift cards/cash equivalents must be kept in a secure location.

j) Issuance of a gift card/cash equivalent must be in the context of an action plan or goal designed to increase housing stability and such plan/goal clearly documents, in writing, how the purpose of the gift card/cash equivalent is helping the client obtain or maintain housing stability.

k) Documentation will be reviewed during monitoring and costs will be disallowed without sufficient documentation.

l) The cost must be allocable, within program guidelines and must adhere to internal controls (OMB 200.403, 200.303) and must clearly meet the intent of ORS 458.650(1), showing a connection to housing stabilization.

m) Gift cards/cash equivalents for the purchase of food must follow OHCS guidance for limitation of food expenses.

n) Subgrantee must identify the dollar limitation for gift cards/cash equivalents per client and the frequency limitation for a client's receipt of gift cards/cash equivalents and such limitations must be reasonable as determined by OHCS.

o) Client must receive documentation that identifies the purpose and intent of the gift card/cash equivalent and must acknowledge, by written, legible, wet signature, the same, and such documentation must be kept in the client's file. Gift cards/cash equivalents require an in-person exchange and must not ever be mailed to a client.

2) Gift Card Policy/Procedure must include the following:

a) Justification as to why the subgrantee must use gifts cards/cash equivalents rather than providing assistance through conventional means, such as partnerships with service providers, checks for goods/services to providers, or voucher options (i.e., why are other options of providing assistance not available?);

b) If gift cards/cash equivalents will be used for food purchases, policy must clearly identify the limitations as stated in this manual;

c) Identifies internal controls on how gift cards/cash equivalents are purchased and issued to clients within the same grant period;

d) Identifies internal controls on how gift cards/cash equivalents are securely maintained, who has access to gift cards, and how the issuance of gift cards/cash equivalents is tracked;

e) Identifies, per client, dollar limitation for gift cards/cash equivalents and frequency limitation for how often a client can receive a gift card/cash equivalent. Additionally, policy must identify internal controls on how these limitations are tracked to ensure compliance with the limitation;

f) Requirement that issuance of gift card/cash equivalent is in context to a client's action plan or goal designed to increase housing stability and that such plan is included in the client file; and

g) Written, legible, wet signature statement from client that identifies purpose and intent of gift card/cash equivalent and acknowledging and agreeing to the receipt of the gift card under the intended purpose.

~~2)~~(E) ~~*HP/RRH*~~ *Program Delivery*

Program Delivery~~HR/RRH PD~~ are those staffing costs associated with providing services ~~to help facilitate either maintaining a participant's current housing or assisting a participant to obtain permanent housing~~to clients residing in Emergency Shelter or Transitional Housing facilities. Program Delivery also applies to those who are Rapidly Re-Housed or to Prevent Houselessness. Program Delivery are costs determined necessary to enable a household to obtain/retain their housing and achieve housing stability as identified and documented in their client service/housing stability plan (when receiving more than one-time assistance).

a) Requirements for ~~the delivery of HP/RRH~~ Program Delivery ~~services~~activities:

1) Participant meal/refreshment ~~Food~~ costs associated with disseminating technical information necessary and reasonable for successful performance of HP/RRH participant education opportunities, such as tenant readiness education, financial/budgeting education and other client educational services is allowable as identified in OMB 200.432 and Oregon Accounting Manual 10.40.10.

2) Case management is one of the primary services offered to individuals and families who face multiple challenges, including severe mental illness, addiction, and ~~homeless~~houselessness or are unstably housed. Effective case management must include~~s~~ **assessment, planning, implementation, coordination and evaluation**. Best practices in case management skills are available on the OHCS Homeless Services Section dashboard.

3) ~~All events and services must be entered into HMIS~~Costs that can be directly attributed to program delivery can be paid with program funds, such as a direct staffing costs attributable to the delivery of the program (case worker, housing navigators, mediation, tenant readiness education, etc.). Indirect costs, by their nature (such as a subgrantee's utilities or maintenance of a copier used for many programs) are not a direct cost and may not be directly attributed to the delivery of program services. Indirect costs charged to program delivery must be in accordance with an organization's written cost allocation plan or Negotiated Indirect Cost Rate Agreement (NICRA) and must be consistently applied to all programs, whether OHCS-funded or not. See OMB 2 CFR 200 Subpart E for more information.

b) Allowable Costs for ~~HP/RRH~~ Program Delivery

1) Staffing costs for ~~I~~intake, needs assessment, data entry, data reporting, data mining and data analysis ~~into~~ relative to HMIS;

2) Staffing costs for ~~C~~case management including pre-eligibility determination for housing and other needed services;

3) Staffing costs for ~~H~~housing navigation assistance;

4) Staffing costs for ~~C~~crisis intervention/counseling;

5) Staffing, and participant meal/refreshment costs, associated with the delivery of ~~E~~education and training in such areas as personal finance and budgeting, job search and access to job training, life skills, and literacy;

6) Staffing costs associated with ~~A~~assistance in completing/submitting applications for other state/federal benefits (SSI/SSDI, TANF, SNAP, Unemployment, etc.);

7) Staffing costs associated with providing ~~R~~referrals and/or "warm hand-offs" to counseling, addiction and mental health services;

~~7)~~8) Staffing costs associated with assisting the client with linkages to family support and/or community social support networks or to perform welfare checks on clients in their own home (including travel) (Case management program delivery travel-related expenses must be expended and documented in accordance with guidance for travel identified in the Administration Section of this manual);

~~8)~~9) Staffing costs for ~~M~~mediation services between client and landlord;

~~9)~~10) Tenant readiness education staffing and material costs; and

11) Costs to cover a program-required NSPIRE (or similar) inspection, such as required in Home Tenant Based Rental Assistance and the Emergency Solutions Grant (does not include ~~Maintenance costs associated to assist a unit pass an~~ repair/rehabilitation costs ~~HQS inspection, this does not include major repair/rehabilitation costs~~ (see the ~~Acquisition/~~Rehabilitation Section~~s~~ of this manual~~)~~This Program Delivery cost is only allowable within EHA GF/DRF~~.~~

~~10)~~12) Costs related to HMIS, including user licenses, equipment upgrade, network system upgrades, training and technical assistance for the subgrantee and to support subrecipient organizations, reporting, data quality management and end-user support and troubleshooting.

~~(E) *Supportive In-Home Services*~~

~~**EHA (and DRF/DRF VET)** and **ERA** funding can be used for Supportive In-Home Services. Assistance is designed to provide supportive in-home service for clients who experience a short-term medical or disability need. Use of funds are allowable to meet the emergency and to support the client's recovery and facilitate the immediate needs to ensure their health and physical safety in situations when such services are not available or accessible in their community. Clients may reside in rental housing or own their own home.~~

~~**1) Supportive In-Home Services requirements:**~~

~~a) Supportive In-Home Services must be for clients who meet the housing status of imminent risk of homelessness (category 2) or unstably housed (category 5);~~

~~b) Clients receiving Supportive In-Home Services must be receiving case management services through another funding category or program of OHCS funds or a non-OHCS funding source;~~

~~c) Clients receiving Supportive In-Home Services must receive, as part of case management, minimally at time of application, a welfare/safety check to provide a needs assessment to appropriately identify needs in health care management and safety services. Additional welfare/safety checks should continue as needed;~~

~~d) Supportive In-Home Services must meet the needs of an emergency situation and efforts must be made to determine that other in-home service options are not available or accessible in the service area and such efforts must be documented in the client's file; and~~

~~e) Supportive In-Home Services cannot be used to make general unit repairs or to rehabilitate a unit.~~

~~**2) Allowable costs for Supportive In-Home Services:**~~

~~a) Housing maintenance to address mobility or safety barriers, such as temporary ramps, grab bars or rails with an approved reasonable accommodation request by the property manager or owner, or such maintenance can be permanent if there is documented evidence in the client's file that the client owns their home (no other home repair and/or maintenance is an allowable cost);~~

~~b) Short-term (less than six months) licensed personal care assistance for a medical condition or to recover from surgery when other such care is not available;~~

~~c) Performance of needs assessment and linkages to appropriate health care management and safety services;~~

d) Assisting the client with linkages to family support and/or community social support networks; and

e) Costs to cover emergency situations that threaten the health and safety of the household, such as an emergency payment for a life-saving prescription medication, rental of a hospital bed or other temporary durable medical equipment, dietary management by a registered nurse, temporary transportation to and from medical appointments, chore service for household cleaning during period of short term disability or injury recovery. Justification of such costs must be maintained in the client's file and such cost must not be covered as a cash payment; however, due to the emergency nature of the situation such cost can be covered under a subgrantee's OHCS-pre-approved gift card policy, if such policy exists at the time of need.

(F) *ERA Rental Subsidy Assistance*

ERA can be used to provide ERA clients a monthly rental subsidy to meet this population's ongoing rental assistance needs.

1) **ERA-Based Rental Subsidy Assistance Requirements:**

a) Subgrantee must have a stand-alone ERA Rental Subsidy policy, available for review by OHCS upon request and OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. Documentation will be reviewed during monitoring and costs will be disallowed without sufficient documentation of the ERA-Based Rental Subsidy Assistance requirements.

An ERA Rental Subsidy policy must identify:

i. How tenants will be selected to participate in the subsidy program;

ii. How often tenants will be assessed for continued assistance and what factors are considered in the assessment;

iii. The conditions under which a subsidy agreement is terminated;

iv. The notification process, and or remedies, of such termination;

v. Frequency of welfare checks or case management checks;

vi. What additional factors, if any, will be used in a formula that determines how much rental subsidy a client will receive. All tenants must be assessed using the same formula; and

vii. Limitation on the length of ERA Rental Subsidy, if any.

b) Clients must not pay more than 30% of their gross income in rent when using ERA Rental Subsidy, although, depending on factors identified in the subgrantee's policy, a client may pay less than 30% of their gross income in rent.

c) Clients receiving ERA Rental Subsidy Assistance must meet the housing status of imminent risk of homelessness (category 2) or unstably housed (category 5) and must meet ERA income and household composition requirements.

d) Routine welfare checks or case management checks must occur for tenants receiving ERA rental subsidy.

e) As part of case management (and an allowable cost under ERA HP), a client service/housing plan must be developed and monitored for specified goals for to assist clients in achieving long term stabilization.
f) There are no FMR or utility allowances.
g) Units must receive and pass a Habitability Standards inspection (a Habitability Standards Inspection form can be found on the OHCS website, specifically for ERA).
h) Landlord/tenant must have an executed lease/rental agreement.
i) Subgrantee/subrecipient must execute an Agreement for purposes of an ERA rental subsidy agreement. A sample template is available for this purpose on the OHCS website.
j) ERA HP can be used for costs associated with helping a unit pass a Habitability Standards inspection as part of minor repairs (this does not include rehabilitation, see the Acquisition/Rehabilitation section of this manual for more information).
k) Subsidy payments are allowable on a month-to-month rental agreement or a fixed term rental/lease agreement.
l) If a tenant moves to another unit, subgrantees/subrecipients are not required to enter into a new rental subsidy agreement with the tenant for the new location; however, they are not prohibited from doing so. ERA rental subsidy assistance cannot be paid for the same tenant in two separate dwelling units for the same period.
m) ERA Rental Subsidy cannot be used to replace other subsidy that the client already receives, nor can ERA Rental Subsidy be used to provide additional subsidy to a client that is already receiving other subsidy (such as Housing Choice Voucher Program).
n) ERA Rental Subsidy cannot be used in an Assisted Living Facility or cover the costs of discharge planning programs in mainstream institutions.

2) Termination of ERA Rental Subsidy Assistance

Landlord and/or Tenant must notify subgrantee in writing when terminating the tenancy and such termination must be done in compliance with state and local laws. Such termination would end the ERA Rental Subsidy Assistance and subgrantee/subrecipient must send notification of termination of the ERA Rental Subsidy Assistance to the Landlord and Tenant.

Subgrantee/subrecipient can terminate a subsidy agreement if:

a) Landlord/Tenant terminates the tenancy or tenant no longer occupies the unit;

b) Tenant has committed any fraud or misrepresentation in connection with any OHCS-funded program;

c) Subgrantee has determined tenant was non-compliant with ERA program requirements;

d) Landlord does not make needed health and safety repairs in a timely manner;

e) Unit is uninhabitable;

f) Landlord has committed any fraud or misrepresentation in connection with any OHCS-funded program;

g) Lack of available ERA funding or if required to terminate the agreement by OHCS; or

~~h) Other circumstances have occurred which are contrary to ERA program requirements. Subgrantee/subrecipient shall notify landlord and tenant in writing of its decision to terminate tenant's rent subsidy and that the subgrantee's/subrecipient's share of the rent, pursuant to the Rental Assistance Agreement, shall terminate 30 days after subgrantee/subrecipient gives such notice to landlord and tenant.~~

~~Subgrantee/subrecipient can continue or can decide not to continue ERA rental subsidy assistance in another unit for the tenant if the termination of subsidy is not due to the tenant noncompliance of program requirements. A new rental subsidy agreement must be executed at the new unit in compliance with ERA program requirements and in accordance with the subgrantee's ERA rental subsidy policy.~~

(F) *Engagement Incentives*

EHAP GF funding can be used to support a Subgrantee's efforts to engage **client's** feedback and provide payment of a **client's** participation in focus group or feedback sessions. Such engagement opportunities must include as part of its scope the desire to understand the housing-related needs, barriers and supports that community members identify rather than general data collection that is not related to the broad purpose of EHAP GF funds.

Use of EHAP GF for this purpose must be connected to houselessness and housing instability. If a survey opportunity incidentally discusses related topics such as food scarcity, public safety, and public health, that is permissible so long as there is a housing connection **This allowability does not extend to subrecipients of a subgrantee**. If a subrecipient wishes to use OHCS funds for this purpose, they must coordinate with the subgrantee.

Subgrantee must be responsible for the purchase of gift cards for this purpose, drawing funds from the Engagement category within OPUS, and must maintain the required documentation in the subgrantee's file of meeting all requirements identified in this Engagement Incentive section of this manual.

Funds can be used, in the form of gift cards, for the completion of surveys, focus groups or other feedback sessions in order to further inform community needs regarding houselessness and inform program development in addressing houselessness or housing instability. Persons receiving this incentive **must** meet the definition of **"client"** as identified in this manual (this limitation excludes those receiving Street Outreach services).

Funds used for this purpose must be budgeted and drawn from the Engagement category in OPUS and a part of a program's allocation of funds. Use of funds for this purpose does not permit the use of gift cards for any other purpose except as described in this section. An approved gift card policy/procedure under the Gift Card Usage in Financial Assistance does **not** extend to the approval of gift cards for engagement purposes – these are two separate processes. Allowability within this program component does not include the use of cash payments and the incentive must be delivered through a gift card provided in a face-to-face interaction and requires a client's wet signature of acknowledgment and acceptance. Documentation will be reviewed during monitoring and costs will be disallowed without sufficient documentation of Survey Requirements and Engagement Requirements.

Survey Requirements:

(1) Subgrantee must document the following;
   i. what client population was targeted to complete the survey,
   ii. why this client population was targeted, and
   iii. the method used to solicit this client population's participation.

(2) Survey must be focused on a specific program or policy designed to address houselessness or housing instability, which can also include community needs assessment survey completion by clients.

(3) Surveys **are not** ongoing customer satisfaction surveys.

(4) Surveys must minimally require that:
   (a) Clients are provided sufficient context of the purpose of the survey and how their results will be used;
   (b) Clients are engaged with in-depth questions that influence either program design, expansion of existing services or identify gaps in services;
   (c) Includes a record of client's legible name and address (or denotation of "Houseless"); and
   (d) Be limited in duration for the length of time that the survey will be open for clients to complete, with a beginning and end date that does not exceed a period of 60 days.

(5) Subgrantee must identify and document how responses to survey were used and the outcome of the survey (i.e., how did the results change houselessness/housing instability policy or program or identify community needs).

(6) Compensation must not exceed $25 per client.

(7) Employees of the subgrantee do not qualify for survey compensation, regardless of whether or not they are a client.

(8) Subgrantee must provide compensation through gift card (not cash).

(9) Clients must acknowledge receipt of gift card in a face-to-face interaction with written, legible, wet signature and date and must include acknowledgement, in writing, that they are engaging as an independent contractor being paid for services, and not as an employee of the subgrantee.

(10) Clients are limited to a one-time payment for survey participation per fiscal year and the Subgrantee **must** have policies/procedures in place to ensure this limitation is not exceeded (such policy/procedures must be made available to OHCS upon request).

(11) Subgrantee must maintain records of survey engagement which includes a copy of the survey questions, either individual or aggregate responses, outcomes, targeting information and client payment records. Records must be maintained for a period of 6 years after the date of the close of the survey.

Engagement Requirements:

(1) Subgrantee must document:
   i. what clients were targeted to participate in the engagement,
   ii. why this client population was targeted, and
   iii. the method used to solicit this client population's participation.

(2) Engagement must be focused on a specific program or policy designed to address houselessness or housing instability.

(3) Engagement opportunities can be a single session, focus group or workshop or can be a limited series of such activity. If a limited series, there must be a beginning and end date to the series and does not exceed more than 12 days of attendance in a calendar year.

(4) Subgrantee must document times, dates and locations of engagements and must produce written minutes or notes from each engagement session.

(5) Subgrantee must document the outcome of engagement session(s).

(6) Engagement clients must receive compensation through a gift card (not cash).

(7) Clients must acknowledge receipt of gift card in a face-to-face interaction with written, legible, wet signature and date and must include acknowledgement, in writing, that they are engaging as an independent contractor being paid for services, and not as an employee.

(8) Engagement clients must minimally provide legible name and address (or denotation of "Houseless").

(9) Compensation must not exceed $25 for each day in which clients engaged in such activities (aggregate maximum is $300). Each $25 gift card must be provided only at attendance of each session (face-to-face, with written acknowledgment) and cannot be combined.

(10) If a series of session applies, then a gift card for each session must be provided **after** attendance of each session.

(11) Employees of the subgrantee do not qualify for engagement compensation, regardless of whether or not they are a client.

(12) Clients must not participate in more than one engagement opportunity (whether a single session or a series) per fiscal biennium, and the subgrantee **must** have policies/procedures in place to ensure this limitation is not exceeded (such policy/procedures must be available to OHCS upon request).

(13) Subgrantee must maintain records, which includes targeting information, meeting agendas, notes/minutes, outcomes, and client payment records for a period of 6 years after the final date of an engagement session or series of engagement sessions.

Gift Card Usage for Survey and Engagement Opportunities Requirements

(1) Approval of the usage of gift cards for the purpose of survey and engagement compensation does not provide approval for the use of gift cards for any other purpose. Other uses of gift cards must be aligned with an approved Gift Card Policy/Procedures as identified in the State Houseless Funds Operation Manual's Gift Card Usage in Financial Assistance Section.

(2) Documentation will be reviewed during monitoring and costs will be disallowed without sufficient documentation as identified in each of the Survey Engagement and Engagement Opportunities noted above.

(3) The cost must be allocable, within program guidelines and must adhere to internal controls (OMB 200.403, 200.303).

(4) Subgrantee must maintain complete records of engagement gift card purchases and issuance for a period of 6 years.

(5) The Survey/Engagement Policy/Procedure must be submitted to OHCS through the subgrantee's funding application and 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.

(6) Subgrantee must have a stand-alone Survey/Engagement Policy/Procedure (or a separate section from a Gift Card Policy/Procedure as defined in this manual's Gift Card Usage in Financial Assistance Section) that includes:

(a) A statement that gift cards for the purpose of compensation for surveys/engagement must be issued to EHA clients (*see definition section of this manual for "client").*

(b) Identification of internal controls on how gift cards are purchased and issued to clients within the same grant period.

(c) Identification of internal controls on who has access to gift cards, how gift cards are securely maintained and how the issuance of gift cards is tracked to ensure the safeguarding and oversight of gift card assets.

(d) Identification of how subgrantee ensures that they do not exceed the per-client limitation for use of gift cards for survey or engagement purposes.

(e) A statement of compliance with OMB 200.403, 200.303

(f) A statement that clients must acknowledge receipt of gift card in a face-to-face interaction with written, legible, wet signature and date and must include acknowledgement, in writing, that they are engaging as an independent contractor being paid for services, and not as an employee.

~~(G) *Distinguishing Between Maintenance and Renovation (Rehab/Conversion)*~~

~~**EHA (EHA DRF/EHA VET DRF)** and **SHAP** can be used for "Repairs to facility" as identified in the category of Shelter Operations. This is meant to define minor or routine repairs.~~

~~Distinguishing between maintenance activities and more extensive repair and rehabilitation 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 and therefore requires further environmental review.~~

~~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 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 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 of the program's operational manual for specific examples of maintenance activities.~~

~~The minimum period of use for maintenance activities is the same as for other shelter operations and essential services activities—that is, the recipient/subrecipient must provide services or shelter to homeless individuals and families at least for the period during which OHCS funds are provided (for example, the contract period specified in a subgrantee contract/agreement). Again, maintenance activities are not subject to environmental review.~~

~~*(2) Renovation and Conversion*~~

~~In general, an activity that does materially add to the value of the building, appreciably prolong its useful life, or adapt it to new uses would be considered renovation or conversion.~~

~~See the Table in the Appendix of the program's operational manual for specific examples of maintenance activities.~~

~~When the activity is renovation, rehabilitation or conversion, 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 renovation and value of the building, it might be considered minor rehabilitation or major rehabilitation (see below).

Renovation costs can include architect's fees, engineering costs, permits, and other costs of a renovation or conversion project when they are reasonable and appropriate, and directly related to the renovation or conversion project. Renovation includes four separate activities. 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 renovation and conversion activities, the minimum period of use starts on the date the building is first occupied by homeless individuals or families after the renovation or, if the building is occupied during the renovation, the period of use starts on the date the renovation is completed.

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

Minor Conversion	The cost of the conversion of a building to an emergency shelter is 75% or less of the value of the building after conversion*	3 Years	Environmental Assessment (can require an Environmental Impact Statement (EIS)
Major Conversion	The cost of the conversion of a building to an emergency shelter exceeds 75% of the value of the building after conversion*	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/transitional shelter or transitional housing or that with rehabilitation, renovation or conversion activities will operate for the purpose of emergency/transitional shelter or transitional housing on the site of the property.

(H)(G) *Emergency* Shelter or Transitional Housing Facilities *Acquisition,* Rehab/*Conversion*Renovation

[Refer to your Subgrantee Contract/Agreement for Procurement requirements]

Follow the HSS Program Standards Guidance for more detailed information on standards in rehabilitation/renovation of real property.

EHAP GF(**EHA-DRF/EHA-DRF-VET**) can be used for the categoryies of acquisition and rehab/conversion renovation(encompasses rehabilitation, renovation, and conversion), of emergency shelter for those who are houseless and transitional housing for households who are homeless. Projects using **EHA-DRF-VET** funds must ensure that funds exclusively serve the veteran population. Where the program requires,meet client eligibility appliesrequirements.

SHAP can be used for the categoryies of acquisition and rehab/conversion renovation(encompasses rehabilitation, renovation, and conversion), of emergency shelter for those who are houseless.

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.

To notify OHCS, Subgrantee must complete the online form at: https://app.smartsheet.com/b/form/33ab4f86297c4a4c86e64a4bd2bb28e1. For OHCS-funded programs, acquisition of land must also include a building structure to be used. Acquisition of bare land is not an eligible use of funds. Funds for renovation/rehabilitation of property must be drawn from the OPUS category identified as Rehab/Renovation and is funded through a program allocation.

(1) Free-Standing Temporary Shelter

Free-Standing Temporary Shelter (FSTS), also known as tiny homes and "Pallet™" shelters, are a type of alternative shelters that do not include a foundation and are

allowed under the definition of Shelter Acquisition as an equipment purchase. This includes "new construction" of shelter. Prior OHCS approval of the purchase of FSTS is not the same as the OHCS Acquisition/Rehab/Renovation process. The process to receive approval for the purpose of Free Standing Temporary Shelters is to complete a FSTS Pre-Approval Form, located on the HSS Dashboard. The FSTS Pre-Approval Form includes completing information on your purchase process, site location, amenities on site which is inclusive of utilities, waste management, food service, and public safety strategy, as well as your shelter operation plan. Funds used for the purchase of FSTS must be allocated to the acquisition category of your OHCS grant; however, ongoing operation of FSTS already placed in service may be allocated to the shelter operations category of your OHCS grant, if an allowable expense.

- Using OHCS funds for bringing utilities to a site for the purpose of operating FSTS will require following OHCS guidance for the rehabilitation of property and the FSTS Pre-Approval Form **does not** provide approval of that work. Follow all the OHCS guidance for acquisition/rehabilitation/renovation/conversion identified below.

For information and instruction and a How To Guide on Building a Shelter Community, visit www.palletshelter.com.

(2) Acquisition, Rehabilitation, Renovation or Conversion Instructions

Reporting on all acquisition, rehabilitation, renovation, and conversion projects must be provided to OHCS in the form and form required and must be submitted by the due date identified by OHCS. A subgrantee who failure to provide required report is non-compliant with program rules and guidelines. Please read the requirements carefully to ensure compliance. Reports must be sent to hss.acq.rehab@hcs.oregon.gov.

Acquisition is acquiring property through purchase, donation, trade, or any other method. For Housing Stabilization Division (HSD)-funded programs, acquisition of land must also include a building structure to be used for the purpose of emergency/transitional shelter or transitional housing. Acquisition of bare land is not an eligible use of funds. For the purpose of HSD programs, the existing building structure in an acquisition project means a building that either will operate as an emergency/transitional shelter or transitional housing or that with rehabilitation, renovation or conversion activities will operate for the purpose of emergency/transitional shelter or transitional housing.

Conversion is the process of changing or causing to change from one form to another or changing the function of a piece of property from one use to another.

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

a) Restrictive Use Period

The Restrictive Use Period for the OHCS-funded acquisition, rehabilitation, conversion and/or renovation is dependent on use of funds and is 10 years for all acquisition. The Restrictive Use Period runs from December 31 of the year the first building in the Project is placed in service (PIS) or until December 31, [Year of PIS + # of years appropriate for use], whichever is later. The project owner must agree to annually certify compliance with this requirement and submit that certification to OHCS at

Rehabilitation and Renovation Minimum Period of Use		
Type of Renovation Activities	**Definition**	**Minimum Period of Use**
Minor Rehabilitation	The cost of the rehabilitation of an existing emergency shelter is 75% or less of the value of the building before rehabilitation*	3 Years
Major Rehabilitation	The cost of the rehabilitation of an existing emergency shelter exceeds 75% of the value of the building before rehabilitation*	10 Years
Minor Conversion	The cost of the conversion of a building to an emergency shelter is 75% or less of the value of the building after conversion*	3 Years
Major Conversion	The cost of the conversion of a building to an emergency shelter exceeds 75% of the value of the building after conversion*	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/transitional shelter or transitional housing or that with rehabilitation, renovation or conversion activities will operate for the purpose of emergency/transitional shelter or transitional housing on the site of the property.

b) Contracted Oversight

Architectural: All rehab, conversion or renovation concepts must be reviewed and approved by an architect of subgrantee's choosing. For any rehab, conversion, or 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.

General Contractor: For any construction costing more than $50,000 or involving three or more trade specialties, the subgrantee **must** hire a general contractor.

c) 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.

d) Use of HMIS

Except for Domestic Violence victims, subgrantee will be required to enter data into an approved HMIS system for all persons assisted in an OHCS-funded shelter or transitional housing unit. Domestic Violence providers must collect client data in a database comparable but separate from the subgrantee's HMIS database and must report client blind data to the subgrantee. Subgrantee must participate in OHCS's required data reporting process, complying with all information requests, and reporting deadlines.

e) Procurement Requirements

Subgrantees must follow procurement requirements as outlined in the subgrantee contract/agreement.

f) OHCS Anti-Displacement and Relocation Assistance Policy

OHCS-funded acquisition should not cause the involuntary displacement of tenants. OHCS encourages subgrantees to pursue projects that will not permanently displace tenants. If applicable, Subgrantee will provide OHCS, submitted at hss.acq.rehab@hcs.oregon.gov. with a description of the relocation plan and whether existing residents will have an opportunity to return to the facility, as well as any permanent relocation. Subgrantee's description shall include the kind of advance notice that will be given to affected tenants; and what funding the subgrantee will provide to assist persons being relocated. 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. 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.

g) OHCS Fiscal Monitoring

OHCS fiscal monitoring requirements for acquisition and/or rehab/construction projects are the same as fiscal monitoring of other costs incurred. Subgrantee must maintain a project file available for review during the monitor's visit or at the monitor's direct request.

h) Quarterly Progress Report

A standardized Quarterly Progress Report form must be submitted first, by the 10th day of the month following the month the project began and then quarterly thereafter, due by the 10th day the month following the quarter being reported.

Reporting must begin for the month following the date of the first expense of OHCS funds is incurred and must continue quarterly until the project can be reported "in use" (shelter) or "occupied" (transitional housing). During all quarters when the subgrantee will be requesting funds from OHCS, the Quarterly Progress Report must include detail of the project work completed during that quarter and the percentage of completion achieved to date until the project is complete and placed into service. The Quarterly Progress Report form is available on the OHCS HSS Dashboard. Submit report to OHCS at: hss.acq.rehab@hcs.oregon.gov.

i) First Year Report

At the end of the first calendar year the project was placed in service, subgrantee will be asked to provide OHCS with a year-end narrative report describing the project and how it is being used in the community. The First Year Report form is available on the OHCS HSS Dashboard. Submit report to OHCS at: hss.acq.rehab@hcs.oregon.gov. This report must be sent in the month of January prior to the due date and must not be sent earlier.

j) Annual Certificate of Continuing Program Compliance

A Certificate of Continuing Program Compliance will be required from the subgrantee for the previous year. Subgrantee will use the Certificate to confirm the operation of the project complies with the restrictive use requirements. The Certificate form is available on the OHCS HSS Dashboard. Submit Certificate to OHCS at: hss.acq.rehab@hcs.oregon.gov. This report must be sent in the month of January prior to the due date and must not be sent earlier.

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 submitted to OHCS by the 10th day of the month following the month the project began, or minimally before any land disturbance: .

l) Certificate of Occupancy

Subgrantee must submit a Certificate of Occupancy signed by their local jurisdiction upon completion of the project. The Certificate of Occupancy must be submitted to OHCS at:

m) Subgrantee's Responsibilities for Subrecipients

OHCS will only fund the acquisition, rehabilitation, renovation or conversion of property if that property will be owned by the subgrantee. OHCS will always allocate OHCS funds to the subgrantee, not the subrecipient. All requirements of the grant agreements, program guidelines apply and the subgrantee will be held responsible to ensure all requirements are met.

~~n) Repurposing the Property~~

~~Subgrantee cannot repurpose the use of the property before the end of the required restrictive use period. OHCS is exploring this pathway and will provide further guidance if developed.~~

~~o) Transferring Property Ownership~~

~~Within the Restrictive Use Period, the project owner 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 the transaction must be pre-approved by OHCS.~~

~~The Transfer of Property, in which OHCS funds were used for the property's acquisition, conversion, rehabilitation or renovation (acquisition/rehabilitation), can occur within the period of required restrictive use; however, the restrictive use must remain in effect for the length required by OHCS guidelines. Such transfer of property must receive prior approval by OHCS. Such transfer of property will not be approved prior to the project being placed into service and OHCS's receipt of the Certificate of Occupancy, the timely receipt of Quarterly Reports on the project's progress as identified in the Acquisition/Rehab guidance, a First Year Report, any required Environmental Review and at a minimum, 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;~~
- ~~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 the program's Operation Manual;~~
- ~~MOU must include the Subgrantee's continued monitoring as required by the OHCS' program guidelines for the OHCS funds used for the acquisition/rehabilitation of the property for the length of the required restrictive use period, which must include access to the property and the property records as required by OHCS program guidelines for the same duration;~~
- ~~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 records retention 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 and 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, 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.

(3) 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 final year of the restrictive use period. Subgrantee must follow all requirements of Sections G and H of this manual for the acquisition, conversion, rehabilitation, or renovation of property and must follow the reporting requirements identified below:

1) Read through all these materials to ensure you understand the requirements that apply to your project and your responsibilities.
2) Submit all required reports, reviews and certificates to OHCS at: , in form and format required by OHCS.
3) Before drawing your first request for funds, ensure that OHCS has received your first completed Quarterly Progress Report, due the 10th day following the first month the project began; AND by the 10th day of the quarter following each quarter thereafter until the project is placed into service, submit to OHCS a completed Quarterly Progress Report.
4) If required, ensure that the performance of an Environmental Review is complete and submitted to OHCS.
5) By January 5th following the end of the first calendar year that the project is placed in service, submit to OHCS a completed First Year Report. This report must be sent in the month of January prior to the due date and must not be sent earlier.
6) Upon completion of the project and prior to placing the project in service, submit to OHCS a completed Certificate of Occupancy.
7) By January 20th of each year after the project is placed into service and for the duration of the applicable restrictive use period, submit to OHCS a completed Annual Certificate of Continuing Program Compliance. This report must be sent in the month of January prior to the due date and must not be sent earlier.

~~(I)~~(H) ~~*Community Capacity*~~*Emergency Systems and Strategy ~~Building~~Strengthening*

EHAP GF (~~and EHA-DRF~~) funding can be used to support projects and activities that increase a subgrantee's service area's capacity to provide emergency housing and ~~homeless~~houseless services to those individuals and families struggling with houselessness. The specific focus of Emergency Systems and Strategy Strengthening (ESSS) is to enhance local houselessness provider capacity to design and implement strategies to build, rebuild and sustain an emergency housing system – especially in deprived communities and in towns, cities and regions suffering from economic decline, worklessness and benefits dependency. The goal is to create a broader capacity and expanded ability for the emergency housing system to meet the needs of those struggling with houselessness.

This is not meant to address disaster recovery efforts. ~~Community capacity building~~Emergency Systems and Strategy Strengthening is not the same as increasing a subgrantee~~/subrecipient~~'s capacity to deliver OHCS funds/programs, which are service provider investments (agency capacity building). ESSS are not funds to generally support staffing costs of the subgrantee, but must be for the purpose identified in this section. The flexibility of ESSS does not extend to a subgrantee's subrecipient.

~~The specific focus of Community Capacity Building (CCB) is to enhance local homelessness provider capacity to design and implement strategies to build, rebuild and sustain community capacity – especially in deprived communities and in towns, cities and regions suffering from economic decline, worklessness and benefits dependency. Supporting organizations with mentoring, finance, strategy building, and system analysis are a vital part of CCB.~~ Records of ~~CCB~~ ESSS activities must be kept in accordance with OHCS Records Requirements, inclusive of meeting records, outcomes, and evaluation records, along with any fiscal records associated with the project. Funds for ESSS must be drawn from the same named category in OPUS and are a part of a program allocation of funds.

a) ~~Community Capacity~~Emergency Systems and Strategy ~~Building~~Strengthening:

~~a)~~ Increases the range of funders[2] and potential contributors ~~at~~ through community planning and implementation tables and that ~~;~~

~~b)~~a) ~~E~~encourages all levels of government to participate; ~~and~~

b) Assists organizations ~~to~~ in developing networks to undertake joint activities and coordinate their services to achieve common goals and provide better service to ~~homeless~~houseless participants;

c) Enhances or more effectively uses skills, abilities and resources of houseless service providers in a joint effort, enabling them to better serve houseless households; and

~~c)~~d) Designed to increase access to services or increases available services to houseless an unstably housed Oregonians.~~.~~

~~**b) Objectives of Community Capacity Building are:**~~

[2] See example for Funders Table

~~a) To enhance, or more effectively utilize, skills and abilities and resources of homeless service providers;~~

~~b) Strengthen understandings and relationships amongst homeless service providers; and~~

~~c) Address issues of values, attitudes, motivations, and conditions to support homeless activities in a sustainable manner.~~

~~CCB~~ ESSS is not a space to simply share program information and available services with other providers which can be accomplished through marketing and outreach efforts. ~~CCB~~ ESSS projects are activities that a subgrantee would not be able to undertake with regular OHCS-funded programs and specifically designed to increase the community's ability to provide ~~homeless~~houseless services and emergency assistance. Costs associated with advertising and public relations designed solely to promote the subgrantee~~/subrecipient~~ organization and their activities are not allowable under ~~CCB~~ESSS.

OHCS-Funded ~~CCB~~ ESSS projects must be defined and receive **prior approval** in the subgrantee's Implementation Report before costs can be incurred. Such IR will require the following elements:

i. Provide specific outcomes or deliverables that are SMART (Specific, Measurable, Achievable, Relevant, and Time-Bound [project must have a beginning and end date);
ii. Identify specific partnerships needed to carry out the project (~~CCB~~ ESSS projects must have partnerships to be considered ~~CCB~~ ESSS otherwise it is a service provider investment. For example, supporting documentation may include a ~~—such as through an~~ Memorandum of Understanding~~OU~~, project charter, agreement or other document that identifies the partnership) and such documentation must be submitted with the IR;
iii. Increase the service area's capacity with the purpose of expanding the community's ability to meet the needs of its ~~homeless~~houseless or unstably housed population;
iv. Provide a method to evaluate the effectiveness of the project;
v. Have a specific budget that is identified and described in detail and must include leveraged resources (such as costs needed for materials, transportation, staff, procurement/service agreements, hardware/software purchases[3], and any leveraged resources) and such documentation must be submitted with the IR; and
vi. Identify what staff will be involved in the project (such as number of FTE, length of time FTE are needed, position types and staff names – this information will be needed to effectively monitor the ~~CCB~~ ESSS project).

~~c)~~b) Example of allowable activities include:

(a) **Regional ~~Homeless~~Houselessness Plan:** Sets out policy directions for addressing ~~homeless~~houselessness in the region and serve as a template for other sub-regional plans, including efforts by municipalities, neighborhoods and private foundations committed to a structured approach to addressing ~~homeless~~houselessness.

(b) **Engagement Strategies:** Adopting a membership structure to regional ~~homeless~~houselessness councils to be more inclusive, strategic and effective, providing

[3] See example for system mapping or systems analysis

for an open membership, a new decision-making body and opportunities for members to participate through Advisory Groups and other forums. Membership, which includes all levels of government, community foundations and agencies that provide a range of services to address ~~homeless~~houselessness in the region.

(c) **Community ~~Homeless~~Houseless Tables (CHTs):** Develop CHTs to help develop local strategies and promote communication and collaboration. CHTs have created the local councils on community ~~homeless~~houselessness to help develop local strategies to address ~~homeless~~houselessness

(d) **Funders Table:** Creating a Funders Table that includes all levels of government and private and philanthropic foundations that fund local ~~homeless~~houselessness initiatives and support the vision to end ~~homeless~~houselessness. The purpose of this Table is to create a collaborative forum for regional funders to play a leadership role in: (a) Promoting a common vision for funding priorities to end ~~homeless~~houselessness; (b) Maximize resources and efficiencies for programs and services to end ~~homeless~~houselessness; and (c) Advocate for policies and systems changes that promote cross-sector coordination and permanent solutions to ~~homeless~~houselessness.

(e) **Systems Analysis:** Collection and analysis of a comprehensive set of data elements that describe a community's ~~homeless~~houseless population, the system's ability to move people to permanent housing quickly, and the system's cost-efficiency. Qualitatively analyze a system by surveying community leaders, providers including executive directors and front-line staff, and people experiencing ~~homeless~~houselessness and involves reviewing planning and operation documents, and evaluation reports. Through training and consultation, guidance provided to the community in creating action plans to achieve identified priorities and, following a training and/or technical assistance, support implementation efforts.

(f) **~~Homeless~~Houseless Response System Assessment and Recommendations:** Work with CoCs to provide analysis and recommendations to the CoC Collaborative Applicant, CoC Governance Board and community stakeholders on implementation of best practices in crisis response systems, including reviewing core system components such as CoC Governance, Coordinated Entry, Outreach, ~~Homeless~~houselessness Prevention, Diversion, Emergency Shelter, Rapid Re-Housing, Permanent Supportive Housing and others, analyze data including System Performance Measures and key housing outcomes by program type, and develop recommendations on strategies, including the role of CoC governance and its critical role in coordinating this system, to address identified challenges to ensure ~~homeless~~houselessness is rare, brief, and one time.

(g) **Rapid Re-Housing Learning Collaborative:** Develop a RRH Learning Collaborative as an opportunity for ~~homeless~~houseless services organizations to make changes in the way they operate, while being supported by their peers and rapid re-housing experts. The goal of the Rapid Re-Housing Learning Collaborative is to increase the number of households being rapidly rehoused and shorten the amount of time households remain ~~homeless~~houseless. Learning Collaboratives last a year or more, involve three to five in-person meetings, and in-depth technical assistance for participating organizations.

(h) **Emergency Shelter Learning Collaborative:** Develop an ES Learning Collaborative as an opportunity for ~~homeless~~houseless services organizations to make changes in the way

they operate, while being supported by their peers and emergency shelter/~~homeless~~houseless crisis response experts. The goal of the Learning Collaborative is to support the implementation of a Housing First or other effective approach to shelter services, increase the number of households being permanently housed, and shorten the amount of time households remain ~~homeless~~houseless. Learning Collaboratives last a year or more, involve three to five in-person meetings, and in-depth technical assistance for participating organizations.

(i) **Diversion and Problem-Solving Strategies Training:** Strategies training that involves system leaders, providers, coordinated entry staff, HMIS staff, and key community stakeholders to improve the understanding of an effective system, and the role of effective diversion practice. The training focuses on the effective implementation of problem-solving as an intervention across the ~~homeless~~houseless response system. The training begins with an overview of the effective ~~homeless~~houseless response system, then focuses on the core components of an effective problem-solving approach and defines problem-solving, diversion, and rapid exit and how these interventions are distinguished from prevention. Last, the training focuses on various diversion and problem-solving strategies, including data collection and analysis; integration with coordinated entry; and effective practices.

(j) **System Mapping:** Development of a system map of existing housing and services throughout the region with specificity on updating the information regularly – this can include a software system for which a form of crowd sourcing could be utilized.

~~(J) *Data System Expenses*~~

~~**EHA (DRF/DRF VET), ERA** and **SHAP** funding can be used to support data system related costs necessary to collect and report shelter bed nights, participant services, participant demographic data, performance outcomes and other reporting requirements. Eligible data system expenses include:~~

~~(1) HMIS user licenses;~~

~~(2) Equipment upgrade for the purpose of HMIS needs;~~

~~(3) Network systems upgrade (it is recommended that systems be networked) for the purpose of HMIS needs; and~~

~~(4) HMIS training and technical assistance support for partner organizations to maximize effective use of HMIS system for data entry, reporting and program management. Such as:~~

~~a) staffing to conduct trainings related to HMIS;~~

~~b) develop and manage program specific workflows and on-boarding training related to HMIS;~~

~~c) develop and manage data quality plans related to HMIS; and~~

~~d) provide end user support, ad hoc reporting support and troubleshooting relate to HMIS.~~

~~(K) *Gift Cards*~~

~~Gift cards given to eligible clients for the purpose of purchasing items must be in support of the client's written housing goals and is allowable with EHA (DRF/DRF VET), ERA and SHAP~~

funds, provided that adequate documentation exists to support the purpose and the expense and there is an OHCS-approved Gift Card Policy with established policies and procedure in place to address the process.

Use of gift cards must be rare, for very specific housing related goals and only when other options are not available. There are multiple alternatives to using gift cards which are highly recommended:

- Partner[4] with bus or transportation services that bill for their eligible clients.
- Partner with stores for a voucher system. A voucher is a document which is worth a maximum dollar value, and which may be used only for specific items at a specific vendor. Vouchers are very similar to purchase orders. In advance, the organization establishes agreements with a vendor under which the vendor agrees to accept a "voucher" at the point of sale and then invoices the organization for the actual purchase. The voucher is created in multiple parts with one copy being sent to the vendor, one copy given to the individual making the purchase and at least one copy retained by the organization. The voucher must be uniquely numbered and must clearly detail the allowed item(s) and the maximum cost the purchaser is allowed to spend on the item(s). The vendor invoices for the actual amount of the purchase up to the maximum established cost listed on the voucher.
- Partner with clothing stores that will bill for clothing selected by eligible clients and the clothing can be picked up once the bill is paid (for example, Salem-Keizer Schools currently has this arrangement with Kohl's).
- Online purchases. Subgrantees can use a credit card to purchase the item through an online vendor and have the item shipped. Some online vendors (such as Walmart.com) also offer a same day pick up option for items currently available in local stores. Same day pick up allows an organization to make the purchase online and specify the name of an individual(s) authorized to pick the item up at their local store.
- Employee purchase. An employee goes to a store and purchases the needed items with either a company credit card or receives reimbursement by submitting detailed receipts for allowable costs.

1) Gift Card Requirements:

a) Subgrantee must have prior approval of a stand-alone gift card policy by OHCS **before incurring costs for gift cards**. The gift card policy must be prior-approved each biennium with the subgrantee's Implementation Report. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

b) Subrecipients of a subgrantee **must** follow the provision of the subgrantee's approved gift card policy and all OHCS requirements for the use of gift cards; however, subrecipients can create their own procedures for how they will implement the subgrantee's OHCS-approved policy (such as the position title of an approver, etc.).

c) Costs will be disallowed without a prior OHCS-approved Gift Card Policy.

[4] CCB potential for increasing partnerships

d) Gift cards cannot be used as a standard way of delivering program services allowable under other components of OHCS funds, such as rent assistance, deposits, hotel/motel costs, etc.

e) Gift cards cannot be used for events as a means of attracting applicants, but must be specific to clients receiving financial assistance and in support of a client's written housing goals.

f) Subgrantees must document in their Gift Card Policy the justification as to why they must use gifts cards rather than providing assistance through conventional means, such as partnerships with service providers, checks for goods/services to providers, or voucher options.

g) Subgrantee procurement policies must be followed when purchasing gift cards.

h) Gift cards must be purchased and issued to clients within the same grant period. For any gift cards that are not issued within the same grant period in which they were purchased, subgrantees must submit a negative request for funds for the grant period in which the gift cards were purchased totaling the amount of the unissued gift cards and other non-OHCS funds must be used for the cost of the gift cards.

i) Subgrantee must maintain complete record of gift card purchases and issuance and gift cards must be kept in a secure location.

j) Issuance of a gift card must be in the context of an action plan or goal designed to increase housing stability and such plan/goal clearly documents, in writing, how the purpose of the gift card is helping the client obtain or maintain housing stability.

k) Documentation will be reviewed during monitoring and costs will be disallowed without sufficient documentation.

l) The cost must be allocable, within program guidelines and must adhere to internal controls (OMB 200.403, 200.303) and must clearly meet the intent of ORS 458.650(1), showing a connection to housing stabilization.

m) Gift cards for the purchase of food must follow OHCS guidance for limitation.

n) Subgrantee must identify the dollar limitation for gift cards per client and the frequency limitation for a client's receipt of gift cards and such limitations must be reasonable as determined by OHCS.

o) Client must receive documentation that identifies the purpose and intent of the gift card and must acknowledge, by written, legible, wet signature, the same, and such documentation must be kept in the client's file.

2) Gift Card Policy must include the following:

a) Justification as to why the subgrantee must use gifts cards rather than providing assistance through conventional means, such as partnerships with service providers, checks for goods/services to providers, or voucher options (i.e., why are other options of providing assistance not available?);

b) If gift cards will be used for food purchases, policy must clearly identify the limitations as stated in this manual;

c) Identifies internal controls on how gift cards are purchased and issued to clients within the same grant period;

~~d) Identifies internal controls on how gift cards are securely maintained, who has access to gift cards, and how the issuance of gift cards is tracked;~~

~~e) Identifies, per client, dollar limitation for gift cards and frequency limitation for how often a client can receive a gift card. Additionally, policy must identify internal controls on how these limitations are tracked to ensure compliance with the limitation;~~

~~f) Requirement that issuance of gift card is in context to a client's action plan or goal designed to increase housing stability and that such plan is included in the client file; and~~

~~g) Written, legible, wet signature statement from client that identifies purpose and intent of gift card and acknowledging and agreeing to the receipt of the gift card under the intended purpose.~~

5. Financial Management

(A) *Fiscal Standards*

Subgrantees/subrecipients must follow fiscal standards identified in the HSS Program Standards Guidance.

~~(A)~~(B) *Administration*

Subgrantees are allowed to use up to fifteen percent (15%) of their total **EHAP GF/**~~(~~DRF~~/DRF VET),~~ **ERA** and **SHAP** allocation for administrative costs, including administrative costs for subrecipient organizations with whom the subgrantee contracts. There is an expectation that administrative funds will be shared with subrecipients (partners and culturally responsive organizations) commensurate to the services provided through the program by such subrecipients.

Allowable administrative costs, including indirect administration cost allocations, benefit the organization as a whole and cannot be attributed specifically to a particular program. All amounts billed to administration must be supported by actual costs. Administration funds may be used after the end of the expenditure period until the final report is due (August 30 of each fiscal year) in order to close out the grant (2 CFR 200.403(h)). If incurred, these costs must be liquidated prior to the due date of the final report(s) (Aug 30) and charged to the final budget period of the award. Closing out grants is defined as payroll costs incurred after the end of the expenditure period, such as:

1. costs associated with completing final reports;
2. submitting final requests for funds; and
3. closing the grant within the subgrantee's/subrecipient's organization.

This allowability only applies to administrative funds needed to close out the grant, such as payroll costs for fiscal staff. This DOES NOT apply to any street outreach, shelter/transitional housing facility operations, program delivery, financial assistance, or any other category of funding, but applies only to administrative funds and subgrantee/subrecipients must be able to identify in any audit/monitoring that costs were incurred after the end of the expenditure period and were for the sole purpose of closing out the grant. All program funds must be fully expended within the expenditure period of the grant.

There is no universal rule for classifying certain costs as either direct or indirect under every accounting system. A cost may be direct with respect to some specific service or function, but indirect with respect to the award. Therefore, it is essential that each item of cost incurred for the same purpose be treated consistently in like circumstances either as a direct or an indirect cost in order to avoid possible double-charging of awards and that this consistency is included in all grants received by the subgrantee, whether or not they originate from OHCS. Indirect costs must be in accordance with an organization's written cost allocation plan or Negotiated Indirect Cost Rate Agreement (NICRA) and must be consistently applied to all programs, whether OHCS-funded or not. Subgrantee/Subrecipients must have a written cost allocation plan or NICRA. Guidelines for determining direct and indirect costs charged to awards are provided in OMB 200.

Travel costs must be adequately documented and support business purposes (documentation is insufficient if verifying the reservation only and not the completed travel). Payment for travel expenses must be authorized in advance, in writing, unless the individual has previously been approved to travel by virtue of an approved description of job duties that include travel. Reimbursement of travel expenses does not count as wages or remuneration.

Record of travel expenditures must be kept, including purpose, mileage and payment. When reimbursing for meal, lodging and travel, subgrantees/subrecipients must use the U.S. General Services Administration per diem rates located at: https://www.gsa.gov/travel/plan-book/per-diem-rates or a travel rate that is established in the subgrantee's policies/procedures and applied consistently to all volunteers and employees, whether or not such travel is funded with OHCS funds, for actual and necessary expenses backed by receipts. In the case of volunteers, the cost of meals when there is no overnight stay and not associated with an official state-required business meeting is reportable as income. Any funds expended on the reimbursement of expenses for travel must be appropriately documented and cannot be provided through a cash or cash equivalent payment.

Allowable costs include, but are not limited to:

(1) Senior executive management personnel salaries and benefits (unless they are directly involved in program operations), administrative staff travel costs;

(2) Salaries, benefits and expenses for ~~G~~general services such as accounting (finance), budget development, personnel, contracting, gatekeeping, marketing, human resources, agency audit, agency insurance;

(3) Board and commission member expenses (excluding meals), limited to $~~30~~ 25 per day in which they are engaged in the performance of official duties. Members can also receive travel reimbursement. Payment of these expenses cannot be made through cash, gift cards, gas cards or other cash equivalent means (ORS 292.495, DAS OSPA Reference Manual);

(4) Organization-wide membership fees and dues specific to ~~homeless~~houseless systems and programs;

(5) General agency facilities costs (including those associated with executive positions), such as rent, depreciation expenses for building and equipment, and operation and maintenance (as part of the organization's direct or indirect cost allocation plan); and

(6) Equipment rental/purchase, insurance, utilities, and IT costs that are not program specific but relate to agency-wide administration.

Unallowable costs include, but are not limited to:

(1) Late fees assessed due to a subgrantee/subrecipient failure to pay in a timely manner.
(2) Subgrantee/subrecipient facility mortgage payments
(3) Lobbying

~~(B) *Advance Requests for Funds*~~

~~Subgrantee can request and be paid in advance, provided it maintains or demonstrates the willingness to maintain both written procedures that minimize the time elapsing between the transfer of funds and disbursement, and financial management systems that meet the standards for fund control and accountability. See the subgrantee's grant agreement/contract for all identified requirements and allowability.~~

~~Advance payments to a subgrantee must be limited to the **minimum amounts 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 payments must be as close as is administratively feasible to the actual disbursements by the subgrantee for direct program or project costs and the proportionate share of any allowable indirect costs.~~

~~**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, or your comment can advise to "see attached".** The comment and/or the attachment needs to provide enough detail to justify your request and demonstrate the impact to subgrantee's operations and cash flow. Below are some acceptable methods that can be used to justify an advance request:~~

~~(1) Wait list total, or expected demand, plus additional funds to serve participants over a specified period. Analysis must be provided on how any additional funds were calculated, expected number of households and amount per household.~~
~~(2) Amount needed to provide to one or more subrecipients, with an analysis of the calculated amount (projected volume or demand for subrecipient, number of households, etc.), while factoring in timelines for invoicing and processing.~~
~~(3) Funds to meet subgrantee's upcoming payroll.~~
~~(4) Participant intake completed in another system, or applications in process of approval.~~

~~OHCS is mindful of subgrantee's operational needs and cash flow as they work to deliver critical programs. If there are additional questions or if a subgrantee would like to talk through the operational and cash flow needs they are experiencing, they can contact Carol Wagner, Carol.Wagner@hcs.oregon.gov or by phone at 971-273-9235.~~

~~(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. Training can be provided by the Fiscal Grant Specialist at OHCS. A Zoom Replay of OPUS Fiscal Training can be found on the HSS Dashboard.~~

~~OHCS maintains an OPUS Manual and OPUS Help Desk. View the OPUS User Manual from the landing page, under the Help tab, after logging into OPUS. 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 Funding 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 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 returned to the subgrantee with instructions to provide additional information. Subgrantee are required to **frequently and regularly** submit AGR/RFFs to appropriately expend their funds within their identified spending targets. An AGR/RFF can be denied/voided if documentation is insufficient, if unallowable costs are included or if submitted after the grant period has closed.~~

~~(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.~~

~~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 can be required as needed for specific funding categories. All Implementation Report Amendments require OHCS approval by submitting an Implementation Report Amendment Request through the appropriate Smartsheet form.~~

~~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 days of such amendment for OHCS' approval. by submitting an Implementation Report Amendment Request through the appropriate Smartsheet form.~~

~~(F)~~(C) *Funds Spend Down*

Subgrantees/subrecipients must follow fiscal standards identified in the HSS Program Standards Guidance

Subgrantees are expected to fully ~~obligate or~~ expend grant funds during ~~each funding cycle~~the grant's expenditure period. ~~in accordance with OHCS policy and~~ Subgrantees must meet spending targets identified in their Implementation Report spenddown plan (Standard or Time-Bound Expenditure Plan (TBEP)), ~~if~~ as applicable. OHCS will review subgrantee's grant spending in accordance with subgrantee's grant agreement/contract and OHCS ~~policy~~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.

EHA GF and **SHAP** expenditures shall be managed by subgrantee so that services are available throughout the intended service delivery period. EHA DRF/VET and ERA may be expended as needed and are not intended to be available through the service delivery period.

~~Subgrantee must fully expend funds or have filed a final Agency Grant Status (AGS)/Financial Status Report (FSR) for a previous fiscal period to roll funds, if allowable, and prior to OHCS approving funds in a current fiscal period.~~

~~Any spending below the minimum standard spending target or the time-bound expenditure plan is subject to rescission of grant funds. Any amount of funding greater than 10% of a funding source's total allocation or a combined total of $100,000 that is subject to rescission will trigger Subgrantee Board notification. See Standard Terms and Condition of subgrantee's grant agreement/contract for more information.~~

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

~~(G) *Funds Rollover*~~

~~**EHA** General Fund, **ERA** and **SHAP** funds can be rolled mid-biennium; however, they cannot be rolled between biennia and must be drawn from OPUS for allowable expenditures in the spending period within 60 days following the end of the fiscal period when the final AGS/FSR is due, according to subgrantee's grant agreement/contract requirements. The AGS/FSR is the mechanism for which a subgrantee will request an allowable rollover. Subgrantees are required to submit AGS/FSRs within 60 days following the end of each fiscal year.~~

~~**EHA DRF** and EHA VET DRF funds can both be rolled at mid-biennium and at the end of the biennium. The final AGS/FSR must be submitted within 60 days of the end of each fiscal period.~~

~~(H) *Internal Controls for Fraud*~~

~~As stated in the subgrantee's OHCS agreement/contract, subgrantees 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). Subgrantees must establish and maintain clear procedures for 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 must establish and maintain clear procedures for preventing, detecting and dealing with employee fraud. All incidents of fraud must be reported to OHCS. Subgrantees are responsible for repayment of funds which were provided to applicants and participants that do not meet program eligibility.~~

~~(I)~~(D) *Match*

EHAP GF ~~funds~~ can be used to meet match requirements of federal programs ~~public and private moneys available from other sources for the production of housing~~ for services and financial assistance to persons with low or very low income to address houselessness or housing instability. Using OHCS funds as a match is not the same as supplementing another program with OHCS funds Follow the guidance in this manual when requesting to use OHCS funds for supplementing other programs.

~~(J)~~(E) *Supplementing Existing Funds/Programs*

EHAP GF~~(DRF/DRF VET)~~**~~, ERA~~** and **SHAP** funds can be used to supplement existing OHCS funds or to support existing OHCS programs or HUD-funded Continuum of Care projects/programs ~~or establish new programs~~with the same intent and mission to address the needs of low or very low income houseless or unstably housed individuals and/or families and with eligibility criteria that is in alignment with Oregon Administrative Rules 813.046, ~~053,~~and 240 and Oregon Revised Statute 458.650. ERA funds cannot be used to supplement any other programs.

Use of EHAP GF and SHAP funds for supplementing another program requires **prior approval** through the subgrantee's funding application/Implementation Report. Supplementing a program with OHCS funds is not the same as using OHCS program funding as a match requirement to federally-funded programs.

EHAP GF~~(DRF/DRF VET), ERA~~ and SHAP can be used in a flexible manner to absorb costs from other programs where there are mutually allowable costs insofar as the subgrantee's cost allocation policy allows for this type of flexibility and the subgrantee/subrecipient outlines the circumstances in which they will charge other program costs to EHAP GF~~(DRF/DRF VET)~~, ~~ERA~~ and SHAP. When using SHAP to supplement other programs, the supplemented program **must** be designed to serve literally houseless households.

~~Costs can be born 100% by EHA (DRF/DRF VET), ERA and SHAP in order to supplement the other program **consistent with the intention** of EHA (DRF/DRF VET), ERA and SHAP to serve low-income households who are experiencing housing instability and homelessness and in EHA DRF VET programs must include a veteran member of the household, in ERA, programs must include an elderly member of the household and in SHAP programs, households must be literally homeless.~~ EHAP GF/SHAP cannot be used to supplement another program's activities that require prior approval by OHCS without first obtaining prior approval for the activity (e.g., rehabilitation/renovation of real property, equipment/vehicle purchase, ESSS, etc.).

EHAP GF~~(DRF/DRF VET), ERA~~ and SHAP must not be used to replace costs from another program, meaning they must be used in a manner that supplements and supports those other program operations.

Supplement means EHAP GF~~(DRF/DRF VET), ERA~~ and SHAP funds are used to increase the available services and funding for a particular program by incurring certain costs that can be allocable to other programs. Supplementing and supporting funds is allowed. Whenever a cost is being supplemented, it must be thoroughly documented that ~~the~~ such costs are allowable under the EHAP GF~~(DRF/DRF VET), ERA~~ and SHAP program.

Replacement means utilizing EHAP (DRF~~/DRF VET~~)~~, ERA~~ and SHAP funds to completely eliminate or supplant the use of funds from another program. An example of this would be to use EHAP (DRF~~/DRF VET~~)~~, ERA~~ or SHAP funds to take over all the costs of a previously established grant, thus eliminating the need for the other program to bear those costs. Replacement of funds **is not allowable**. EHAP GF~~(DRF/DRF VET)~~~~, ERA~~ and SHAP must always be used in a manner that "builds upon" another grant and does not supplant or take over the work of an entirely different grant.

Subgrantees~~Grantees~~ must document their rationale for when and how costs will be used to supplement the costs of other programs through a reasonable basis within their cost allocation plan and such allowable use of funds must be prior approved through the subgrantee's funding application.

~~(K) *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.~~

~~Fixed assets with a value greater than $5,000, includes computer equipment, electronic equipment, photography equipment, hand tools and other items and are subject to **pre-approval** by OHCS. Title to all equipment as defined in 2 CFR Part 200, purchased in whole or part with OHCS funds shall rest with the subgrantee. Disposal of any item having an original cost of more than $5,000 or those purchases which have a current per-unit, fair market value of $5,000 or more requires prior OHCS consent before disposal. 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 program 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 purchasing must comply with subgrantee's policies and procedures and the subgrantee's grant agreement/contract.~~

6. Data, Submission and Reporting Requirements

~~6.~~ Subgrantees/subrecipients must follow the HSS Program Standards Guidance related to data, submission and reporting requirements.

(A) *Data Entry*

~~Subgrantees and their subrecipients are required to enter reliable, valid, and accurate **EHA (DRF/DRF VET), ERA** and **SHAP** related participantand service data into the Homeless Management Information System (HMIS) being operated in their geographic Continuum of Care (CoC). 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 their CoC's HMIS Data Quality Plan.~~

~~HUD-defined Victim Service Providers (VSPs) must enter information into a comparable database that meets HUD HMIS standards.~~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, depending on local CoC HMIS policies. It is highly recommended for project types such as Emergency Shelter and Coordinated Entry that even more stringent data timeliness standards are applied.~~

~~(C) *Data Entry Requirements for Emergency and Transitional Shelters*~~

~~Emergency or transitional shelters, or hotel/motel vouchers are required to report participants who are sheltered overnight. Overnight date-in and date-out must be entered to be able to determine who and how many people were served by a shelter or shelter type for any given night. This allows reporting on bed nights and daily shelter utilization in addition to the client-level information for those staying in shelters. Using ShelterPoint for new projects is required and shifting to ShelterPoint for existing projects. Facility, congregate-based programs, must be 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. Each allowable service must be represented with a Service Transaction. Same day services will have the same Service Start and End Date. Service Transactions for Homelessness Prevention and Rapid Re-Housing costs, including all payments, arrearages, deposits, fees, landlord engagement and client non-categorical services, must include a HMIS Fund Source and Amount. An HMIS entry/exit and Service Transaction is required for both services only and day access shelter types~~

~~(E) *Required Data Elements*~~

~~Universal, program specific, and OHCS-required Data Elements must be collected in HMIS and are specific to program and project type. Refer to the Data Collection Requirement by Program and Project Type document that can be found on the HSS dashboard for applicable data elements specific to EHA (EHA-DRF/DRF-VET), ERA and SHAP.~~

~~(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 required client-level data into a comparable database that is comparable to and complies with all HUD HMIS requirements.~~

~~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)~~(B) *Submissions/Reporting Requirements*

~~It is critical and subgrantees must 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 or after the deadline will be considered by OHCS to be late and out of compliance with requirements.**~~

~~At the discretion of OHCS, other reports can be required when deemed necessary by OHCS and subgrantees are subject to such requirement.~~Program reporting is a program delivery expense.

~~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.~~

~~Failure to provide required data or reports may result in a non-monetary finding in the Monitoring Report.~~ ~~Subgrantees must enter complete, accurate, timely data and must monitor and confirm the quality of their data on a monthly basis.~~

~~**System Query Data:**~~
~~Subgrantees must directly submit or automate the export of disaggregated HMIS participant, program and service transaction data twenty (20) 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 as the HMIS annual report.~~

~~**Aggregated Quarterly Reports:**~~
~~Subgrantees must directly submit aggregated reports using the report provided in the HMIS reporting tool, SAP Business Objects, or the provided template, twenty (20) days following the end of each quarter.~~

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

~~**Program Delivery Annual Report:**~~
~~A narrative annual report must be submitted, in form and format required by OHCS, by the 60th day following the end of the fiscal year providing detail, including, but not limited to subrecipient budgets, program services, performance, outcomes, successes, and challenges.~~

~~**Fiscal:**~~

~~The AGR/FSR is due to OHCS by the 60th day following the end of the fiscal year (see Funds Rollover section) and must be submitted within OPUS within this timeline.~~

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

~~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.~~

~~Failure to provide required data or reports may result in a non-monetary finding in the Monitoring Report.~~

7. Records Requirements

~~7.~~ Subgrantees/subrecipients must follow the HSS Program Standards Guidance related to records requirements

(A) *Case Files*

~~Documentation of participant eligibility and services received must be maintained in 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.~~

A participant services or housing plan is required for those participants **receiving more than one time only** services (as identified in this manual) and must be in the case file. Existing assessments and active case plans with other providers can be used and included in the participant file.

Drop-in or mass shelter facilities that provide bed nights and no case management must maintain sign-in attendance documentation that includes shelter resident self-certification of their ~~homeless~~houseless status. All other shelter provisions, including issuance of hotel/motel vouchers as a part of shelter strategy, require that participant eligibility documentation be maintained in the participant file.

~~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. Sample forms are available on the OHCS website.~~

~~(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 under **EHA** (DRF/DRF VET)**, ERA** and **SHAP** 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. 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 **EHA** (DRF/DRF VET)**, ERA** and **SHAP** funding, or until the conclusion of any audit, controversy or litigation arising out of, or relating to, **EHA** (DRF/DRF VET)**, ERA** and **SHAP**.~~

(Remainder of page left blank intentionally)

8. Applicable Rules and Regulations

All the following as can be amended from time to time:

1. ORS 456.515 through 456.725 (OHCS): https://www.oregonlegislature.gov/bills_laws

~~2. ORS 458.505 through 458.545 (Community Services): https://www.oregonlegislature.gov/bills_laws~~

~~3.~~2. ORS 458.600 through 458.650 (Oregon Housing Fund): https://www.oregonlegislature.gov/bills_laws

~~4.~~3. ORS 458.375: Elderly Rental Assistance Program Rental housing assistance for very-low-income elderly persons

~~5. ORS 458.377: Elderly Rental Assistance Fund~~

~~6.~~ OAR 166-300 (Retention Schedule): https://secure.sos.state.or.us/oard/ruleSearch.action

~~7.~~4. OAR 813-005 (General): https://secure.sos.state.or.us/oard/ruleSearch.action

~~8.~~5. OAR 813-046 (EHAP): https://secure.sos.state.or.us/oard/ruleSearch.action

~~9.~~6. OAR 813-053 (ERA): https://secure.sos.state.or.us/oard/ruleSearch.action

~~10.~~7. OAR 813-240 (SHAP): https://secure.sos.state.or.us/oard/ruleSearch.action

~~11.~~8. HMIS Data Standards Manual: https://www.hudexchange.info/resource/3824/hmis-data-dictionary/

~~12.~~9. Limited English Proficiency federal interagency website can be found at: http://www.lep.gov/ and guidance and additional materials can be found at: https://www.hud.gov/program_offices/fair_housing_equal_opp/limited_english_proficiency_0

~~13.~~10. **This manual** as guidelines for EHAP, EHAP DRF, ~~EHA-DRF-VET,~~ ERA and SHAP ~~are amended from time to time along with all other references made within this manual. All references made in this manual are understood to be as written, and as amended from time to time~~identified in the relative Oregon Administrative Rule (OAR).

~~14.~~11. **ORS** cited are amended from time to time and can be found at: https://www.oregonlegislature.gov/bills_laws/Pages/ORS.aspx

~~15.~~12. **OARs** cited are amended from time to time and can be found at: https://secure.sos.state.or.us/oard/ruleSearch.action

~~16.~~13. **CFRs** cited are amended from time to time and can be found at: http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=%2Findex.tpl

~~17.~~14. **OMBs** cited are amended from time to time and can be found at: https://www.whitehouse.gov/omb/information-for-agencies/circulars

9. Definitions

~~A. **Acquisition** means action taken to acquire a building for the purpose of emergency shelter or transitional housing. This does not include the acquisition of bare land.~~

~~B. **Chronically homeless** means a homeless individual with a disability as defined in section 401(9) of the McKinney-Vento Assistance Act (42 U.S.C. 11360(9)), who: (a) Lives in a place not meant for human habitation, a safe haven, or in an emergency shelter, and has been homeless and living as described for at least 12 months or on at least 4 separate occasions in the last 3 years, as long as the combined occasions equal at least 12 months and each break in homelessness separating the occasions included at least 7 consecutive nights of not living as described; (b) an individual who has been residing in an institutional care facility for less, including jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all of the criteria of this definition before entering that facility; or (c) A family with an adult head of household (or, if there is no adult in the family, a minor head of household) who meets all of the criteria of this definition, including a family whose composition has fluctuated while the head of household has been homeless.~~

~~C.~~A. **Client** means a household who has received an assessment of need, has been entered into an OHCS-funded program (intake), entered in HMIS and who is receiving financial assistance. ~~A client is someone who has developed a client services/housing plan and is not receiving one-time only assistance~~Once a household receives financial assistance, they are considered a client.

B. **Clothing** unless for the purpose of fleeing domestic violence in which clothing could not be taken at the time, means a specified article or articles of clothing, shoes, boots, hats, shirts, slacks, skirts, or outerwear for an employee and required by the employer to perform the functions of the job or provide a distinctive and easily identifiable appearance in performing his or her job, and is not covered by a uniform allowance.

~~D.~~C. **Code of Conduct Agreements** can be required by any type of shelter facility. A Code of Conduct Agreement can require that participants adhere to the shelter facility's rules and expectations of behavior and may or may not be required to be signed by the participant. Code of Conduct Agreements are not the same as Occupancy/Lease/Rental Agreements.

D. **Culturally Responsive Organization** means an entity that, as determined by OHCS that:

(1) Comprehensively addresses power relationships throughout the organization by methods that include addressing conflicts and dynamics of inclusion and exclusion;

(2) Has relationships with and is responsive to communities that the organization serves, including communities of color;

(3) Hires, promotes, trains and supports staff who are culturally and linguistically diverse in ways that reflect the communities that the organization serves, including communities of color;

(4) Provides culturally responsive service; and

(5) With respect to paragraphs (1) to (4) above, has adopted governance structures, policies, and cultural norms to hold its leadership and staff accountable and to continue improvements.

E. **Culturally Responsive Service** means services that:

(1) Are adapted to maximize the respect of and relevance to the beliefs, practices, culture and linguistic needs of the diverse client populations and communities being served, including clients and communities of color;

(2) Have the capacity to respond to the issues of diverse communities; and

(3) Ensures competent language access and incorporates diverse cultural approaches, strengths, perspectives, experiences, frames of reference, values, norms and performance styles of clients and communities to make services and programs more welcoming, accessible, appropriate, and effective for all eligible and intended recipients.

F. **Culturally Specific Organization** means an entity that provides services to a cultural community and the entity has the following characteristics:

(1) Majority of members and/or clients are from a particular community of color;

(2) Organizational environment is culturally focused, and the community being served recognizes it as a culturally specific entity that provides culturally and linguistically responsive services;

(3) Majority of staff are from the community being served, and the majority of the leadership (defined to collectively include board members and management positions) are from the community being served;

(4) The entity has a track record of successful community engagement and involvement with the community being served; and

(5) The community being served recognizes the entity as advancing the best interests of the community and engaging in policy advocacy on behalf of the community being served.

~~E.~~G. **Domestic Violence**: This definition includes domestic violence, dating violence, sexual assault, stalking, attempting to cause, or intentionally, knowingly or recklessly causing or placing another in fear of imminent serious physical injury or emotional, mental or verbal abuse, and using coercive or controlling behavior. This does not include other criminal acts such as violence perpetrated by a stranger, neighbor, acquaintance or friend, unless those persons are family members, intimate partners or household members. ~~(Note: This definitional aligns with TANF rules and regulations)~~

~~F. **Emergency Shelter** means a facility whose primary purpose is to provide temporary shelter to homeless households or specific populations of the homeless and which do not require occupants to sign leases or occupancy agreements. Emergency shelters types can include, but are not limited to:~~

- ~~**Low Barrier Shelters:** Shelters with limited entry requirements that enable people, who otherwise are not willing or able to access shelter services, to be off the streets. Low barrier~~

shelters must not expect residents to abstain from using alcohol or other drugs, or from carrying on with street activities while living on-site, so long as they do not engage in these activities in common areas of the house and are respectful of other tenants and staff. Low barrier shelters can allow pets, allow couples to stay together, and can provide secure storage space for personal item. Low barrier shelters are a state priority and should be implemented whenever feasible.

- **High Barrier Shelters:** Shelters where residents must meet specific entry requirements such as passing a sobriety/drug or alcohol test, criminal background check, allow belongings to be searched, have a specific level of income, participate in program activities, etc.
- **No-Barrier Shelter:** shelters where residents are not required to meet any specific entry requirements.
- **Abstinence-Based or Dry Shelter:** Shelters where residents are not allowed to drink alcohol or use other drugs while in tenancy. Residents are expected to be "clean" before moving in and actively working on their recovery while living there and can be discharged from the program if they refuse treatment for a relapse.
- **Wet Shelters:** Shelters where residents are not expected to abstain from using alcohol and other drugs, and where entering a rehabilitation program is not a requirement. Residents have access to recovery services and get to decide if and when they use these services.
- **Damp Shelters:** Shelters where residents do not need to be "clean" when entering the program but are expected to be actively working on recovery from substance use problems.
- **Day Shelters:** Temporary daytime accommodations and services for individuals and families who meet the definition of literally homeless as described under Participant Eligibility and are sleeping on the streets, lack a fixed, regular and adequate nighttime shelter and/or are living in an emergency shelter.
- **Transitional Shelters:** Emergency shelter projects with a primary purpose to provide temporary or transitional shelter and essential services to all eligible participants in general and/or for specific populations of the homeless. Some transitional shelter programs have a comprehensive service focus and participants can stay for a period of time based on participant need. Transitional shelters are different from transitional housing, as they do not require an occupancy/rental/lease agreement or rent payment obligation. Transitional shelters can require a code of conduct agreement.
- **Mass Shelters:** High volume, high turnover emergency shelters where multiple individuals and/or family households sleep.
- **Hotel/Motel Vouchers** used as emergency shelter strategy in those areas and times when no emergency shelter is available.

H. **Vehicular Shelters:** Vehicular shelters provide participants with a place to park their vehicle that is secure and free from ticketing, where they have access to garbage and sanitation services, onsite management that ensures the safety of participants, site cleanliness and adherence to site rules. Participants in vehicular shelters are provided access to participant services.

~~G.~~I. **HMIS** means Homeless Management Information System. Victim Service Providers must use an HMIS Comparable Database.

~~H.~~J. **Occupancy/Lease/Rental Agreements** are used for temporary or permanent housing, which includes Transitional Housing. Occupancy/Lease/Rental Agreements are not the same as a Code of Conduct Agreement.

~~I.~~K. **Participant** means a household who may or may not be a client, but is receiving OHCS-funded services (such as case management).

~~J.~~L. **Priority Population** means persons that the subgrantee/subrecipient has determined as having the greatest need and will receive services first (such as veterans and ~~homeless~~houseless families with children). (~~For example, for the purposes of HSP, TANF participants are a priority as required by the federal funds.~~OHCS-required priority populations must take precedence over any subgrantee/subrecipient priority population~~)~~

~~K.~~M. **Rehabilitation or Rehab** means action taken to return an emergency shelter or transitional housing property to a useful state by means of repair, modification, or alteration. Bringing a property to the point where it is usable, safe, comfortable, hygienic, etc., but not necessarily bringing it back to its previous state or improving the property.

~~L.~~N. **Renovation** means the process carried out to upgrade an existing structure for the use as an emergency shelter or transitional housing and to improve performance by either altering the scope of structure, providing additional facilities or improving existing facilities. Improving the property.

~~M.~~O. **Repair and Maintenance** means actions taken to keep a building at a certain level of integrity, or to restore a structure to such a condition that it can be effectively used for its designated purpose. Actions that make improvements that will raise the building to a higher level of integrity or allow the building to be used for a new activity are not considered repair or maintenance. Bringing a property back to its original condition or taking action to keep a property at its current condition.

~~N.~~P. **Stand-Alone Policy/Procedure** means a written policy/procedure that includes all the requirements for such a policy/procedure and is either its own separate document or it is included in a larger document, such as a policy and procedures handbook, that can easily be separated from the larger document for the purpose of approval and review by OHCS.

~~O.~~Q. **Subrecipient** means entities that, by contract with the subgrantee agency, provide assistance payments/services and ~~may~~ receive funding directly from the subgrantee agency. Through its agreements with subgrantee agency, subrecipients must comply with all requirements for the program. Subrecipients include a subgrantee's subcontractors, contractors, vendor, subrecipients and any subcontractors, contractors, vendors or subrecipients of a subcontractor, contractor, vendor or subrecipient. Subrecipients are those organizations that receive OHCS funds from the Subgrantee or Subgrantee's subecipient.

~~P.~~R. **Support Network:** Examples include family, friends and faith-based or other social networks.

~~Q.~~S. **Target Population** means persons a subgrantee/subrecipient wishes to reach out to who are under-represented in their service population, but delivery of funds cannot be limited to only the target population.

~~R.~~A. ~~**Warming/Cooling Centers** are a short-term, drop-in and/or overnight facility that operates when temperatures or a combination of precipitation, wind chill, wind and temperature become dangerously inclement. Their paramount purpose is the prevention of death and injury from exposure to the elements.~~

~~S.~~T. **Wet Signature** means any signature affixed to a hard copy with a pen or other writing device. An electronic signature does not meet the requirements of a wet signature.

~~10. 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	• 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	• new landscaping throughout an area • construction of new walkways, driveways or parking areas, or replacement thereof
Building Exterior	• 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	• cleaning masonry or stripping painted surfaces by sandblasting, acid wash, or high pressure washing • applying new exterior siding
Roof	• fixing leaks • application of waterproof coating to a flat roof • replacement of deteriorated flashing • in-kind replacement of loose or missing shingles or tiles	• complete replacement of roof with new shingles, tiles, roll roofing, membrane, or new metal roof • installation of solar panels
Windows and Doors	• 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	• replacement of windows • replacement of exterior doors • adding storm windows or storm doors
Interior Walls and Ceilings	• patching or mending cracked plaster • patching or fixing holes or cracks in drywall • replacing stained ceiling tiles • painting or wallpapering	• installation of new drywall or paneling • installation of new acoustical ceiling • installation of dropped ceilings
Flooring	• cleaning floors • stripping wooden floors and resealing • installation or replacement of carpeting or vinyl flooring*	• 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	• in-kind replacement of broken stair treads or balusters • inspection and servicing of elevators	• rebuilding stair or constructing new stair • installation of new access ramp • elevator replacement
Kitchen	• replacement of stoves, refrigerators, and microwaves* • replacing cabinet hardware*	• complete or substantial kitchen remodel
Bathroom/Laundry	• 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	• complete or substantial bathroom remodel
HVAC	• 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 *	• installation of new furnace or heat distribution system • installation of central air conditioning
Electrical/Lighting	• ~~changing light bulbs~~ • replacing malfunctioning light fixture, electrical switch or outlet*	• ~~major rewiring of building~~ • installation of new electrical service • replacing or moving electrical panels
Plumbing	• fixing plumbing leaks* • repairing damage from frozen pipes* • repairing water or sewer connection within existing utility trench alignment • replacing malfunctioning water heater*	• installation of new plumbing system • new water or sewer connection
Security	• 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	• installation of permanent security bollards • installation of new security alarm system
Life Safety	• servicing smoke, fire and CO2 detectors • installation of smoke, fire and CO2 detectors	• making substantial physical changes to a building to comply with fire and life safety codes • installing fire suppression system
Pest Infestation	• 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.

AMEND: 813-046-0021

RULE SUMMARY: Amend rule to align with statutory references and purpose.

CHANGES TO RULE:

813-046-0021
Administration ¶

(1) OHCS may contract with subgrantees to provide eligible EHAP services (see OAR 813-046-0045) in such manner as to provide holistic coverage statewide without duplication or overlap of services. ~~In a service area where a Community Action Agency (CAA) exists, the CAA has the conditional right of first refusal to serve as the subgrantee for the given service area.~~¶
(2) OHCS will allocate EHAP funds to all subgrantees through a formula established by OHCS prior to the allocation process. OHCS reserves the right to modify such formula at any time in its sole discretion.¶
(3) A subgrantee may e~~stablis~~nter into agreements or collaborate with subrecipients that meet the requirements of ORS 458.~~505(4~~610(6) to provide eligible EHAP services in the subgrantee's service area.¶
(4) Subgrantees shall, at a minimum, provide EHAP services to eligible applicants or households that meet EHAP requirements. Whenever appropriate, subgrantees may assist eligible households in accessing other services designed to stabilize housing.¶
(5) Subgrantee representatives must attend and participate in EHAP-related training made available or conducted by OHCS.¶
(6) A designated portion of EHAP funds are reserved for subgrantees and their subrecipients to use for administrative costs. Subgrantees and their subrecipients may expend up to a determined amount as authorized by OHCS and outlined in the funding agreement.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ORS ~~458.505,~~ 458.620, 458.650, 458.610

AMEND: 813-046-0040

RULE SUMMARY: Amend rule to align with statutory references and purpose.

CHANGES TO RULE:

813-046-0040
Applicant Eligibility ¶

(1) EHAP services shall be made available to low income and very low income households that are homeless or unstably housed, including, but not limited to, veterans, persons more than 65 years of age, persons with disabilities, farmworkers and Native Americans. ¶
(2) A household member's duration of Oregon residency or immigrant status shall not be considered as part of the eligibility criteri~~on~~a.¶
(3) Specific requirements of documentation to provide proof of eligibility for EHAP services are detailed in the SHF Manual.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ORS 458.~~505~~610, 458.620, 458.650

AMEND: 813-046-0045

RULE SUMMARY: Amend rules to align with statutory references, purposes and current uses.

CHANGES TO RULE:

813-046-0045
Use of Funds ¶

(1) Use of EHAP funds must be in compliance with EHAP requirements for eligible households.¶
(2) To the extent of available funding, eligible EHAP services include, but are not limited to:¶
(a) Street outreach;¶
(b) Emergency ~~and transitional shelter~~shelter operations;¶
(c) Transitional housing operations;¶
(d) Homelessness prevention~~ and r~~¶
(e) Rapid re-housing;¶
~~(e) Supportive in-home services;¶~~
(f) Shelter or transitional housing facilities ~~acquisition, rehabilit~~rehabilitation, renovation or conversion; and¶
(g) ~~Community capacity building; and¶~~
~~(h) Data collection~~Emergency System and Strategy Strengthening.¶
(3) EHAP funds may be used to supplement existing funds or to support existing programs ~~or establish new program~~according to EHAP requirements. Subgrantees shall not use EHAP funds, granted or otherwise awarded, to replace funds currently being received from other sources, available or reasonably expected to be available to the subgrantee.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ORS ~~458.505,~~ 458.620, 458.650

AMEND: 813-046-0050

RULE SUMMARY: Amends rules to align with statutory references, purposes and current requirements

CHANGES TO RULE:

813-046-0050
Application for Funding; Funding Agreement ¶

(1) Prior to providing any EHAP services using OHCS funding, subgrantees must submit biennially an application for funding to OHCS. A funding agreement must be approved by OHCS in writing before being operative.¶
(2) Applications for funding must meet all requirements of form and content as established by OHCS. At a minimum, an application must include a subgrantee's proposed activities for eligible households, anticipated expenditures, and any other information as OHCS may require specific to EHA funding. Subgrantees must adhere to OHCS requirements and deadlines for submitting an application. An application is subject to approval, with or without modifications, or disapproval by OHCS.¶
(3) ~~In cases where a Community Action Agency (CAA) has the conditional right of first refusal for antipoverty program administration, and the CAA cannot meet the requirements listed in subsection (2) above, OHCS, in its sole discretion, may allow other eligible organizations to submit an application for funding with respect to that service area.¶~~
~~(4) OHCS will evaluate all~~OHCS will not approve any applications for funding for EHAP unless it meets sufficiency requirements. Sufficiency is based on the quantity, thoroughness and quality of performance that is satisfactory to OHCS. This includes, but is not limited to, providing relevant information necessary for OHCS to assess the subgrantee's compliance with all EHAP requirements and any other standards, goals, and requirements established by OHCS.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ORS ~~458.505,~~ 458.620, 458.650

AMEND: 813-046-0061

RULE SUMMARY: Amends rule to align with statutory reference.

CHANGES TO RULE:

813-046-0061
Recordkeeping and Compliance Monitoring ¶

(1) Subgrantees and their subrecipients must maintain accurate financial records satisfactory to OHCS and consistent with EHAP requirements, which document the receipt and disbursement of all EHAP funds by OHCS. Subgrantees must have an accounting system in place satisfactory to OHCS, and implement an approved Homeless Management Information System (HMIS) database for data and fiscal entry.¶
(2) Subgrantees and their subrecipients must maintain other EHAP records satisfactory to OHCS and consistent with EHAP requirements, which include, but are not limited to, documentation of household eligibility, receipt of allowable EHAP services, termination of services and the basis for same, housing status, administrative actions, contracts with subrecipients, review of subrecipient performance, action taken with respect to deficiency notices, and any administrative review proceedings. Such records must be satisfactory to OHCS in substance and format.¶
(3) Subgrantees must provide OHCS with all required reports, data, and financial statements by submission deadlines and satisfactory to OHCS in form and substance as identified in the EHAP requirements and as requested by OHCS.¶
(4) To ensure proper compliance and monitoring of EHAP, subgrantees and their subrecipients must:¶
(a) Furnish representatives of OHCS, the Oregon Secretary of State's Office, the federal government, and their duly authorized representatives access to and permit copying of all electronic and hardcopy books, accounts, documents, and records and allow reasonable access to the project and other property pertaining to EHAP, at any such representative's request.¶
(b) Cooperate fully in any inspections or other monitoring actions taken by OHCS, the Oregon Secretary of State's Office, the federal government, and their duly authorized representatives.¶
(c) Retain and keep accessible all EHAP records and data according to EHAP requirements and as requested by OHCS.¶
(5) OHCS will conduct reviews, audits, and other compliance monitoring as it deems appropriate with respect to each subgrantee and its subrecipients to verify compliance with the EHAP requirements. Subgrantees and their subrecipients must cooperate fully with OHCS in its compliance monitoring activities.¶
(6) Subgrantees must require by contract and monitor their subrecipients' compliance with all EHAP requirements including, but not limited to, recordkeeping and retention of records and OHCS compliance monitoring and enforcement.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ORS ~~458.505,~~ 458.620, 458.650

AMEND: 813-046-0065

RULE SUMMARY: Amends rules to align with statutory references and current remedies.

CHANGES TO RULE:

813-046-0065
Remedies ¶

(1) OHCS reserves the right to identify deficiencies in the performance of any subgrantee or their subrecipients discovered during program operations or compliance monitoring activities and take remedial action upon such subgrantees, including, but not limited to, modifying funding amount, reducing or withholding payment, suspending or recouping payment s or both, requiring a corrective action or additional activities necessary to satisfy its obligations or meet performance standards, initiation of an action or proceeding for damages, specific performance, or declaratory or injunctive relief, exercise of its right of recovery of overpayments, declaring subgrantee ineligible for the receipt of future awards from OHCS, criminal action for misstatements or fraud, misfeasance, claims under the Oregon False Claims Act, or other culpable behavior, investigation, audit, and/or sanction by other governmental bodies, and terminating its funding agreement with a subgrantee and requiring repayment of EHAP funding.¶
(2) To remedy any identified deficiencies, OHCS:¶
(a) Mustay issue a deficiency notice notifying a subgrantee of deficiencies identified through the monitoring process and provide documentation for the basis of such determination and the specific deficiency or deficiencies that must be corrected;¶
(b) Mustay require the subgrantee to correct any deficiencies in a manner and time frame satisfactory to OHCS;¶
(c) May offer training and technical assistance related to such deficiencies to the subgrantee; and¶
(d) May, at its discretion, offer the subgrantee assistance in the development of a corrective action plan. If a corrective action plan is allowed, OHCS must review the plan and issue a decision of approval or disapproval to the subgrantee.¶
(3) OHCS must provide adequate notice to a subgrantee of remedial action that will terminate or reduce a subgrantee's eligibility for EHAP funding. OHCS must provide the subgrantee an initial opportunity to appeal to the director of the Housing Stabilization Division of OHCS, whose decision may be deferred to the director of OHCS.¶
(4) For appeals unable to be resolved internally, OHCS adopts the procedures detailed in ORS Chapter 183 for contested cases.¶
(5) Issuance of a deficiency notice will not constitute a waiver of other remedies available to OHCS or preclude OHCS from exercising such other remedies available to it under the EHAP requirements, at law or otherwise.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ORS 458.505, 458.620, 458.650

AMEND: 813-046-0070

RULE SUMMARY: Amends rule to align with statutory references and current practice.

CHANGES TO RULE:

813-046-0070
Challenge of Subgrantee Action ¶

(1) Any household aggrieved by a subgrantee administering or providing EHAP services may challenge the subgrantee's action by entering the subgrantee's administrative review process (see OAR 813-046-0081). Any household who received either an unsatisfactory determination or refusal of a review by the subgrantee may submit a written request to OHCS within 30 days of receiving the notice of review determination or refusal by the subgrantee to provide such administrative review.¶
(2) OHCS may accept or deny a request to conduct a subgrantee administrative review, in whole or in part, at its sole discretion. An OHCS review will be in the manner determined appropriate by OHCS and may include, but is not limited to, review of provided information.¶
(3) If OHCS accepts the review request, the requesting household, the subgrantee, and any relevant subrecipients will produce all information required by OHCS, including requested affidavits or testimony.¶
(4) Upon accepting the review request, OHCS may make a determination on such review request and require such remedial action as OHCS determines, in its sole discretion, to be appropriate.¶
~~(5) OHCS adopts the procedures detailed in ORS Chapter 183 for contested cases.~~
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ORS ~~458.505,~~ 458.620, 458.650

AMEND: 813-046-0081

RULE SUMMARY: Amends title, statutory references and aligns with current practice.

CHANGES TO RULE:

813-046-0081
~~Administrative~~ Review by Subgrantee ¶

(1) Subgrantees must establish in writing a process satisfactory to OHCS that enables all potentially eligible households, having received EHAP services or not, to contest a determination by the subgrantee or its subrecipients that either denies, limits, terminates, or modifies EHAP services.¶
(2) An aggrieved household may request ~~an administrative review or fair hearing~~formal review of a subgrantee's or its subrecipients' ~~contested~~ action (as described in subsection (1) above). The subgrantee must allow a minimum of 30 days, from the time of ~~contested action~~the requested review or the aggrieved household's discovery of such action, for which an aggrieved household ~~may~~ requests a review ~~or hearing~~. The ultimate determination of an aggrieved household's discovery period is reserved to OHCS, in its sole discretion.¶
(3) A household remaining aggrieved after such review ~~or hearing of a contested action may request administrative~~may request further review of the subgrantee's actions by OHCS (see OAR 813-046-0070).¶
(4) The subgrantee must inform OHCS and the aggrieved party in writing of any final ~~administrative~~ review determination made by the subgrantee, and the basis for same, within 10 days of such final determination. ¶
(5) The subgrantee must comply with OHCS requests for all supporting documentation related to the grievance when a household exercises their right for an administrative review of the subgrantee or subrecipient's decision (as described in subsection (3) above).
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ORS 458.~~505, ORS 458.620, ORS~~620, 458.650

AMEND: 813-051-0000

RULE SUMMARY: Amend rule to align with statutory references and purpose.

CHANGES TO RULE:

813-051-0000
Purpose and Objectives ¶

The purpose of OAR chapter 813, division 51 of the administrative rules is to implement the Housing Stabilization Program (HSP). HSP is one homelessness relief program, which is funded through federal Temporary Assistance for Needy Family (TANF) funds provided through an interagency agreement with the Oregon Department of Human Services (DHS) and, by agreement with DHS, is administered by OHCS. ~~Oregon Housing and Community Services (OHCS) is designated as the state agency responsible for administering state and federal antipoverty programs in Oregon.~~ The purpose of HSP is to fund local homeless programs that assist households who are homeless or unstably housed, to attain housing stability.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 45 CFR 260-265~~, ORS 458.505~~

AMEND: 813-051-0010

RULE SUMMARY: Amend rule to align with statutory references and current definitions.

CHANGES TO RULE:

813-051-0010
Definitions
Terms used throughout this division (OAR 813-051) may be defined in Oregon Revised Statute (ORS) or in the OHCS General Definitions (OAR 813-005-0005). Terms used within this division observe those definitions, except as defined below:¶
(1) "Eligible family household" or "Family household" means a TANF receipient with low income household ~~with~~, an eligible dependent child or children, including a single pregnant woman in the month of her due date, living together as one economic unit.¶
(2) "Homeless" means an individual, family or household that lacks a fixed, regular, and/or adequate nighttime residence in accordance with department categorical definitions. Categorical definitions are contained in the program manual.¶
(3) "Homeless Management Information System" or "HMIS" is defined in 24 CFR 576.2.¶
(4) ~~"Household income" means the total household income from all sources before taxes. Specific sources and deductions are outlined in the HSP Manual.¶~~
~~(5)~~ "HSP" means the Housing Stabilization Program administered by OHCS pursuant to this division and other applicable law.¶
(~~6~~5) "HSP Manual" or "Program manual" means the Housing Stabilization Program Operations Manual, as described in OAR 813-051-0015.¶
(~~7~~6) "HSP requirements" means these administrative rules; all funding agreement terms and conditions; OHCS directives (including deficiency notices); the HSP Manual requirements; and applicable state, local, and federal laws and requirements.¶
(~~8~~7) "HSP services" means services as defined in OAR 813-051-0040 and the HSP Manual, which are eligible activities with HSP funding.¶
(~~9~~8) "Maintenance of effort" means Department of Human Services for the state of Oregon (DHS) allowable nonfederal cash and in-kind contributions used to supplement program services in an amount that equals the subgrantee agency's program allocation as defined in the program manual and approved by the department.¶
(9) "Subgrantee" means person, entity, or party that enters into a contract, loan agreement, or grant agreement directly with OHCS to receive funds to administer the HSP Program.¶
(10) "Subrecipient" means organization as defined in ORS 458.610(6) that works with, collaborates with, or enters into a direct agreement with the subgrantee to provide services under the HSP Program.¶
(11~~0~~) "Unstably housed" means an individual or family who is rent-burdened, defined as paying more than 30% of their gross income in rent; or is currently paying more than the Fair Market Rent, defined by HOME FMRs or is at risk of losing their housing and does not otherwise qualify as homeless or imminent risk, has been notified to vacate their current residence or otherwise demonstrates a high risk of losing their current housing and lacks the resources or support networks to obtain other permanent housing.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 45 CFR 260-265, 24 CFR 576.2, ORS 458.~~505~~610

AMEND: 813-051-0015

RULE SUMMARY: Amend rule to update manual guidance.

CHANGES TO RULE:

813-051-0015
Manuals
Effective on July 1, 202~~3~~5, the Housing Stabilization Program Operations Manual (HSP Manual) with the requirements and standards therein, is incorporated into and adopted as part of division 813-051-0015 of the department's administrative rules, 813-051-0000 to 813-051-0090. The HSP Manual, dated July 1, 202~~0~~3, previously incorporated into and adopted as part of these administrative rules remains in effect until July 1, 202~~3~~5, on which date it is repealed. The HSP Manual may be accessed online at the OHCS website.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 45 CFR 260-265~~, 24 CFR 576.2, ORS 458.505~~

RULE ATTACHMENTS MAY NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.

Housing Stabilization Program (HSP)
July 1, ~~2023~~2025

Housing Stabilization Program Operations Manual

Contacts

Oregon Housing and Community Services
Homeless Services Section
(503) 986-2000

Published date: July 1, ~~2023~~2025

Table of Contents

1. Program Summary 5
2. General Program Requirements 6
(A) Program Standards 6
(B) Release of Information 8
3. Additional HSP Requirements 15
(A) TANF Collaboration 15
(B) Case Files 17
(C) Client Service or Housing Stability Plan 17
(D) Criminal Records Check 18
4. Applicant Eligibility 19
(A) Household Composition 19
(B) Housing Status 22
(C) Income 24
(D) Resource Limitation 26
(E) Citizenship 27
(F) Oregon Residency 29
5. Eligibility Documentation 30
6. Allowable Client Expenditures 33
(A) General Requirements 33
(B) Roommate Situations 35
(C) Housing Assistance 36
(D) Case Management/Program Delivery 45
(E) Gift Cards 47
7. Maintenance of Effort (MOE) 50
8. Financial Management 52
(A) Administration 52
(B) Request for Funds Documentation 56
(C) Funds Spend Down 56
9. Reporting Requirements 58
(A) Submissions/Reporting Requirements 59
(B) HSP Referral Tracking and Quarterly Provider Report 60
(C) Fiscal Reporting 61
10. Appendix 1: Applicable Rules and Regulations 63
11. Appendix 2: Acronyms 65
12. Appendix 3: Definitions 66
13. Appendix 4: MOE FAQs 70
14. HSP REFERRAL TRACKING AND QUARTERLY PROVIDER REPORT 74
~~1. Program Summary ..... 4~~
~~2. General Program Requirements ..... 5~~
~~(A) System Wide Performance Requirements ..... 5~~

~~(B) Duplication of Benefits ..... 5~~
~~(B) Limited English Proficiency ..... 5~~
~~(C) Release of Information ..... 6~~
~~(D) Confidentiality ..... 7~~
~~(E) Conflict of Interest ..... 8~~
~~(F) Grievances and Appeals ..... 10~~
~~(G) Nondiscrimination ..... 11~~
~~(H) Monitoring ..... 12~~
~~(I) Subrecipient Monitoring ..... 12~~
~~3. Additional HSP Requirements ..... 13~~
~~(A) TANF Collaboration ..... 13~~
~~(B) Case Files ..... 15~~
~~(C) Client Service or Housing Stability Plan ..... 15~~
~~(D) Criminal Records Check ..... 15~~
~~4. Applicant Eligibility ..... 16~~
~~(A) Prioritization ..... 16~~
~~(B) Household Composition ..... 16~~
~~(C) Housing Status ..... 19~~
~~(D) Income ..... 20~~
~~(E) Resource Limitation ..... 23~~
~~(F) Citizenship ..... 23~~
~~(G) Oregon Residency ..... 26~~
~~5. Eligibility Documentation ..... 26~~
~~6. Allowable Client Expenditures ..... 29~~
~~(A) General Requirements ..... 29~~
~~(B) Housing Assistance ..... 31~~
~~(C) Auxiliary Services ..... 35~~
~~(D) Case Management ..... 38~~
~~(E) Data System Expenses ..... 40~~
~~(F) Gift Cards ..... 40~~
~~7. Maintenance of Effort (MOE) ..... 42~~
~~8. Financial Management ..... 43~~
~~(A) Administration ..... 43~~
~~(B) Advance Requests for Funds ..... 45~~
~~(C) Use of OPUS ..... 45~~
~~(D) Request for Funding Documentation ..... 46~~
~~(E) Budget Change Requests and Implementation Report Amendments ..... 46~~
~~(F) Funds Spend Down ..... 47~~
~~(G) Funds Rollover ..... 47~~
~~(H) Internal Controls for Fraud ..... 47~~
~~(I) Procurement ..... 48~~
~~9. Data, Submission and Reporting Requirements ..... 48~~
~~(A) Data Entry ..... 48~~
~~(B) Data Timeliness ..... 49~~

~~(C) Data Entry Requirements for Program Components ..... 49~~
~~(D) Required Data Elements ..... 49~~
~~(E) Comparable Database ..... 49~~
~~(F) Submissions/Reporting Requirements ..... 49~~
~~10. Records Requirements ..... 51~~
~~(A) Records Access ..... 51~~
~~(B) Records Retention ..... 51~~
~~11. Appendix 1: Applicable Rules and Regulations ..... 53~~
~~12. Appendix 2: Acronyms ..... 55~~
~~13. Appendix 3: Definitions ..... 56~~
~~14. Appendix 4: MOE FAQs ..... 59~~
~~15. HSP REFERRAL TRACKING AND QUARTERLY PROVIDER REPORT ..... 63~~

NOTE: If a statute, rule, contract or guidance does not expressly prohibit an activity or expense, it does not mean that the activity or expense is allowable. Statutes, rules, contracts and guidance are meant to express how funds are intended to be used.

Contact OHCS for prior approval before using any OHCS funds for an activity or expense if it is not addressed in statute, rule, contract or guidance. Failure to do so may result in the disallowance of an activity or expense and may result in remedies afforded in contract. It is an incorrect assumption to believe that because language does not say you cannot do something, that it must mean you can. OHCS provides guidance around what is disallowed from frequently asked questions; however, this does not mean to encompass everything that is disallowed.

Contact OHCS for any questions on how to expend OHCS funds if what you want to do is not covered by statute, rule, contract or guidance prior to the use of funds

NOTE: Guidance in this manual is specific to the program identified in this manual. Unless specifically stated, any other guidance from other manuals produced by OHCS does not apply to this program and are not comparable or transferable.

1. Program Summary

The strategic delivery of the Housing Stabilization Program (HSP) can:

- Quickly identify and engage people at risk of and experiencing hous~~m~~elessness while including data sharing strategies that are aimed to improve service delivery and coordination at the ground level;
- Prevent people from losing their housing and divert people from entering the homelessness service system;
- Provide people with immediate access to services while prioritizing interventions that are aligned with a Housing First model to connect people with permanent and individualized housing solutions that include robust wrap-around services; and
- Quickly connect people experiencing hous~~m~~elessness to housing assistance and services tailored to their unique needs and strengths to help them achieve and maintain stable housing.

HSP provides temporary financial assistance and support services to stabilize the housing of ~~low income eligible families~~TANF recipients who are hous~~m~~eless or unstably housed. For the purpose of HSP and throughout this manual, TANF recipient also refers to a TANF-eligible recipient as determined by ODHS through the Interagency HSP Referral Form.

U.S. Department of Health and Human Services, Temporary Assistance for Needy Families (TANF) federal funds are provided for one of the following four purposes:

a) assisting needy families, so that children can be cared for in their own homes;

b) reducing the dependency of needy parents by promoting job preparation, work and marriage;
c) preventing out-of-wedlock pregnancies; and
d) encouraging the formation and maintenance of two-parent families.

Pursuant to 45 CFR 260.31 and through an Interagency Agreement with Oregon Department of Human Services (OODHS), the Housing Stabilization Program assists the TANF program meet its specific purpose of assisting eligible needy families so that children can be cared for in their own homes, with non-recurrent, short-term benefits that:

- Deal with a specific crisis situation or episode of need; AND
- Are not intended to meet recurrent or ongoing needs; AND
- Will not extend beyond 120 days from the date of the first HSP assistance payment.

HSP requires subgrantees to identify and match grant funds with TANF Maintenance of Effort (MOE) funds in an amount identified in the funding application. TANF MOE funds must not originate with the federal government and are not expended as a condition of receiving federal funds under another program. See more information regarding MOE in this manual.

Appendices are included in this manual for common definitions and acronyms, as well as rules and regulations associated with the program.

2. General Program Requirements

~~(B) *System Wide Performance Requirements*~~

~~The Oregon Legislative Fiscal office adopted a set of criteria that agencies must meet when developing key performance measures. In alignment with the federal and state strategic plans to end homelessness, OHCS has established the following key performance measure:~~

- ~~Percentage of homeless households who exited into permanent housing and retained that housing for six months or longer. (Statewide target 80%).~~

~~***This key performance measure uses HMIS as the primary data source.***~~

(A) *Program Standards*

Subgrantee/subrecipients **must** adhere to all program standards as identified in the Homeless Services Section (HSS) Program Standards Guidance. **Failure to adhere to HSS Program Standards will result in audit findings and may put subgrantee/subrecipient funding at risk**. The HSS Program Standards Guidance includes requirements related to policies and procedures, along with general requirements for financial management of HSS grants, data requirements and records requirements. HSS Program Standards apply to HSP and align across HSS programs. It is **critical** that subgrantee/subrecipients understand their responsibilities in ensuring that they are following all program and funding requirements. Inclusion of the HSS Program Standards Guidance ensures that subgrantees/subrecipients and OHCS has a

central location for the consistency of program standards across multiple programs. Find the HSS Program Standards Guidance on the HSS Dashboard or OHCS website.

~~(B) *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) 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 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 that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.~~

~~(C) *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 is those who: have difficulty reading, writing, speaking, or understanding English, and do not use English as their primary language.~~

~~Subgrantees must have a LEP stand-alone policy that describes the following:~~

- ~~The actions subgrantees took to identify LEP populations in their service area and cites any source(s) used for evaluation;~~
- ~~Defines actions subgrantee will take to provide language assistance and address language barriers;~~
- ~~States how and how often staff will receive training about assisting LEP persons; and~~
- ~~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 that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.~~

~~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 subrecipients 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".~~

~~(D)~~(B) *Release of Information*

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 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.

As personally identifiable information will also be shared with Oregon Department of Human Services, Oregon Department of Veterans Affairs and Oregon Health Authority as part of the information sharing agreement with OHCS for administering programs with the same or similar clients or populations, participants must sign a Release of Information; however, refusal to sign such authorization cannot be the basis for denying program services to otherwise eligible participants. 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 participant demographic data for the purposes of reporting.

Subgrantees and their subrecipients are required to have a signed agency Release of Information form for each adult member of the identified household authorizing the release of information pertinent to determining program eligibility, providing assistance/service and other relevant need for sharing information. Each adult member must complete and sign their own ROI privately and ROIs cannot be shared with other household members. Unaccompanied youth who are the head of household must also have a signed Release of Information form on file. Release forms must be time-limited, with at least a three-year period to cover the period of monitoring requirements, and specific as to with whom and what information will be shared.

The Oregon Housing and Community Services and Oregon Department of Human Services, are required to be listed as entities with which participant information will be shared as it pertains to data collection and monitoring (including third-party audits and reviews), although this requirement does mean they must be listed on the same form and subgrantee/subrecipient can use separate forms for this purpose.

In addition, any Release of Information form for the purpose of releasing information to OHCS and ODHS must include the option of alternative formats including native

languages, Braille, large print, computer disk and oral presentation. The MSC3010 form from ODHS meets this obligation. The form can be found on the ODHS website.

Participant refusal to sign a Release of Information must be documented, dated, and kept in the participant file. Participant refusal to sign such authorization **cannot** be the basis for denying program services to otherwise eligible participants.

~~(E) *Confidentiality*~~

~~ODHS has determined that the HSP directly relates to the administration of the TANF public assistance programs. TANF confidentiality rules apply to participants who receive HSP services and TANF benefits (see Applicable Rules and Requirements appendix of this manual).~~

~~Confidential records include all applications, records, files, and communications relating to applicants and participants of, OHCS-funded services regardless of hard-copy or electronic format.~~

~~Subgrantees must have a stand-alone policy for the confidentiality of applicant/participant records. Such policy must include:~~

~~1) Identifies how all applicant/participants records are secure 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 policy and must include an acknowledgement of such policy, in writing;~~

~~4) A provision for the electronic collection of applicant/participant information which states that:~~

- ~~Computer terminals must be 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 must be cleared (or a screen saver activated) immediately after accessing a(n) applicant/participant record;~~
- ~~Computer terminals must be 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; and~~

~~5) 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 that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

(F) *Conflict of Interest*

In the performance of work under HSP, 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, unless in rare circumstances it is in the interest of the participant for the expediency of housing placement services or to create a seamless service delivery while keeping the participant engaged in services and such situation is documented in the participant file.

Subgrantee must have a conflict of interest policy 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. If a subgrantee or subrecipient wishes to apply for a waiver, they must contact the OHCS homeless program analyst or manager 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.~~

~~Subgrantee must have a Conflict of Interest stand-alone policy 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 that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.~~

~~(G) *Grievances and Appeals*~~

~~Subgrantees are required to have an established, written stand-alone policy for addressing applicant/participant grievances/appeal requests. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy 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/subrecipient policy must clarify how and when applicants/participants are notified of their right to grieve/appeal decisions. Such grievance/appeal policy 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 must include the following components:~~

- ~~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;~~
- ~~Informs the participant/applicant of the reason for termination, denial, limitation, reduction or modification of benefit;~~
- ~~Allows any aggrieved person a minimum of thirty (30) days within which to request an administrative review/appeal of such decision;~~
- ~~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;~~
- ~~Informs the applicant/participant and OHCS in writing of the final determination and basis for the decision within ten (10) days of the final determination; and~~
- ~~Identifies what reasonable accommodations are available for participants/applicants who have language, mobility or disability barriers that would prevent them from participating in the review/appeal process and how to request such accommodations.~~

~~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 that in its determination does not meet basic principles or requirement for such a policy.~~

~~(H) *Nondiscrimination*~~

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

1) A statement that subgrantee 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):

- Refuse to accept an application for housing assistance or services
- Deny an application for housing assistance or services
- Set different terms, conditions or privileges for housing assistance or services
- Provide different or specific housing, facilities or services
- Falsely deny that housing is available for inspection or rental or that services are available
- 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.

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 your targeting strategy is prohibited. TANF recipients are a target population for HSP and **must** receive priority for the delivery of financial assistance and/or services.

Screening criteria cannot be discriminatory and must be consistently applied. 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 or prioritization policy.

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

For more information, see the Fair Housing Council of Oregon's website at: www.fhco.org.

(I) *Monitoring*

OHCS will conduct a program monitoring of subgrantees once every two fiscal years or more frequently at OHCS' discretion. OHCS program monitoring may include desk audit, site visit and/or site visit with subrecipients. Fiscal monitoring will be conducted

once every two fiscal years unless circumstances and/or risk assessment require less or more frequent monitoring at OHCS' discretion. Subgrantees will be notified thirty (30) 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 HSP funds to OHCS or other remedies as described in the subgrantee's grant agreement/contract.

Subgrantees must notify and receive approval from OHCS when adding subrecipients and/or renewing subrecipients. Notification and approval normally occur during the subgrantee's grant agreement/contract funding application process. However, if changes are made outside of the funding application, subgrantees must submit an Implementation Report Amendment Request form for approval of subrecipient additions, deletions, or modifications within 30 days of such change.

(J) *Subrecipient Monitoring*

For the purposes of this operations manual the term "subrecipient" shall mean any subgrantee's subcontractors, contractors, vendor, subrecipients and any subcontractors, contractors, vendors or subrecipients of a subcontractor, contractor, vendor or subrecipient. Subrecipients must follow program intent, rules, and guidelines for the expenditure of funds.

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

Subgrantee's monitoring of its subrecipients must include:

1) 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;
2) a review of financial and performance reports;
3) a review of subrecipient policies and procedures, forms, documentation, client records including eligibility, notifications and documentation;

~~4) a review of participant records to ensure compliance with security, maintenance, retention and destruction of records; and~~
~~5) follow up on all deficiencies pertaining to any OHCS funding in accordance with all program rules and regulations.~~

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

~~(1) Frequency of subrecipient monitoring, which must be minimally once during a biennium or the term of the subgrantee's grant agreement/contract;~~
~~(2) The number of relevant samplings of fiscal transactions per program;~~
~~(3) The number of relevant samplings of participant files and that such review includes eligibility, notification and documentation;~~
~~(4) The number of relevant samplings of HMIS entries to ensure appropriate entry and tracking of participant information and service transactions;~~
~~(5) A review of participant records to ensure compliance with security, maintenance, retention, and destruction of records; and~~
~~(6) 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 that in its determination does not meet basic principles or requirements of such a policy.~~

3. Additional HSP Requirements

(A) *TANF Collaboration*

Communication between ODHS staff and subgrantees/subrecipients administering HSP is fundamental and a priority to maximizing housing-related assistance for families in a more holistic approach while avoiding duplication of benefits or services.

Collaboration with ODHS case managers is required for the period of time in which HSP funds are available for expenditure. Subgrantees/subrecipients must track all participants served with HSP funds, including all ODHS referrals related to HSP funding and coordinate with their local ODHS ~~offices~~ district to write and sign a collaboration plan that is submitted through the subgrantee's grant agreement/contract Funding Application.

Subgrantee/subrecipients **must** use the Interagency HSP Referral Form to facilitate referrals to and from ODHS. The Interagency HSP Referral Form can be found on the HSS dashboard at: https://app.smartsheet.com/b/publish?EQBCT=8a215621578a4f76ae98113d719d5e64. Only referral forms that are fully completed in their entirety meet the requirement for eligibility and eligibility documentation. If a referral form is not fully completed, the subgrantee/subrecipient must ensure that eligibility documentation is received from the client and/or ODHS.

Subgrantees must securely send to their local district office or share in co-case planning meetings with their local district office, the HSP Referral Tracking and Quarterly Provider Report (tracking sheet) at a frequency identified in the Collaboration Plan and must use the template, in form and format, provided by OHCS. If any modifications to the template tracking sheet are desired, they must be prior approved by OHCS **before use**.

OHCS makes available a Collaboration Plan template to subgrantees that **must be used** as part of the subgrantee's grant agreement/contract Funding Application. The Collaboration Plan template may be found on the HSS Dashboard.

Collaboration Plans:

- Must be submitted and approved by OHCS through the subgrantee's grant agreement/contract Funding Application;
- Must be developed in cooperation with Subgrantee and local ODHS District staff and must be signed and approved by both entities and must include the identification of any subrecipients, if subgrantee further contracts the delivery of HSP funds to subrecipients;
- Must include names, email addresses, and phone numbers of Subgrantee (and subrecipients, if applicable) and ODHS personnel responsible for the development and delivery of the collaboration plan. This can be multiple people; however, the main point of contact for communication with OHCS must be identified for all entities;
- Must describe how the subgrantee/subrecipient will work with their local ODHS branch(es) to co-case manage clients;
- Must describe how the subgrantee/subrecipient will communicate their TANF participant list and/or referral tracking sheet to their local ODHS branch(es);
- Must describe the frequency of communication, which must occur at a monthly minimum while subgrantees/subrecipients have HSP funding available; and
- Must describe the method of communication between the subgrantee/subrecipient and their local ODHS branch(es) (include details for specificity, such as dates/times of meetings, how they occur either phone/zoom or in-person, who is responsible for scheduling, and what information will be shared).

Collaboration Plans must include information on Referrals as identified below:

REFERRALS:

- Must describe the referral process (include details for specificity, such as how are referrals sent, how is contact made with client and are there expectations of the participant for response);
- Must describe the timelines for how quickly the subgrantee/subrecipient and local branch(es) will respond to referrals;
- Must describe how actions taken on referrals will be communicated between the subgrantee/subrecipient and the local ODHS branch(es);

- Must describe how the subgrantee/subrecipient will address a crisis need if the frequency of working with their local branch(es) is later than the time needed to address the client's situation; and
- Must include a plan when/if the number of referrals exceed the subgrantee's/subrecipient's capacity to take action on the referrals.

Collaboration Plans must include information on Transportation as identified below:

TRANSPORTATION:

- Must describe how the subgrantee/subrecipient will address serving clients with transportation issues, if clients are unable to access the subgrantee's/subrecipient's physical location; and
- Must describe how such transportation options are communicated to clients.

(B) *Case Files*

Documentation of participant eligibility and services received must be maintained in printed form or electronically saved and with participant case files. Electronically saved documents must be provided to OHCS in paper format when requested by OHCS. Files for applicants found to be ineligible for assistance or for participants who are no longer eligible to receive assistance documentation must include why they are ineligible and how that was determined and how the applicant/participant was notified of their ineligibility and their grievance rights and such evidence must be in the case file. File documentation will be the basis of OHCS monitoring to ensure subgrantee and subrecipient comply with program requirements and regulations.

(C) *Client Service or Housing Stability Plan*

Case management is one of the primary services offered to individuals and families who face multiple challenges, including severe mental illness, addiction, and hous~~m~~elessness. Effective case management includes **assessment, planning, implementation, coordination, and evaluation**. Best practices in case management skills are available on the OHCS Homeless Services Section dashboard.

A Client Service/Housing Stability Plan **is** needed when:

1) A client is receiving more than one-time only services;
2) Required by the program based on the type of assistance or services provided to the client;
3) A subgrantee/subrecipient is unable to assist a client with the entirety of their funding request. For example, a client owes six months of rent arrears and the subgrantee/subrecipient is only able to cover three months of that arrears. A plan would be needed to determine how the client will be able to avoid eviction and remain housed so that the three months of assistance covered by OHCS funds is not just a debt payment. Minimally, the client stability plan in this case, should document referrals, such as budgeting classes, housing navigation, long-term

rental assistance programs, SOAR, assistance is obtaining other needed services, etc., that were provided and the subgrantee/subrecipient's best effort to assist the client in understanding how they can stabilize their situation.

~~For those clients receiving case management and/or more than one-time only services the development of a client service or housing stability plan (action plan) is required. Additionally, in cases in which, based on the assistance or services provided, where it is a requirement of the program, a client service or housing stability plan (action plan) can also be required.~~ Plans are required to be client driven, using input and goal setting by the client. An existing and active client service/housing stability plan from other providers, such as ODHS, can be shared and amended for purposes of OHCS-funded programs. Subgrantees and subrecipients can request copies of assessments and case plans from ODHS for ~~those participants receiving~~ TANF recipients.

Client Service or Housing Stability plans can include a specific, simplified assessment related to housing barriers. A *Barriers to Housing Stability Assessment/Plan* is available in the sample forms located on the OHCS website.

~~Use of existing assessments and active case plans with ODHS and other providers is encouraged and can be used and included in the participant file to help meet this requirement. Subgrantees and subrecipients can request copies of assessments and case plans from ODHS for those participants receiving TANF.~~

(D) *Criminal Records Check*

Subgrantee, subrecipient agencies and subrecipient organization's subrecipients must verify that any employee working with HSP households do not have a conviction of child abuse, offenses against persons, sexual offenses, child neglect, or other offense bearing a substantial relation to the qualifications, functions or duties of an employee scheduled to work with HSP households. There must be documentation on file that includes records of criminal records checks for monitoring purposes.

"Criminal records check" means obtaining and reviewing criminal records and includes any or all of the following for at least the state of Oregon:

(1) Obtain an Oregon criminal records check from Oregon State Police (OSP) using the Law Enforcement Data System (LEDS). The Oregon criminal records check may also include a review of other criminal information [https://www.oregon.gov/osp/programs/cjis/pages/cch.aspx];

(2) Request a national criminal records check where criminal records are obtained from the Federal Bureau of Investigation (FBI) through the use of fingerprint cards and other identifying information sent to OSP; or

(3) Obtain a state-specific criminal record check from law enforcement agencies, courts, or other criminal records information resources located in, or regarding, a state or jurisdiction inside and/or outside Oregon.

4. Applicant Eligibility

~~(A)~~ ~~*Prioritization*~~

~~A **Priority Population** means persons that the subgrantee/subrecipient, the funding source or OHCS has determined as having the greatest need and will receive services first. Directives by the funding source or OHCS shall take precedence for who will receive HSP services/assistance.~~

~~For the delivery of HSP, OHCS has determined that TANF recipients have the greatest need and must be prioritized. There is no requirement for HSP funds to be delivered through a coordinated entry system, coordinated assessment or process. TANF recipients **MUST** receive services first. Subgrantee/subrecipients are allowed to use only the ODHS/Subgrantee referral process to prioritize the delivery of HSP funds to ensure rapid response to referrals and the timely expenditure of HSP funds.~~

~~Subgrantees and subrecipients shall ensure **priority** of HSP services is given:~~

~~(1) First to households applying for or receiving TANF; and~~

~~(2) Second to households who are not applying or receiving TANF, but who meet TANF/HSP eligibility requirements.~~

~~(B)~~(A) *Household Composition*

~~(1) The Eligibility Group **must** include at least the following people:~~

- ~~An Eligible Dependent Child, **AND**~~

~~(2) Parent or Caretaker Relative living with Dependent Child, and, if applicable, their spouse and children. Self-certification of caretaker relative status, either by a document signed by the caretaker relative or by appropriate case notes that self-certification occurred, is sufficient, unless caretaker relative status is questionable and then third-party documentation is required.~~

~~Dependent Child: To receive HSP, at least one dependent child from the eligibility group must meet citizenship (or qualified non-citizenship status) and have a social security number or have applied for one.~~

~~If the dependent child is an unborn child and the mother is ineligible due to not meeting citizenship requirements, the household is not eligible until the child is born (see #5 below for more information).~~

~~If the only eligible dependent child is in foster care and in the process of reunification, subgrantee and subrecipient shall confirm with ODHS the plan, timeline, and requirements for reunification. The eligible child must rejoin the household, within the 120-day period of assistance payments or is subject to repayment of the assistance. Subgrantee and subrecipient must retain appropriate documentation in the client file of their contact/s with ODHS personnel (see #3 & #4 below for more information).~~

~~In cases where there is ODHS documentation of TANF or a written ODHS referral for HSP assistance of a TANF client, no additional dependent child documentation in the file is required.~~

Categorical Eligibility: ~~In cases where there is OODHS documentation that the~~When the eligibility group is receiving TANF (EBT cash benefits, not EBT SNAP benefits), then the eligibility group is categorically eligible to receive HSP, without meeting any other financial or non-financial eligibility criteria. Households must still meet the housing status requirements; however, in cases where there is a written referral from ODHS indicating housing status, no further documentation is required, otherwise confirmation of TANF status must be confirmed, in writing, with the local ODHS branch.

~~Households are made up of a lot of different individuals, including grandparents, grandchildren, nieces, nephews, roommates, etc. All members of the household are considered part of the Eligibility Group. There are some Eligibility Group exceptions:~~

~~(1) In some cases, members of the Eligibility Group do not wish to provide their citizenship or immigration status or SSN. Subgrantee must minimally have documentation of citizenship and SSN on the eligible dependent child. If a household member does not wish to provide citizenship status or SSN, **they can elect to be a non-applicant**; however, the income of all members of the household must be included, including that of the non-applicant. **Auxiliary services must not be provided for any member of a household for which documentation of that household member's citizenship and SSN is not obtained**.~~

~~For example, a household may include an uncle without citizenship documentation who works an agricultural job and does not want to share his personal information for fear of immigration services. This household member can be excluded as a non-applicant from the Eligibility Group, and he would not be required to disclose information about his citizenship or SSN as a condition of the household's HSP eligibility. The non-applicant's failure to disclose this information will not affect the potential eligibility of other family members; **however,** any income or resources provided by the non-applicant must be included in the financial eligibility calculation, as such income is available for the purpose of household needs. In this example, you have a household with 5 members, but 1 is considered ineligible (a non-applicant) – the income of all adult members of the household is counted and the family size for purposes of eligibility (FPL guidelines) is still 5 persons even though 1 member is ineligible to directly receive HSP services. The household would receive assistance, but this ineligible member would not be able to receive any auxiliary services, such as a bus pass or education-related services specifically for his needs.~~

(2) When a household is sharing housing and some of the people living in the household are not a part of group applying for HSP, such as a roommate, and may not be connected with applying for assistance and may not want to share their personally identifiable information or their income. This situation will apply ONLY if they pay their own portion of the rent or utilities. A person cannot be considered a roommate as a means of avoiding inclusion of their income. A roommate is not just another resident of the household, but a legitimate separation of households under the same roof with documented evidence and proof of their rental obligation. The amount of HSP funds that can be provided must be based on the household's "need". To be considered a roommate, such person **MUST** be paying a portion of the household's need. See the Income section of this manual to determine how to calculate HSP assistance based on need.

(3) A parent can be working with ODHS Child Welfare to bring a child or children back into the home, but the adult needs to be in stabilized housing to do it. This could meet the definition of dependent child status; however, there must be documentation in the file from ODHS that housing is needed to return the child and that once housing is obtained, efforts will be made to return child to the home. OHCS requires coordination with ODHS when using HSP funds and this coordination avoids putting a client in a catch-22 situation, where they need to get a home to get the children, but then they need to have the children already to get the home. A documented statement from ODHS saying the home is needed to return the child or children and that re-unification will commence once a home is obtained is sufficient documentation for the client file for this unique household composition.

(4) A household can also include a foster child or children. An eligibility group includes all members of the household, whether the children are foster children or not; however, if the **only** child is a foster child, then proof that the child is remanded into the adult's care would be needed for documentation to prove the dependent relationship. Such documentation can be provided by ODHS. If the foster child has a familial connection to the adults, then the adult can be considered a caretaker relative which includes any blood relative, such as aunts, uncles, grandparents, and even stepparents. More information on the definition of caretaker relative is in (2) listed above.

In addition, foster care payments **DO** count as unearned income, so they need to be included in the income calculation. Do not exclude foster children and their supportive foster care payments to help a household meet the eligibility requirements.

(5) An eligible dependent child can also be an unborn child. This child would qualify when the mother's pregnancy has reached the calendar month before the month in which the due date falls. For example, if the due date is June 20, the mother of an unborn child would be eligible for HSP as early as May 1. The

~~clients' written statement that a medical practitioner, health department, clinic crisis pregnancy center or like facility verified the pregnancy is sufficient for documentation, nothing more would be required.~~

~~(C)~~(B) *Housing Status*

The eligibility group **must** meet one of the following categorical definitions of homeless or at risk of becoming homeless. In cases where there is a written referral from ODHS indicating housing status, no further documentation is required.

Category 1: Literally Homeless—household who lacks a fixed, regular, and adequate nighttime residence, meaning:

- Living in a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport or camping ground; **OR**
- Living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, ~~or~~ and hotels and motels paid for by charitable organizations or by federal, state or local government programs for low-income households); **OR**
- Exiting an institution where he or she resided for 90 days or less ~~and~~ **AND** who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.

Category 2: Imminent Risk of Housmelessness—household who will imminently lose their primary nighttime residence provided that:

- The primary nighttime residence will be lost within ~~21~~ 14 days of the date of application for homeless assistance; **AND**
- No subsequent residence has been identified; **AND**
- Household lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing.

Category 3: Homeless Under Other Federal Statutes—unaccompanied youth under 25 years of age, or families with children and youth~~y~~ who do not otherwise qualify as homeless~~literally homeless or imminent risk of homelessness~~, but who:

- Are defined as homeless under Section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)) or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)~~Are defined as homeless under other listed federal statutes~~; **AND**
- Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days ~~prior to the program assistance application~~preceding the date of application for homeless assistance; **AND**

- Have experienced persistent instability as measured by two moves or more during the ~~preceding~~ 60 days period immediately preceding the date of applying for homeless assistance; ~~and~~ **AND**
- ~~c~~Can be expected to continue in such status for an extended period of time because of chronic disabilities; chronic physical health or mental health conditions; substance addiction; histories of domestic violence or childhood abuse (including neglect); the presence of a child or youth with a disability; or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment;~~due to special needs or barriers~~.

~~○ Other Federal Statutes include:~~

- ~~Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.),~~
- ~~Head Start Act (42 U.S.C. 9831 et seq.),~~
- ~~Subtitle N of the Violence against Women Act of 1994 (42 U.S.C. 14043e et seq.) (VAWA),~~
- ~~Section 330 of the Public Health Service Act (42 U.S.C. 254b),~~
- ~~Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),~~
- ~~Section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), and~~
- ~~Subtitle B of title VII of the McKinney-Vento Act (42 U.S.C. 11431 et seq.)~~

Category 4: Fleeing/Attempting to Flee Domestic Violence—household who:

- Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence; **AND**
- Has no other ~~safe~~ residence; **AND**
- Lacks the resources or support networks, e.g., family, friends, and faith-based or other social networks, to obtain other permanent housing.

Category 5: Unstably Housed—household who:

- Is rent-burdened, defined as paying more than 30% of their gross income in rent (documented income/rent amount); **OR**
- Is currently paying more than the Fair Market Rent, defined by HOME FMRs (https://www.oregon.gov/ohcs/compliance-monitoring/Pages/rent-income-limits.aspx) or Small Area FMRs, as applicable (with documented income/rent amount); **OR**
- Is at risk of losing their housing, and does not otherwise qualify as homeless or imminent risk under the above listed (1-4) categories, provided that:
  - They have been notified to vacate current residence or otherwise demonstrate high risk of losing current housing (rationale for high risk of losing current housing must be documented and kept in the client file); **AND**
  - Lack the resources or support networks to obtain other permanent housing (must be evidenced by documentation in the client file).

~~(D)~~(C) *Income*

A household is categorically eligible to receive HSP funds when they are receiving TANF. All households served with HSP must be TANF recipients. Subgrantee must verify that a household is a TANF recipient, which can be accomplished through the Interagency HSP Referral Form.

Income limits for HSP is at or below 250% of the Federal Poverty Guidelines; however, the Interagency HSP Referral Form when fully completed serves as documentation of income eligibility. ~~Income includes the current gross income of all adult household members. Income earned by household members who are minors or full-time students **and** are not considered heads of household is excluded. Subgrantee's process for determining income eligibility and the documentation required must be consistent with OHCS requirements.~~

~~Subgrantees' policies and procedures must identify what method they will use to calculate income eligibility and income eligibility must be calculated consistently between applicants of the same program. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.~~

~~Documentation methods may include:~~

- ~~Previous 12 months of income;~~
- ~~Year-to-date income divided the number of months included in the year-to-date income; or~~
- ~~Previous 30 days (or the previous 60 days or other specified period of days) of income.~~

> *Convert periodic wages to annual income by multiplying:*
> 1. *Hourly wages by the number of hours worked per year (2,080 hours for full-time employment with a 40-hour week and no overtime);*
> 2. *Weekly wages by 52;*
> 3. *Bi-weekly wages (paid every other week) by 26;*
> 4. *Semi-monthly wages (paid twice each month) by 24; and*
> 5. *Monthly wages by 12.*
>
> *To annualize other than full-time income, multiply the wages by the actual number of hours or weeks the person is expected to work.*

~~A "Snapshot" of current income can be used **as an exception** to subgrantee's/subrecipient's policies and procedures, when warranted and documented in the client file. **"Snapshot" Method** means the process of determining~~

the estimated annual income that uses a "snapshot" of the household income at the time of application. It does not rely on a specific period in the past to determine the annual income amount. The method must be used only when a household's income has recently changed drastically and is not expected to change from the time of the snapshot (such as in a recent job loss) or when income tends to be very volatile. The snapshot method **cannot** be used as a means to avoid accounting for income.

(1) Standardization: Subgrantees/subrecipients have the discretion to calculate income standards in a manner best suited for the organization, based on their own policies. Example policies include using a year-to-date amount divided by the number of months in the year-to-date amount, using the last 30 days of paystubs or the last 60 days of paystubs. The main requirement is that the way income is calculated is consistent between clients. Exceptions to the standard way of calculating income must be identified in policy (such as circumstances in which a snapshot method is used).

(2) Consistency: Subgrantee/subrecipient must be consistent in how income calculation standards are applied, even if that means it excludes someone from being able to be assisted. Subgrantee/subrecipient cannot use the most current paystub for one person, the last 30 days for another, and a year-to-date for someone else, especially if the fluctuating use shows that it is being done to under-calculate income. Income calculation standards must be documented in policy and such policy will be subject to OHCS monitoring.

(3) Income Limits: Count the income of every person in the eligibility group, except SSI income, to calculate financial eligibility for HSP. The countable income limit for HSP and MOE is at or below **250%** of the Federal Poverty Level. Find Federal Poverty Guidelines at http://aspe.s.gov/poverty/. In cases where there is ODHS documentation of TANF or a written ODHS referral for HSP assistance of TANF participation, no additional income documentation in the file is required.

(4) TANF Grant as Unearned Income: TANF grants (EBT cash benefits) received in the month of application are considered unearned income for HSP applicants and are included in the income calculation.

(5) SSI Benefits as Unearned Income: For the purpose of eligibility, exclude SSI monthly income when calculating income. However, if the household income is within the HSP income guidelines, any available income or resources regardless of their source (such as SSI), will be used to establish the amount of HSP benefits offered.

(6) Client quit a job: If an applicant quit their job within the past 30 days and meets other eligibility, assistance may still be provided; however, the income can be calculated on the "snapshot" method The snapshot method is an exception to a standardization of income calculation and must be identified in the subgrantee/subrecipient policy as well as documented in the client file as to why the exception was granted.

~~(7) Overtime and Bonuses cannot be excluded from income calculations. Income cannot be excluded just because it would put the applicant/participant over the income limit. Year-to-date income methodology is an effective way to calculate income when income is varied and includes overtime or bonuses.~~

~~(8) Self-employment: When calculating self-employment, use the previous year's tax information, if available. Use the gross income and subtract out the deductions claimed on Schedule C to get a net income. Schedule C is the Profit and Loss form used for a Business, which deducts expenses, such as their vehicle, supplies, offices expenses, travel, utilities, etc. The net income is then divided by 12 and the result is used for the household's monthly income. More information is available in the ODHS Oregon Programs Eligibility Notebook Chapter 2 Section 5: https://www.oregon.gov/dhs/ssp/fsm/pages/index.aspx.~~

~~(9) Calculating Household Need in Situations of Roommates: Those applying for HSP must meet eligibility requirements or be categorically eligible, however, in situations of a roommate, the HSP assistance must be based on the applying household's "need" to account for the roommate supplying a part of that need. If the applying household cannot provide documented evidence of their rental obligation, their income must be included as part of the household's income. See the Household Composition section in this manual for clarifying who meets the requirement of roommate status.~~

~~The household's need must be prorated based on the income and expenses that each roommate is receiving and paying. HSP can only be provided for the portion of the applying household's "need". For example, if the applying household provides proof of a total unpaid rent of $700, but has a roommate agreement identifying that the roommate pays half of the rent, then HSP can only pay $350 of the rent, regardless of whether the notice identifies the entire amount of rent being due. This "need" requirement only applies to HSP, while it does not apply to other OHCS-funded programs due to TANF requirements.~~

~~(E)~~(D) *Resource Limitation*

A household is categorically eligible to receive HSP funds when they are receiving TANF. All households served with HSP must be TANF recipients. Subgrantee must verify that a household is a TANF recipient, which can be accomplished through the Interagency HSP Referral Form.

Resource limitation (i.e., assets) requires that households have less than $10,000 is available resources; however, the Interagency HSP Referral Form when fully completed serves as documentation of resource limitation eligibility. ~~HSP includes a resource limitation. The resource limit is $10,000 for all eligibility groups. In cases where there is ODHS documentation of TANF or a written ODHS referral for HSP assistance of a TANF client, no additional resource limit documentation in the file is required. Resources can be verified through applicant self-certification.~~

~~For the purposes of HSP, do not consider someone's primary home as an asset for HSP when the primary home is the only home the applicant owns. HSP can pay for mortgage payments and property taxes, so do not count their primary home as an asset.~~

~~Types of assets that are included in the resource limit are a second home, boats, ATVs, cash on hand, money in the bank, certificates of deposits or stocks, cryptocurrency, etc. These are items that can be converted to cash to cover the needs of the household.~~

~~If you have a significant immigrant population, those households may own homes in their country of origin – this would not be considered an asset for the purposes of HSP as this asset is not readily available to them.~~

~~Documenting assets can be completed through an application or an intake document that the household must sign in which they are asked if they do/do not have assets valued at over $10,000. Self-certification is sufficient for documenting zero assets, but if a household identifies an asset and/or identifies it as over $10,000, such as a second home, checking/saving account, or a boat – subgrantee must document the value of that asset through tax records, statements, blue book values or some other source of documentation. If the value exceeds $10,000, the household does not qualify for HSP. A self-certification form is available on the OHCS website.~~

~~(F)~~(E) *Citizenship*

A household is categorically eligible to receive HSP funds when they are receiving TANF. All households served with HSP must be TANF recipients. Subgrantee must verify that a household is a TANF recipient, which can be accomplished through the Interagency HSP Referral Form.

HSP requires that households receiving HSP funding must be a citizen or have qualified non-citizen status; however, the Interagency HSP Referral Form when fully completed serves as documentation of citizenship eligibility.

~~(1) Citizen/Qualified Non-Citizen Status: At a minimum, the eligible, dependent child must be a US citizen or Qualified Non-Citizen (see #4 & #5 below) and documentation attesting to citizenship or qualified non-citizen status must be in the file. In cases where there is ODHS documentation of TANF or a written ODHS referral for HSP assistance of a TANF client, no additional citizenship documentation in the file is required If needed, a self-certification of citizenship form is available on the OHCS website.~~

~~(2) Social Security Number: At a minimum, the eligible, dependent child must have, or be applying for, a SSN. In cases where there is ODHS documentation of TANF or a written ODHS referral for HSP assistance of a TANF client, no additional SSN documentation in the file is required. The possession of a SSN does not in, and of itself, meet citizenship requirements. A SSN is required, minimally on the eligible, dependent child, but this does not provide citizenship documentation (if needed, a self-certification of citizenship form is available on the OHCS website).~~

(3) Non-Applicants: Members of the eligibility group who do not wish to provide their citizenship or immigration status or SSN can elect to be a non-applicant. Exclude non-applicants from the eligibility group as an ineligible household member and do not require them to disclose information about their citizenship or immigration status or SSN as a condition of HSP eligibility. His or her failure to disclose this information will not affect the potential eligibility of other family members; however, you **must** consider any income or resources provided by the non-applicant available to the eligibility group and include them in the financial eligibility calculation. As long as the minimum requirements of citizenship and social security number is documented on the eligible, dependent child, applications must not be delayed, discontinued or denied if the non-applicant household member does not provide their citizenship, immigration status or SSN; however, delay or denial can occur if the non-applicant's **income** documentation is not provided. Additionally, no assistance, such as auxiliary services, can be provided to non-applicants.

(4) U.S. Citizen

A U.S. citizen includes the following people:

(a) A person born in the U.S.;

(b) A naturalized citizen;

(c) A person born outside of the U.S., but whose parents (both mother and father) are U.S. citizens;

(d) A person born outside of the U.S., who is over 18 years of age, but who has at least one parent who is a U.S. citizen. The person must either have a certificate of U.S. citizenship or meet one of the following criteria:

(i) Born on or after December 24, 1952, and prior to November 14, 1986, and their citizen parent was physically present in the U.S. or its outlying possessions for 10 years or more, at least five of which were after age 14;

(ii) Born on or after November 14, 1986, and their citizen parent was physically present in the U.S. or its outlying possessions five years or more, at least two of which were after age 14.

(e) A child born outside of the U.S., who is under 18 years of age and has at least one parent who is a U.S. citizen. The child is residing in the U.S. in the legal and physical custody of the citizen parent pursuant to a lawful admission for permanent residence;

(f) A person lawfully adopted by U.S. citizens; or

(g) A citizen of Puerto Rico, Guam, the Virgin Islands, the Northern Mariana Islands (Saipan, Tinian, Rota and Pagan), American Samoa and the Swains Islands.

(5) Qualified Non-Citizen

Qualified non-citizens are individuals who are admitted to the United States with a lawful immigrant status. The person who is granted that status either enters the United States as a lawful permanent resident or will be eligible to become a lawful permanent resident in the future. A lawful permanent resident is eligible

~~to be naturalized as a U.S. citizen usually after five years of lawful permanent residency in the U.S.~~

~~A qualified non-citizen includes the following people:~~

~~(a) A person who is lawfully admitted for permanent residence under the Immigration and Nationality Act (INA);~~

~~(b) A person who is admitted to the United States as a refugee under section 207 of the INA;~~

~~(c) A person admitted to the United States under the Trafficking Victims Protection Act of 2000;~~

~~(d) A person who is granted political asylum under section 208 of the INA;~~

~~(e) A person whose deportation is being withheld under section 243(h) of the INA;~~

~~(f) A person who is paroled into the United States under section 212(d)(5) of the INA;~~

~~(g) A person who is granted conditional entry pursuant to section 203(a)(7) of the INA as in effect prior to April 1, 1980;~~

~~(h) Battered immigrant spouse, battered immigrant child, immigrant parent of a battered child or an immigrant child of a battered parent, with a petition under 204(a)(1)(A) or (B) or 244(a)(3) of the INA;~~

~~(i) Cuban/Haitian persons who are either public interest or humanitarian parolees; or~~

~~(j) A person granted immigration status according to the Amerasian Homecoming Act, section 584(a) of the INA.~~

~~(6) Additional Qualified Non-Citizens~~

~~The following people also meet qualified non-citizen status requirements for HSP:~~

~~(a) American Indians born in Canada; or~~

~~(b) Non-citizens (regardless of INS status) who are currently victims of domestic violence or are at risk of victimization by domestic violence.~~

~~(7) Non-Qualified, Non-Citizen~~

~~Non-qualified non-citizens are:~~

~~Individuals who are admitted lawfully into the United States but do not have immigrant status (i.e., they are residents for a specific period, but cannot stay in the country for longer than their travel visa allows them). Foreign students, tourists, diplomats, performers, artists, entertainers, certain private company employers, etc., are included in this category.~~

~~If there any further questions on non-citizens, find the information at the following link of the ODHS Oregon Programs Eligibility Notebook: https://www.oregon.gov/dhs/ssp/fsm/pages/index.aspx, Chapter 2 Section 3.~~

~~(G)~~(F) *Oregon Residency*

A household is categorically eligible to receive HSP funds when they are receiving TANF. All households served with HSP must be TANF recipients. Subgrantee must verify

that a household is a TANF recipient, which can be accomplished through the Interagency HSP Referral Form.

To receive HSP assistance, households must be a resident of Oregon; however, the Interagency HSP Referral Form when fully completed serves as documentation of Oregon residency eligibility.~~To be eligible for HSP, a household must be a resident of Oregon. A household is a resident of Oregon if the household lives in Oregon. There is no minimum amount of time a household must live in Oregon to be a resident; however, the household must intend to remain in Oregon, except in the following situations:~~

~~(1)~~ Assistance may be issued to help a household return to a former state of residence when there is documentation in the client's service/housing plan that documents the previous resident state; or

~~(2)~~(1) If the household, as victims of domestic violence, needs to flee from their current housing situation.

If a household's documented housing status is Category 4, Fleeing Domestic Violence, HSP can be used for eligible categorical costs associated with moving out of Oregon to a safe location, providing that there is documentation in the client's service/housing plan, indicating that the client's destination has been confirmed as an available, safe~~,~~ housing option and that no funds are used for rent, hotel/motel, utilities or other services in a state other than Oregon. Such allowable costs are restricted to moving costs.

~~If a household is returning to a former state of residence, there must be documentation in the client's service/housing plan that documents the previous resident state.~~

5. Eligibility Documentation

(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. 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 (see HSS Program Standards Guidance). Third party documentation is a requirement for payment of mortgage assistance/property taxes.

(2) Verification and related documentation must be maintained within the following specific areas:

- Homeless/Housing status (~~or~~ ODHS Referral form for HSP services for a TANF client indicating housing status);
- Citizenship/Qualified Non-Citizen Status (~~or~~ ODHS documentation of TANF status or ODHS Referral form for HSP services of a TANF client);

- Social Security Number (SSN) or application for a SSN (~~or~~ ODHS documentation of TANF status or ODHS Referral form for HSP services of a TANF client);
- ~~Pregnancy status, if using pregnancy to meet eligibility requirements. The client's written statement that a medical practitioner, health department, clinic crisis pregnancy center or like facility verified the pregnancy is adequate for verification;~~
- ~~Reasonable return (typically, of less than 30 days) for a minor child from foster care, where applicable;~~
- Income, resources ~~and/or TANF benefit~~ (~~or~~ ODHS documentation of TANF status or ODHS Referral form for HSP services of a TANF client); and
- ~~Dependent child eligibility (birth/hospital certificate) (or ODHS documentation of TANF status or ODHS Referral form for HSP services of a TANF client);~~
- Oregon residency status (ODHS documentation of TANF status or ODHS Referral form for HSP services of a TANF client).~~; and~~
- ~~Caretaker/relative status to Eligible Dependent Child (identity documents, or ODHS documentation of TANF status, ODHS Referral form for HSP services of a TANF client or self-certification either by caretaker relative or by case notes, unless questionable, then by 3rd party documentation).~~

~~**(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 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 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 that in its determination does not meet the basic principles or requirements of such a policy.~~

~~The subgrantee's Remote Application and Documentation policy 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 provide to applicant/participant, inclusive of privacy notification and grievance/appeal notification.

(4) Order of Preference

OHCS requires program staff to comply with the following general documentation standards listed in order of preference:

- **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 directly to program staff or via the applicant/participant is preferred.

- **Intake Worker/Case Manager Observation** documented by subgrantee/subrecipient staff 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 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 management 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** 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. 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.

(5) Simplified Documentation Option

When a subgrantee or subrecipient moves an active client from HSP to Emergency Housing Assistance Program (EHA/DRF/DRV VET), Shelter Homeless Assistance Program (SHAP) or Elderly Rental Assistance (ERA) programs or an active client moves between state funds (EHA, SHAP, ERA), they can choose to use a simplified documentation process for the client's homeless status and income; whereby the subgrantee or subrecipient case manager verifies that the client meets the homeless status and income of the funding source at the time of entry and that the client 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) will still remain requirements that must be documented when using a simplified documentation option 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 Tenant Based Assistance (HTBA) funds still require separate documentation and are not subject to a simplified documentation option.~~

6. Allowable Client Expenditures

(A) *General Requirements*

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.

1) Eligible participants can receive HSP assistance for one or more of the following expenditures/services:

- Housing Assistance
- ~~Auxiliary Services~~
- ~~Case Management~~Program Delivery
- ~~Data System Expenses~~

~~Client Expenditure~~	~~TANF Household and eligible for JOBS Support Payments~~	~~TANF Household **NOT** eligible for JOBS Support Payments~~	~~Not Receiving TANF~~
~~Housing Asst~~	~~Yes~~	~~Yes~~	~~Yes~~
~~Auxiliary Services~~	~~No~~	~~Yes~~	~~Yes~~
~~Case Management~~	~~Yes~~	~~Yes~~	~~Yes~~
~~Data System~~	~~Allowable general program cost~~		

2) HSP funds shall be provided only for reimbursement of allowable costs incurred by subgrantee/subrecipient. **HSP assistance cannot be paid directly to clients**, but must be paid to the vendor (e.g., landlord, utility company, etc.). Documentation of client expenditures must be included in the client case file.

3) There must be documented evidence of the need to make a ~~financial~~ housing assistance payment, such as an eviction or late rent notice from the landlord, past due bill from a utility company or other such documentation that a payment must be made in which to stabilize the household. Need can also be documented by joint case management plans with ODHS or by client assessments that indicate a need for auxiliary services.

4) As pursuant to 45 CFR 260.31, allowable expenses are to be Non-Recurrent, Short-Term Benefits that:

- Deal with a specific crisis situation or episode of need; **AND**

- Are not intended to meet recurrent or ongoing needs; **AND**
- Are paid within 120 days from the date of the first HSP assistance payment (see #8 below for further guidance).

5) If any member in the eligibility group received HSP benefits in the past 12 months, from the date of the last financial assistance payment, consider the entire eligibility group as having received benefits and they do not meet eligibility requirements. Verify previous payments with HMIS, other systems or case records. **Agencies must perform due diligence to ensure compliance with this requirement and document in the client file that this due diligence was performed.** Organizations that are contacted, to meet this requirement, must be included in the client's Release of Information. This is not expected to be administratively burdensome; however, be sure to document that the household did not receive HSP in the 12 months prior to providing benefits.

~~5)~~6) Households can receive up to $8,000 of total financial assistance during a 120-day period.

~~6)~~7) Households must comply with their client service/housing stability plan during the 120 days of assistance payments, if receiving more than one-time only housing assistance.

~~7)~~8) The 120-day limitation is a TANF requirement. If a client was to receive HSP benefits for longer than 120 days from the date of the first HSP assistance payment, they would be required to be enrolled in the JOBS program and the state must pursue child support collection, for which OHCS, nor subgrantees/subrecipients, are equipped to administer. **The 120-day limitation cannot be altered**.

~~8)~~9) The 120-day period begins on the date of the first assistance payment. There is no limit to the number of payments during the 120-day period as long as all payments are equal to or less than the maximum amount of $8,000 and as long as all payments are for eligible costs and paid within the 120-day period. This is NOT equal to a number of months for which a household can receive rent/mortgage assistance. For example, a household can receive rent assistance for 6 months of arrears and 6 months of current and future rent for a total of 12 months of rent; however, the payments must all be made within the 120-day period in which a client can receive HSP assistance. ~~If a cost is incurred and approved during the 120-day period, the actual payment could still be made within a reasonable period of time after the 120-day period; however, there MUST be documented evidence that the cost was incurred and approved prior to the end of the 120-day period~~.

~~9)~~1) ~~If any member in the eligibility group received HSP benefits in the past 12 months, from the date of the last financial assistance payment, consider the entire eligibility group as having received benefits and they do not meet eligibility requirements. Verify previous payments with HMIS, other systems or case records. **Agencies must perform due diligence to ensure compliance with this requirement and document**~~

~~**in the client file that this due diligence was performed.** Organizations that are contacted to meet this requirement must be included in the client's Release of Information. This is not expected to be administratively burdensome; however, be sure to document that the household did not receive HSP in the 12 months prior to providing benefits.~~

10) Case management (program delivery) activities, including housing navigation services, can occur before and after the 120-day limitation of financial assistance payments and do not count towards the 120-day limitation.

11) Use of other OHCS resources (such as EHAP) is encouraged to continue assisting HSP clients past the 120-day limitation of HSP funds. Many participants' barriers to housing stability cannot be fully addressed in 120 days. Continued case management and collaboration with ODHS can help to ensure long-term housing stability and produce more effective participant outcomes.

12) Extension beyond a 120-day period is **not** allowed; however, if the household exits HSP, but returns for additional assistance before their 120-day period of assistance would have ended, the case manager can issue additional payments up to the assistance limit and all payments must be made within the original 120-day period. The eligibility group must continue to meet all program eligibility requirements. For example, a client receives a one-time rent assistance payment on January 5th and is exited from the program. In March, the client returns and is need of further assistance. Further assistance payments could be issued through May 4th.

(B) *Roommate Situations*

~~13)~~1) In situations where there is a roommate in the household, the "need" must be calculated to determine how much assistance would be allowable for the household. This "need" applies to HSP, while it does not apply in other OHCS-funded programs. Additionally, such situation must be documented through evidence of a lease/rental agreement, with wet signature or valid/verified digital signature, that identifies the other member of the household as a roommate ~~or other written agreement that identifies the roommate situation. More information on this type of household composition can be found in the Household Composition and Income sections of this manual.~~

2) "Roommate" situations are areas of high fraud probability and due diligence is needed to ensure that such situations are adequately documented. Self-certifications or dependence on a client's statement **are not** valid methods of meeting documentation requirements for roommate situations. ~~Clear documentation of a roommate arrangement includes both a lease agreement with wet signatures demonstrating the tenant/landlord relationship between the two parties **AND** documented financial records showing a pattern of financial transactions (bank statements, money order receipts, Paypal/Venmo statements,~~

~~etc.) are needed. Hand-written receipts **are not** allowed for this purpose due to the high risk of fraud.~~.

a. For example, Tenant A is the "landlord" tenant, Tenant B is the "roommate" tenant. Whether Tenant B will be placed into Tenant's A unit or whether Tenant B currently lives with Tenant A, if OHCS funds are to be used for Tenant B, Tenant B must provide evidence that Tenant A has the authority to enter into a roommate agreement. Such documentation may be a copy of the amended rental agreement providing approval of the tenancy arrangement or it may be evidence that Tenant B paid an application fee to the landlord to be placed as an occupant in the unit. If a lease/rental agreement includes prohibitions for subleasing or unauthorized occupants, this could denote a fraud attempt.

3) If paying rent/utilities in a roommate situation whereby the rent/utilities is being paid to Tenant A and not the actual landlord, clear documentation of a roommate arrangement **must** include the authority document listed above, a lease/rental agreement with wet signatures (or valid/verified digital signature) demonstrating the tenant/landlord relationship between Tenant A and Tenant B **AND** documented financial records showing a pattern of financial transactions (bank statements, money order receipts, Paypal/Venmo statements, etc.) from Tenant B to Tenant A for rent/utility payments. If such evidence does not exist, payments should be made directly to the landlord/utility company rather than to Tenant A. Hand-written receipts and client self-certification **are not** allowed for this purpose, due to the high risk of fraud. All records must be kept in the client file for monitoring purposes

4) Placing Tenant B into a roommate situation must not jeopardize Tenant A's housing stability with an unauthorized occupant.

5) If Tenant A is seeking assistance, Tenant A must declare the income received from Tenant B as part of their income for eligibility requirements.

~~14)~~ Payments made directly to the landlord must adhere to rent, rent-related and rent arrears standards.

~~(B)~~(C) *Housing Assistance*

Requirements to Housing Assistance ~~**(adhere to General Requirements as identified)**~~

1) ~~Housing Assistance can be paid for those households NOT receiving TANF and Housing Assistance can be provided to those receiving TANF, whether or not they have been determined to be ineligible for JOBS Support Service payments by ODHS.~~ Housing assistance is meant to provide funds to move a ~~homeless~~ houseless client into permanent housing or to keep a client from losing their permanent housing. Housing assistance is not meant for emergency shelter purposes~~, except as identified in **Room and Board** (see #4 below for more guidance~~).

2) **Rent** for a client's primary residence in which the lease/rental agreement is verified (lease/rental agreement with signature, if digital, must follow requirements for a digital signature) and/or through a past due notice from the landlord. Rent payments

may include a tenant's portion of a Housing Assistance Payment/Voucher rent amount when there is proof of need. A tenant's portion of a Transitional Housing rent amount is not eligible with OHCS funds. Rent can include first and last month's rent.~~means the payment of a current rental obligation~~.

3) **Mortgage payments** (inclusive of property tax) are allowable for a client's primary residence and requires third-party documentation. Arrears for mortgage payments (inclusive of property tax) cannot exceed six months and must be for the purpose avoiding foreclosure.~~Clients must meet all HSP eligibility requirements (including housing status) and must provide proof of need for the payment of rent; however, rent can be paid for future months, if allowed by landlord. Total assistance cannot exceed the maximum assistance amount of $8,000 whether for current rental obligation, rent arrearage, future rent or any combination of HSP assistance, including auxiliary services~~. ~~Rent can include first and last month's rent.~~

~~2) See #14 in General Requirements for more information.~~

a. **Rent/Lease-to-Own.** Rent payments (inclusive of late fees) are allowable when there is documented evidence of the amount owed and an active lease/rental agreement with the landlord. When a houselessness prevention tenant is under a rent/lease-to-own contract, a contractual monthly payment (or arrears per this manual's guidance) is allowable to keep a tenant from being houseless; however, program funds may not be used to enter into a rent/lease-to-own contract and cannot pay the portion of the rent/lease-to-own agreement applicable to an equity/interest/tax payment. OHCS program funds cannot be used for potential asset building. Client file must include documentation that identifies the portion of payment applicable to both rent and equity payments to ensure payment covers only the rent portion. If such evidence is not provided, the cost is unallowable.

~~3)~~4) **Rent arrearage** means past due rent owed to a current landlord. Payment of arrears is restricted to 6 month's past due rent, once per period of assistance payments (120 days). A copy of the lease/rental agreement may be necessary in order to determine that any lump-sum past due amount does not exceed the 6-month limitation and to validate the tenancy. Any equity/interest/tax payments within a lease-to-own agreement are unallowable and rent arrearage would apply only to the past-due rental portion amount. Third-party documentation must be included in file for lease-to-own agreements identifying the portion of rent arrears applicable to rent and equity payments when paying for rent arrearages in a lease-to-own agreement. Subgrantees and subrecipients have the discretion to further limit payments for rent arrearage with a policy that details such further restrictions, their purpose and identification of how those restrictions are communicated to the participants. Such policy must be made available to OHCS upon request Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS.

5) Previous Landlord Rental-related expenses~~**Arrears can also include other rental-related expenses incurred such as filing fees, court fees, property damage or lease break fees to a previous landlord (or collection agency) when being required by a**~~

~~**prospective landlord, with a case manager's supervisor's approval. Funds cannot be used for debt payment. There must be documented evidence from the prospective landlord that payment of the arrears is necessary for the participant to obtain permanent housing and maintain stability in that housing and a unit must be lined up and available for the client's occupancy if such arrears are to be paid**~~**.** include other expenses incurred such as rent, filing fees, property damage, court fees, late fees, lease break fees or unpaid rent owed to a previous landlord (or collection agency) **when being required by a prospective landlord**, with a case manager's supervisor's approval; however, total expenses cannot exceed 6 months of the rent amount charged at the previous unit. There must be **documented evidence** from the prospective landlord that payment of the arrears is necessary for the participant to obtain permanent housing and maintain stability in that housing and a unit **must** be lined up and available for the participant's occupancy if such expenses are to be paid.

~~4) **Room and Board:** A prorated cost of room and board (percentage of cost related to a HSP client), is an allowable expense. While general administrative or operation costs of a shelter are not allowable, costs directly attributable to a HSP client could be, such as lodging, utilities and food when such payment of these expenses is required of all residents and as an expected "tenant share". Subgrantees and subrecipients must document how they calculate the expense attributable to clients and such documentation must be kept in the client's file. HSP clients residing in such housing must continue to meet all HSP eligibility requirements and must be entered into HMIS and reported on the quarterly report. Room and board is not meant to cover a roommate situation.~~

~~5)~~6) Use of **hotel/motel voucher** (or RV space lot) must only be for a period of time in which a client is awaiting the readiness of a designated rental unit availability and not a means of emergency shelter costs (a permanent housing solution must be lined up and awaiting the client's tenancy). RV space lots can only be paid under these conditions and not as an alternative housing placement.

~~6)~~7) **Utility assistance** programs **must be deferred to first**~~.~~. ~~u~~Utility assistance is only eligible when other utility assistance cannot be obtained and payment of utility assistance is in the context of, and documented in, an action plan or goal designed to increase housing stability, along with documentation of the steps taken to defer to other utility assistance first. There must be documented evidence of a utility bill in the participant's name. If paying a utility deposit for a client to obtain or retain services, there must be documented evidence of the need to pay such a deposit.

~~7)~~8) **Utility arrearage** assistance is past due utilities and can only be provided when there is documented evidence of a utility bill in the participant's name. If arrears are owed to a previous utility company or to a collection agency, these arrears can be paid, but only when there is documented evidence that payment of the arrears is necessary for the participant to obtain or retain utility service by the current utility company. Payment of utility arrears to a previous utility company or to a collection agency must result in the utilities remaining on or the connection/reconnection of utility service. Documentation in the client file must show the steps taken to defer to other utility assistance first.

~~8)~~9) **Utilities** are only water, sewer, garbage, gas, electricity, or other fuel source when required to be paid by the tenant to pay through a rental/lease agreement. There must be documented evidence of a utility bill in the participant's name. Utilities does not include phone or internet services for the purposes of HSP, unless the need is documented in the client service/housing stability plan and identified as a means of obtaining/maintaining permanent housing (see below).

~~9)~~10) **Phone services** must be in the client's name and must only be provided for one line of service (either landline or cellular line) per household and only when such billing statement clearly identifies the costs of a single line of service or such cost can be ascertained from the phone service provider. Arrearages are allowed ~~in alignment with the limitation of~~, up to 6 months of service, in alignment with the limitation of a single line of service. Purchases of phones are unallowable. ~~and clients can be connected to the Affordable Connectivity Program (https://www.affordableconnectivity.gov) or through~~Connect clients to Oregon LifeLine (~~https://~~www.lifeline.oregon.gov ~~oregon.gov/puc/pages/oregon-lifeline.aspx~~) to meet the need.

~~10)~~11) **Internet-related fees and taxes, equipment** (modem/router) rental fees are allowed and must be capped at no more than $300 per biennium and must be in the client's name. Subgrantees and subrecipients must attempt to obtain a client's documentation or perform outreach to the internet provider to acquire monthly internet service costs; however, if either of these options are unduly burdensome, the subgrantee and subrecipient **must** have a policy/procedure that applies a reasonable process to determine the amount of the bill that is applicable to the internet costs; however, total internet assistance cannot exceed $300 per funding biennium. Such policy/procedure must be available to OHCS upon request. Subgrantees must ensure that subrecipients have policies/procedures that align with OHCS requirements and are consistent with the intent of such a policy 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.

Internet providers retain a "price list" which can be requested to determine the separate costs for each type of service which will provide subgrantees/subrecipients a reasonable process to determine the amount to be paid. ~~In addition, the Affordable Connectivity Program (ACP) is a Federal Communications Commission (FCC) program that helps low-income households pay for internet service and connected devices. If eligible, a household can receive up to $30/month discount on internet service; up to a $75/month discount if the household is on qualifying tribal lands; and a one-time discount of up to $100 for a laptop, tablet, or desktop computer (with a co-payment of more than $10, but less than $50. More information can be found at: https://acpbenefit.org/.~~ Connect clients to Oregon Lifeline to help meet the need for internet services (www.lifeline.oregon.gov).

~~For HSP, t~~The costs of internet-related fees and taxes, equipment rental fees can only be provided when there is documented evidence in a client service/housing stability plan that such payment of the expense is needed for the purpose of

obtaining/retaining permanent housing as a means of accessing needed services, attending required appointments or needed as part of job search.

~~11)~~12) **Home repairs** can be covered when necessary to make the applicant's housing habitable and if less costly than moving to other housing. Documentation in client's file must show that such costs are less costly than moving the client to other housing (or that client is restricted from moving to another housing option) and must be made on a client-owned property. The use of funds for home repairs, must still not exceed the total amount of assistance to the client of $8,000 for a 120-day period. Home repairs must be minimal to meet habitability standards and not as a means of major repair or rehabilitation. Documentation must include a Habitability Standards Inspection identifying the deficiencies and costs must be documented and reasonable to assist a unit meet the requirements of health and safety identified in ~~the~~ a Habitability Standards Inspection (a Habitability Standards Inspection form can be found on the OHCS website and is not the same as an HQS or NSPIRE inspection).

~~12)~~13) **Pet Deposit** means a security deposit required by a landlord in order to house a~~n individual or~~ family. Clients must meet the definition of literally homeless. This may be referred to by a landlord ~~a~~s a one-time pet fee at move in or a non-refundable pet deposit. This does not include a pet deposit for clients during an existing rental/lease agreement and such expense is unallowable. Pet deposits are limited to one pet. Pet deposits for multiple pets is unallowable. Pet deposit does not include repayment of any damages caused by a pet~~. Other sources of non-OHCS funding must be deferred to first and pet deposit assistance is only eligible when other sources of non-OHCS funds cannot be obtained and providing a pet deposit is necessary, and documented in the participant file, to ensure stability in housing.~~

~~13)~~14) **Pet Rent** means a monthly rent charged for a single pet and required by the landlord through a rental/lease agreement, which must be included in the client file for purposes of documentation. Pet rents for multiple pets is unallowable.

~~14)~~15) **Moving costs** within the state of Oregon can be provided to secure the rental of a moving van/truck~~ and could include a transportation payment in alignment with transportation guidelines~~. In cases where need is demonstrated, moving costs can cover the professional expenses of a contracted moving company. Moving costs do not include cash or gift cards/cash equivalents.~~, except as provided in the transportation guidelines.~~ In circumstances in which a client meets the definition of fleeing domestic violence and there are safety concerns with remaining in Oregon, moving costs can be used to assist the client to safely move to another state; however, the client file must have written documentation that a safe place is available in the destination state and such allowability must be in alignment with the client's service/housing plan. This allowability does not extend to paying an out-of-state landlord for rent, security deposit, application fees, etc., and only encompasses moving costs. Moving costs do not include cleaning of the unit which the client is leaving, disposing of trash/furnishings or other costs associated with moving out of the unit.

~~15)~~16) **Storage Fees:** Storage fees can be allowed for clients who meet the housing status of Category 1, Category 3 or Category 4 (literally homeless statuses). Storage fees are not allowable for clients who meet the housing status of Category 2 or Category 5 (unstably housed statuses). These costs are allowed if using funds for storage fees of personal items, such use of funds must be not more than three months of storage rent and provided as a means of securing a hous~~m~~eless person's belonging while obtaining permanent housing for the purpose of rapid re-housing only. Costs can include arrears, current or future costs or any combination of those costs for the maximum total assistance of 3 months. Such households must be actively in the process of obtaining permanent housing and are awaiting placement in their home.

~~16)~~17) **Food** costs as a one-time benefit, emergency basis, when other resources are not available for this service and at a maximum amount of the standard for SNAP benefit (https://www.fns.usda.gov/snap/recipient/eligibility) for one month, based on household size, inclusive of any grocery delivery fees (for those clients that are home-bound). Clients receiving this service must be connected to SNAP benefits and if needed, assistance must be given to help a client apply for SNAP benefits. Client file must document steps taken to ascertain that other food resources were not available to mee the emergent need. Gift cards/cash equivalents can only be used when a gift card policy has been pre-approved by OHCS and the limitation for food costs are identified in such policy and cannot exceed the limitation stated above.

Allowable Costs for Housing include:

(1) rent and rent arrears (inclusive of first, last, pet rent, and if accepted by landlord as an incentive, forward rent);
(2) mortgage (mortgage arrears up to ~~three~~ six months);
~~(3) costs for shelter room and board;~~
~~(4)~~(3)property taxes, ~~for~~ up to one year, if necessary to avoid foreclosure (evidence of foreclosure notification must be kept in the client's file);
~~(5)~~(4)late fees;
~~(6)~~(5)move-in fees;
~~(7)~~(6)security deposit (inclusive of pet deposit as identified in requirements above);
~~(8)~~(7)application fee;
(8) utility payments/deposits/arrearages (inclusive of water, sewer, garbage, ~~phone, internet,~~ gas and electricity);
(9) phone and internet (as identified in requirements above)
(10) moving costs (van/truck rental);
(11) storage fees;
(12) food;
(13) hotel/motel voucher until rental unit available; and
(14) costs of home repairs necessary to make the applicant's housing habitable and if less costly than moving to other housing.

Unallowable Housing Assistance

(1) Cash;
(2) Cash-equivalent funds provided to applicants/participants, except through an OHCS-approved gift card policy; ~~and~~

(3) ~~Participant~~ Consumer debt payment;~~.~~
(4) Hotel/motel expenses (except as identified above while awaiting placement in permanent housing with a unit lined up for the client's placement)
(5) Civil or criminal legal services;
(6) Parking/carport/garage rent/fees;
(7) Childcare/eldercare services/nursing care/cleaning services;
(8) Renter's insurance, even if required by landlord;
(9) Stipends or direct payment to client for any purpose;
(10) Phone purchases for clients;
(11) Property damages to a unit, except as otherwise provided in Previous Landlord Rental Related expenses
(12) Landlord damage/loss mitigation programming; and
~~(3)~~(13) HOA fees.

~~(C) *Auxiliary Services*~~

~~**Requirements to Auxiliary Services (adhere to General Requirements as identified)**~~
~~1) Eligible households not receiving TANF are eligible to receive Auxiliary Services.~~
~~2) Eligible households who are TANF clients and determined to be ineligible for JOBS Support Service payments by ODHS are eligible to receive Auxiliary Services.~~
~~3) Eligible households who are TANF client and **are eligible** to receive JOBS Support Service payments by ODHS CANNOT receive Auxiliary Services.~~
~~4) Auxiliary Services can be provided in order for the client to obtain or maintain affordable, stable, long-term housing.~~
~~5) All Auxiliary Services (employment-related, transportation-related or self-sufficiency-related) must be provided **only** to those clients receiving more than one-time only assistance and with a client service/housing stability plan that supports such payments.~~

~~**Unallowable Auxiliary Services**~~
~~1) Food;~~
~~2) Cash or cash-equivalent funds provided to applicants/participants (with the exception of gift/gas card for transportation expenses (see Transportation Section); and~~
1) ~~Participant debt payment~~Phone purchases for clients;
2) Landlord damage/loss mitigation programming; and
3) HOA fees.~~.~~

~~**Allowable Costs for Auxiliary Services include:**~~
~~**1) EMPLOYMENT RELATED**~~

~~**Requirements to Employment Related Auxiliary Services**~~
~~1) Employment related expenses can be items such as clothing-related expenses like rain gear or work boots, supplies such as a tool belt or childcare while the adult is looking for work or is at work. The needs addressed must be non-recurrent and short-term. For an example of childcare, a client's regular babysitter cancelled~~

for a week because she was sick or was going on vacation and the family found a different provider, but they charged twice as much and the family can't afford it. HSP could pay for that day care so that they can continue to work as it is a non-recurrent, short-term need. Established and ongoing childcare costs are not an eligible expense.

Employment related costs include:

1) job readiness classes;
2) fees for identification/birth certificate/transcripts;
3) clothing-related expenses required as a part of job-readiness;
4) supplies (i.e. tool belt, work boots, rain gear, etc.), and
5) childcare for the purposes of job search or attending other employment-related meetings, interview or education (such as job readiness classes)

2) Transportation

Requirements to Transportation Related Auxiliary Services

a) Transportation: costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repairs/insurance are allowable. Payments that allow participants to use public transportation are the highest priority and must be considered first for the purpose of attending required appointments, job search or other critical services. Case managers have the discretion to provide repairs/gas/insurance for a client's personal vehicle. Case managers must document why a client's personal vehicle option is preferred over public transportation options and that the expense will lead to the stabilization of housing. Costs associated with a vehicle not owned by the client are not allowed. Client must have a valid driver's license.

OHCS funds cannot be used to build assets, such as the purchase of a vehicle or loan payments and cannot be used for debt payments, such as traffic violations/fines in order to obtain a license. Private transportation options can include minor vehicle repair, car insurance, and the least costly option for vehicle registration, with written subgrantee policy on use of funds for these services and such policy must be available to OHCS upon request. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. For example, repair to a vehicle might be preferable to a bus pass if the community does not have public transportation or if the client works at night when public transportation is not operational.

Transportation does not include insurance to pay for roadside assistance (such as a membership to AAA) or traffic violations or any collection costs associated with these fines. Insurance includes only general liability insurance as required by the State of Oregon; however, comprehensive/collision coverage, can be allowed, but only when there is documented evidence that such coverage is a requirement of a vehicle loan. Insurance is paid before the period of service

and vehicle owners have 10 days in which to make payment; therefore, insurance arrears is not a factual cost and is unallowable.

A Private Vehicle Costs policy must include:

I. Dollar limitation per participant and frequency of such limitation (e.g., once per biennium);

II. Number of months limitation per participant for insurance costs;

III. Identification on what factors are used to determine whether such costs are preferable to public transportation; and

IV. Identification of how justification of expense and documentation of that justification is performed. Participant files must include such documentation.

1) If gift cards are used for transportation costs, they must be used ONLY as a gas payment and the expense must have a receipt in the file. **If there is no receipt of purchase using the gift card, the cost will be disallowed**.

2) Subgrantees must have a gift card policy prior approved by OHCS to use gift cards for this purpose. Subrecipients **must** follow the subgrantee's policy for the use of gift cards.

Transportation Costs include:

1) bus passes;
2) other public transportation costs;
3) fuel;
4) car repairs;
5) auto insurance within limitations; and
6) licensing/registration fees.

3) Self-Sufficiency

Requirements to Self-Sufficiency Related Auxiliary Services

1) Household items, such as dishes, pots, pans, and silverware; basic furniture, such as beds, bedding, desks, table, chairs are all allowable expenses, **IF** donation items are not available and the household needs these items to become stabilized. You must document the reason why such donation items are not available, and these items cannot be purchased using a gift card. Examples for when to use HSP funds for household items include situations of a client having fled domestic violence and has no means of obtaining these necessary items or if a household has just brought a baby home and does not have the basic necessities to care for it. The need for such items would have to address a non-recurrent, short-term, specific episode of need and be documented in the client service/housing stability plan.

2) HSP can also pay for education-related expenses, such as books and even tuition or fees to attend a certification class, such as for a massage technician or tattoo artist, however, subgrantee must determine if this is the best use of HSP dollars in the limited 120-day time frame available for HSP and the cost must address a non-recurrent, short-term, specific episode of need. Households still must meet

~~housing status and income requirements, but this could be a way for the client to obtain a 6- or 8-week certification course and assist a client in becoming gainfully employed. Education can also apply to tenant readiness education or budget counseling classes.~~

~~**Self-Sufficiency Costs include:**~~

~~1) certification/tuition to obtain gainful employment;~~

~~2) energy education;~~

~~3) budgeting education (includes SOAR);~~

~~4) tenant readiness education (such as RentWell);~~

~~5) health and safety education (such as nutrition classes); and~~

~~6) basic home furnishings, when documented as unavailable through other sources and documented in the client service/housing stability plan.~~

(D) *Case Management/Program Delivery*

Case Management/Program Delivery are costs determined necessary to enable a household to obtain/retain their housing and achieve housing stability as identified and documented in their client service/housing stability plan (when receiving more than one-time assistance). Case management is one of the primary services offered to ~~individuals and~~ families who face multiple challenges, including severe mental illness, addiction, and homelessness. Effective case management includes **assessment, planning, implementation, coordination and evaluation**. Best practices in case management skills are available on the OHCS Homeless Services Section dashboard. ~~See also the Client Service/Housing Stability Plan section in this manual for more information.~~

Case Management is a Program Delivery expense in OPUS.

Requirements to Case Management/Program Delivery

(1) Case management costs are allowable for all recipients of HSP ~~(whether TANF recipient or not).~~

(2) **Case management DOES NOT include time spent for eligibility determinations.** Per TANF rules and regulations time expended on eligibility determinations cannot be included in case management expenses but must be attributed to administration costs.

(3) Case management cannot exceed more than 20% of a subgrantee's total fiscal year allocation.

(4) Costs that can be directly attributed to program delivery can be paid with program funds, such as a direct staffing costs attributable to the delivery of the program (case worker, housing navigators, mediation, tenant readiness education, etc.). Indirect costs, by their nature (such as a subgrantee's utilities or maintenance of a copier used for many programs) are not a direct cost and may not be directly attributed to the delivery of program services. Indirect costs charged to program delivery must be in accordance with an organization's written cost allocation plan or Negotiated Indirect Cost Rate Agreement (NICRA) and must be consistently applied to all programs, whether OHCS-funded or not. See OMB 2 CFR 200 Subpart E for more

information~~Case management is time spent to support clients in obtaining and maintaining permanent housing and achieving housing stabilization as well as helping them to make connection with other services that support housing stabilization and~~

~~(4)~~(5)Case management can occur before and/or after client assistance payments begin.

~~(5)~~(6)Case management is not required for one-time only assistance; however, subgrantees are encouraged to include case management planning in their ODHS Collaboration Plans

~~(6)~~(7)If providing case management, the client must have a client service/housing stability plan and case management must be used to assist clients in meeting their goals identified in such plan.

Allowable Costs for Case Management include:

(1) Providing diversion benefits and services;

(2) Providing program information to clients;

(3) Screening and assessing a household's needs (**excludes eligibility determination, which is a part of admin**);

(4) Development of a Housing Stability Plan, which may include employability plans, work activities, post-employment services and work supports;

(5) Salaries and benefits costs for staff providing program services;

(6) Building relationships with landlords, property managers, shelters, transitional housing providers and other housing service providers;

(7) Monitoring and evaluating household progress, identifying creative and immediate housing solutions outside of the traditional homeless service system (diversion), and ensuring that households' rights are protected;

(8) Services that increase access to the income supports of disability benefits programs administered by the Social Security Administration for eligible adults and have a serious mental illness, medical impairment, and/or a co-occurring substance use disorder (i.e., SOAR or similar style services);

(9) Identifying available housing units and providing housing navigation to assist a household navigate the housing market, which can include referrals to available housing or housing search assistance, assistance with completing applications for available housing or for other state or federal on-going rent assistance program, such as Housing Choice Voucher Program (Section 8);

(10) Tenant counseling, assisting households to understand leases, inspections, securing utilities, making moving arrangements, and representative payee services concerning rent and utilities;

(11) Mediation and outreach to property owners/landlords related to assist a client in managing their housing stability;

(12) Connecting clients to resources available in the community, such as state or federal benefits that provide income to the household, employment assistance; health and mental health or behavioral health referrals or substance abuse referrals, domestic violence intervention, legal referrals or tenant education referral; and

(13) Costs associated with data entry into HMIS.

~~(E) *Data System Expenses*~~

~~**HSP** funding can be used to support data system related costs necessary to collect and report participant services, participant demographic data, performance outcomes and other reporting requirements. Eligible data system expenses include:~~

~~(1) HMIS user licenses;~~

~~(2) Equipment upgrade for the purpose of HMIS needs;~~

~~(3) Network systems upgrade (it is recommended that systems be networked) for the purpose of HMIS needs; and~~

~~(4) HMIS training and technical assistance support for partner organizations to maximize effective use of HMIS system for data entry, reporting and program management. Such as:~~

~~a) staffing to conduct trainings related to HMIS;~~

~~b) develop and manage program specific workflows and on-boarding training related to HMIS;~~

~~c) develop and manage data quality plans related to HMIS; and~~

~~d) provide end user support, ad hoc reporting support and troubleshooting related to HMIS.~~

~~(F)~~(E) *Gift Cards*

Use of gift cards/cash equivalents must be rare; however, gift cards/cash equivalents can be allowable when given to eligible HSP clients **only for food ~~and transportation~~ costs** as identified in this manual, within the limitations specified, and must be in support of the client's written housing goals and only allowable when adequate documentation exists to support the purpose and the expense. "Rare" means very unusual or not occurring often. It is not rare if, for example, 10% of your clients receive gift cards/cash equivalents, which would denote that gift cards/cash equivalents are used as a method of service delivery, which is unallowable when other methods are available. There are multiple alternatives to using gift cards/cash equivalents which are highly recommended:

- Partner with bus or transportation services that bill for their eligible clients.
- Partner with stores for a voucher system. A voucher is a document which is worth a maximum dollar value, and which may be used only for specific items at a specific vendor. Vouchers are very similar to purchase orders. In advance, the organization establishes agreements with a vendor under which the vendor agrees to accept a "voucher" at the point of sale and then invoices the organization for the actual purchase. The voucher is created in multiple parts with one copy being sent to the vendor, one copy given to the individual making the purchase and at least one copy retained by the organization. The voucher must be uniquely numbered and must clearly detail the allowed item(s) and the maximum cost the purchaser is allowed to spend on the item(s). The vendor invoices for the actual amount of the purchase up to the maximum established cost listed on the voucher.

- Partner with clothing stores that will bill for clothing selected by eligible clients and the clothing can be picked up once the bill is paid (for example, Salem-Keizer Schools currently has this arrangement with Kohl's).
- Online purchases. Subgrantees can use a credit card to purchase the item through an online vendor and have the item shipped. Some online vendors (such as Walmart.com) also offer a same day pick up option for items currently available in local stores. Same day pick up allows an organization to make the purchase online and specify the name of an individual(s) authorized to pick the item up at their local store.
- Employee purchase. An employee goes to a store and purchases the needed items with either a company credit card or receives reimbursement by submitting detailed receipts for allowable costs.

~~Subgrantees must have an OHCS-approved Gift Card Policy with established policies and procedure in place to address the process **prior** to any use of funds for this purpose.~~

Gift Card Requirements:

1) Subgrantee must have prior approval of a stand-alone gift card policy by OHCS **before incurring costs for gift cards/cash equivalents**. Prior approval must occur through the funding application only. Email, text or phone calls cannot be a method used for the approval of a Gift Card Policy/Procedure. Approval of a Gift Card Policy in one biennium, does not mean approval is provided in a prior or subsequent biennium. The date in which a Gift Card Policy/Procedure is approved, is the date in which costs may be incurred for such purpose and does not allow for purchases of gift cards/cash equivalents prior to the approval date, retroactively and will be disallowed. Approval runs through the end of the biennium in which the policy/procedure was approved. The gift card policy/procedure must be prior-approved each biennium during the OHCS funding application. 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.
2) Subrecipients of a subgrantee **must** follow the provision of the subgrantee's approved gift card policy/procedure and all OHCS requirements for the use of gift cards/cash equivalents; however, subrecipients can create their own procedures for how they will implement the subgrantee's OHCS-approved policy/procedure (such as the position title of an approver, etc.). Subrecipients cannot have their own policy that does not comply with OHCS requirements and if funds are awarded under a policy not meeting OHCS requirements, costs will be disallowed.
3) Costs will be disallowed without a prior OHCS-approved Gift Card Policy/Procedure.

~~1)~~4) Subgrantees must document in their Gift Card Policy the justification as to why they must use gifts cards/cash equivalents rather than providing assistance through conventional means, such as partnerships with service providers, checks for goods/services to providers, or voucher options.

~~2)~~5) Gift cards/cash equivalents cannot be used in HSP for anything except for the ~~specific~~ food costs identified in this manual and in support of a client's written housing goals

6) Subgrantee must maintain complete record of gift card/cash equivalent purchases and issuance and gift cards/cash equivalents must be kept in a secure location.

7) Issuance of a gift card/cash equivalent must be in the context of an action plan or goal designed to increase housing stability and such plan/goal clearly documents, in writing, how the purpose of the gift card/cash equivalent is helping the client obtain or maintain housing stability.

~~1)~~8) Documentation will be reviewed during monitoring and costs will be disallowed without sufficient documentation.

~~2)~~9) The cost must be allocable, within program guidelines and must adhere to internal controls (OMB 200.403, 200.303) and must clearly meet the intent of ORS 458.650(1), showing a connection to housing stabilization.

~~3)~~10) Gift cards/cash equivalents for the purchase of food must follow OHCS guidance for limitation.

~~4)~~11) Subgrantee procurement policies must be followed when purchasing gift cards/cash equivalents.

~~5)~~12) Gift cards/cash equivalents must be purchased and issued to clients within the same grant period. For any gift cards/cash equivalents that are not issued within the same grant period in which they were purchased, subgrantees must submit a negative request for funds for the grant period in which the gift cards/cash equivalents were purchased totaling the amount of the unissued gift cards/cash equivalents and other non-OHCS funds must be used for the cost of the gift cards/cash equivalents. Such negative request for funds must be submitted within 60 days after the end of the performance period (Aug 30).

~~6) Subgrantee must have prior approval of a stand-alone gift card policy by OHCS before incurring costs for gift cards. The gift card policy must be prior-approved each biennium with the subgrantee's Implementation Report. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.~~

~~7) Subrecipients of a subgrantee must follow the provision of the subgrantee's approved gift card policy and all OHCS requirements for the use of gift cards.~~

~~8) Costs will be disallowed without a prior OHCS approved Gift Card Policy.~~

~~9)~~13) Subgrantee must identify the dollar limitation for gift cards/cash equivalents per client, in alignment with allowable food costs~~and the frequency limitation for a client's receipt of gift cards and such limitations must be reasonable as determined by OHCS~~.

~~10) Subgrantee must maintain complete record of gift card purchases and issuance and gift cards must be kept in a secure location.~~

~~11)~~14) Client must receive documentation that identifies the purpose and intent of the gift card/cash equivalent and must acknowledge, by written, legible, wet signature, the same, and such documentation must be kept in the client's file. Gift

cards/cash equivalents require an in-person exchange and **must not** ever be mailed to a client.

~~12) **Subgrantee is required to provide proof of an eligible expense. Receipts of transportation-related items purchased with a gift card must be kept in the client file. As these are federal funds they carry more stringent requirements for proving eligible expenses and if there is no receipt of purchase using the gift card, the cost will be disallowed.**~~

15) Issuance of a gift card/cash equivalent must be in the context of an action plan or goal designed to increase housing stability and such plan/goal clearly documents, in writing, how the purpose of the gift card/cash equivalent is helping the client obtain or maintain housing stability.

~~13)~~16) Even if a Gift Card Policy/Procedure is approved by OHCS for general uses (such as is allowable in other OHCS programs, for the purpose of HSP, gift cards must only be used for food costs.

Gift Card Policy must include the following:

1) Justification as to why they must use gifts cards/cash equivalents rather than providing assistance through conventional means, such as partnerships with service providers, checks for goods/services to providers, or voucher options (i.e., why are other options of providing assistance not available?);
2) ~~If~~ When gift cards/cash equivalents ~~will be~~are used for food purchases, policy/procedure must clearly identify the limitations as stated in this manual;
3) Identifies internal controls on how gift cards/cash equivalents are purchased and issued to clients within the same grant period;
4) Identifies internal controls on how gift cards/cash equivalents are securely maintained, who has access to gift cards/cash equivalents, and how the issuance of gift cards/cash equivalents is tracked;
5) Identifies, per client, dollar limitation for gift cards/cash equivalent and frequency limitation for how often a client can receive a gift card/cash equivalent, in alignemtn with allowable food costs. Additionally, policy must identify internal controls on how these limitations are tracked to ensure compliance with the limitation;
6) Requirement that issuance of gift card/cash equivalent is in context to a client's action plan or goal designed to increase housing stability and that such plan is included in the client file; and
7) Written, legible, wet signature statement from client that identifies purpose and intent of gift card/cash equivalent and acknowledging and agreeing to the receipt of the gift card/cash equivalent under the intended purpose.

~~7)~~

7. Maintenance of Effort (MOE)

Subgrantees shall make Maintenance of Effort (MOE) contributions in compliance with 45 CFR 92.24, 92.3, 263.2 through 263.6 to supplement the program in an amount required by OHCS each fiscal year, unless otherwise directed by OHCS. Subgrantees will be notified of the

required MOE obligation for each subgrantee in the subgrantee's grant agreement/contract Funding Application (subgrantee's grant agreement/contract ~~IR~~ Funding Application Process)

Allowable MOE expenditures that are made on behalf of an eligible needy household, must comply with HSP allowable client expenditures within the 120-day HSP expenditure limitation as detailed in this manual.

MOE funds ~~can~~ must serve TANF families whose income is at or below 250% of the Federal Poverty Level (FPL), when the allowable MOE requirements are met. MOE requirements can be met through ODHS documentation of TANF status or ODHS Referral form for HSP services of a TANF client and include~~are~~:

(1) Eligible families with income up to 250% of FPL, must also have a
(2) Qualifying child, be a
(3) Citizen or have Qualified Non-Citizen Status ~~(see Section 2 for eligibility)~~; be a
(4) Resident of Oregon, and have a
(5) SSN ~~(see Section 2 for eligibility)~~; and
(6) Meets the TANF requirement for funding that MOE be provided for one of the following four purposes:
    a) assisting needy families, so that children can be cared for in their own homes (HSP MOE typically meets this purpose);
    b) reducing the dependency of needy parents by promoting job preparation, work and marriage;
    c) preventing out-of-wedlock pregnancies; and
    d) encouraging the formation and maintenance of two-parent families.

Countable TANF MOE funds are other state, county, local governments, and other such public or private funds. MOE can be:

(1) Cash, or
(2) Third party in-kind contributions, such as volunteer services, or professional services. In- kind services must be identified through a MOU with partner organizations. **OHCS must approve the methodology used for valuation prior to including the value on the quarterly report.**

MOE funds must not be otherwise counted towards a federal cost-sharing or matching requirement. Examples of cash and in-kind MOE funds can be found on the HSS dashboard.

Expenditures counted towards MOE cannot exceed the limitation of assistance as identified for HSP.

The following does NOT count as MOE:

- Any funds that originated with the Federal government;
- State funds expended under the Medicaid program;
- State funds from a prior fiscal year; and
- Any funds used as MOE for a previous HSP grant.

If subgrantee/subrecipient wish to use other state funds, they **must** make sure that they do not originate from TANF funding. If using an ODHS source for MOE, you **must document** your due

diligence that such funds are not otherwise counted for the purposes of MOE and that the funding source does not originate from TANF federal funds, but are actually state dollars and not Medicaid state dollars. Be sure to connect with your ODHS office before trying to use their funding source as MOE.

In addition, when using state funds that pay for child support collection services, childcare services, alcohol or drug abuse treatment, or educational services, there are a few other guidelines that apply. These are not common sources, but more information is available. Be sure you know how and when you can count them for MOE. Use the Appendix in this manual for additional guidance.

8. Financial Management

(A) *Administration*

Subgrantees are allowed to use up to fifteen percent (15%) of their total allocation for administrative costs, including administrative costs for subrecipient organizations with whom the subgrantee contracts. There is an expectation that administrative funds will be shared with subrecipients (partners and culturally specific organizations) commensurate to the services provided through the program by subrecipients.

Allowable administrative costs, including indirect administration cost allocations, benefit the organization as a whole and cannot be attributed specifically to a particular program.

For HSP, eligibility determinations must also be included as part of administrative costs per TANF rules and regulations and **cannot be considered as part of case management costs**.

All amounts billed to administration must be supported by actual costs. Administration funds may be used after the end of the expenditure period until the final report is due (August 30 of each fiscal year) in order to close out the grant (2 CFR 200.403(h)). If incurred, these costs must be liquidated prior to the due date of the final report(s) (Aug. 30) and charged to the final budget period of the award. Closing out grants is defined as payroll costs incurred after the end of the expenditure period, such as:

1. costs associated with completing final reports;
2. submitting final requests for funds; and
3. closing the grant within the subgrantee's/subrecipient's organization.

This allowability only applies to administrative funds needed to close out the grant, such as payroll costs for fiscal staff. This DOES NOT apply to any program delivery or financial assistance category of funding, but applies only to administrative funds and subgrantee/subrecipients must be able to identify in any audit/monitoring that costs were incurred after the end of the expenditure period were for the sole purpose of closing out the grant. All program funds must be fully expended within the expenditure period of the grant.

There is no universal rule for classifying certain costs as either direct or indirect under every accounting system. A cost may be direct with respect to some specific service or function, but indirect with respect to the award. Therefore, it is essential that each item of cost incurred for the same purpose be treated consistently in like circumstances either as a direct or an indirect cost in order to avoid possible double-charging of awards and that this consistency is included in all grants received by the subgrantee, whether or not they originate from OHCS. Indirect costs must be in accordance with an organization's written cost allocation plan or Negotiated Indirect Cost Rate Agreement (NICRA) and must be consistently applied to all programs, whether OHCS-funded or not. Subgrantee/Subrecipients **must** have a written cost allocation plan or NICRA. Guidelines for determining direct and indirect costs charged to awards are provided in OMB 200.

Travel costs must be adequately documented and support business purposes (documentation is insufficient if verifying the reservation only and not the completed travel). Payment for travel expenses must be authorized in advance, in writing, unless the individual has previously been approved to travel by virtue of an approved description of job duties that include travel. Reimbursement of travel expenses does not count as wages or remuneration.

Record of travel expenditures must be kept, including purpose, mileage and payment. When reimbursing for meal, lodging and travel, subgrantees/subrecipients **must** use the U.S. General Services Administration per diem rates located at: https://www.gsa.gov/travel/plan-book/per-diem-rates and applied consistently to all volunteers and employees for actual and necessary expenses backed by receipts. In the case of volunteers, the cost of meals when there is no overnight stay and not associated with an official state business meeting is reportable as income. Any funds expended on the reimbursement of expenses for travel must be appropriately documented and cannot be provided through a cash or cash equivalent payment.

Per 45 CFR 263 the term "administrative costs" means costs necessary for the proper administration of the program.

(1) It excludes direct costs of providing program services.

   (a) For example, it excludes costs of providing diversion benefits and services, providing program information to clients, screening and assessments, development of employability plans, work activities, post-employment services, work supports, and case management. It also excludes costs for contracts devoted entirely to such activities (see Case Management section of this manual).

   (b) It excludes the salaries and benefits costs for staff providing program services and the direct administrative costs associated with providing the services, such as the costs for supplies, equipment, travel, postage, utilities, rental of office space and maintenance of office space.

(2) It includes costs for general administration and coordination of these programs, including contract costs and all indirect (or overhead) costs. Examples of administrative costs include:

(a) Salaries and benefits of staff performing administrative and coordination functions;

(b) Activities, staff costs related to eligibility determinations;

(c) Preparation of program plans, budgets, and schedules;

(d) Monitoring of programs and projects;

(e) Fraud and abuse units;

(f) Procurement activities;

(g) Public relations;

(h) Services related to accounting, litigation, audits, management of property, payroll, and personnel;

(i) Costs for the goods and services required for administration of the program such as the costs for supplies, equipment, travel, postage, utilities, and rental of office space and maintenance of office space, provided that such costs are not excluded as a direct administrative cost for providing program services under Case Management/Program Delivery in this manual;

(j) Travel costs incurred for official business and not excluded as a direct administrative cost for providing program services under Case Management in this manual;

(k) Management information systems not related to the tracking and monitoring of requirements (e.g., for a personnel and payroll system); and

(l) Preparing reports and other documents.

Unallowable costs include, but are not limited to:

(1) Late fees assessed due to a subgrantee/subrecipient failure to pay in a timely manner.

(2) Subgrantee/subrecipient facility mortgage payments

(3) Lobbying

~~(l)~~

~~(B) *Advance Requests for Funds*~~

~~Subgrantee can request and be paid in advance, provided it maintains or demonstrates the willingness to maintain both written procedures that minimize the time elapsing between the transfer of funds and disbursement, and financial management systems that meet the standards for fund control and accountability. See the subgrantee's grant agreement/contract for all identified requirements and allowability.~~

~~Advance payments to a subgrantee must be limited to the **minimum amounts 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 payments must be as close as is administratively feasible to the actual disbursements by the subgrantee for direct program or project costs and the proportionate share of any allowable indirect costs.

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, or comment can advise to "see attached". The comment and/or the attachment needs to provide enough detail to justify your request and demonstrate the impact to the subgrantee's operations and cash flow. Below are some acceptable methods that can be used to justify an advance request:

- Wait list total, or expected demand, plus additional funds to serve participants over a specified time period. Analysis must be provided on how any additional funds were calculated, expected number of households and amount per household.
- Amount needed to provide to one or more subrecipients, with an analysis of the calculated amount (projected volume or demand for subrecipient, number of households, etc.), while factoring in timelines for invoicing and processing
- Funds to meet subgrantee's upcoming payroll
- Participant intake completed in another system, or applications in process of approval

OHCS is mindful of subgrantee's operational needs and cash flow as they work to deliver critical programs. If there are additional questions or if a subgrantee would like to talk through the operational and cash flow needs they are experiencing, they can contact Carol Wagner, Carol.Wagner@hcs.oregon.gov or by phone at 971-273-9235.

(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. Training is provided by the Fiscal Grant Specialist at OHCS. A Zoom Replay of OPUS Fiscal Training can be found on the HSS Dashboard (https://app.smartsheet.com/b/publish?EQBCT=c6e839a87fea4020acddbc2902115019).

OHCS maintains an OPUS Manual and OPUS Help Desk. View the OPUS User Manual from the landing page, under the Help tab, after logging into OPUS. OPUS Help Desk can be reached at:

Email: opushelp@hcs.oregon.gov

Ph: (503) 986-2099

Toll Free: (800) 453-5511 Option 6

~~(D)~~(B) *Request for ~~Funding~~ 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 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 returned to the subgrantee with instructions to provide additional information. Subgrantee are required to **frequently and regularly** submit AGR/RFFs to appropriately expend their funds within their identified spending targets. An AGR/RFF can be denied/voided if documentation is insufficient, if unallowable costs are included or if submitted after the grant period has closed.~~

Timely submission of AGRs/RFFs are crucial for HSP. Submit AGRs/RFFs frequently (frequently is defined as every 60 days or sooner**). All HSP funds MUST be expended and all funds drawn from OPUS by the 20th day following the end of the fiscal year.**

The final FSR (Financial Status Report) must be submitted in OPUS within 60 days of the end of the fiscal year, per subgrantee's grant agreement/contract requirements or funds will be subject to recapture/deallocation by OHCS. See the HSS Program Standards Guidelines for more information.

~~(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.~~

~~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 can be required when there is a shift in the Collaboration Plan. All Implementation Report Amendments require OHCS approval by submitting an Implementation Report Amendment Request through the appropriate Smartsheet form. 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 days of such amendment for OHCS' approval. by submitting an Implementation Report Amendment Request form through the appropriate Smartsheet form~~

~~(F)~~(C) *Funds Spend Down*

~~Subgrantees are expected to fully obligate or expend grant funds during each funding cycle in accordance with OHCS policy and Subgrantees must meet spending targets identified in their Implementation Report spenddown plan (Standard or Time-Bound Expenditure Plan (TBEP), if applicable. OHCS will review subgrantee's grant spending in accordance with subgrantee's grant agreement/contract and OHCS policy.~~

~~Subgrantee must fully expend funds or have filed a final Agency Grant Status (AGS)/Financial Status Report (FSR) on a previous fiscal period prior to OHCS approving funds in a current fiscal period.~~

~~Any spending below the minimum standard spending target or the time bound expenditure plan is subject to rescission of grant funds. Any amount of funding greater than 10% of a funding source's total allocation or a combined total of $100,000 that is subject to rescission will trigger Subgrantee Board notification. See Standard Terms and Condition of subgrantee's grant agreement/contract for more information.~~

Any funds ~~left unexpended~~not drawn by 60 days following the end of the funding period, are subject to recapture/deallocation by OHCS. There are no exceptions allowed for HSP funds. See HSS Program Standards Guidance for more information.

~~(G) *Funds Rollover*~~

~~OHCS is required to provide $500,000 of MOE each fiscal year. OHCS does not allow a rollover of funds within the biennium as most agencies match their HSP with MOE at the same rate of expenditure. If subgrantees expend less than their full allocation of HSP funds, then chances are that they will not meet the MOE requirement, which puts OHCS in violation of ODHS requirements. For HSP, there is no rollover allowed between fiscal years (unless specifically determined by OHCS with written notification to subgrantees) or biennia. ODHS counts on MOE to meet their requirements to the U.S. Department of Health and Human Services. If ODHS is unable to include MOE from OHCS, they can be subject to a loss of TANF dollars, and this program could be at risk of losing funding.~~

~~All HSP funds **MUST** be expended, and all funds drawn from OPUS by the 20th day following the end of the fiscal year. The final AGR (Agency Grant Status)/FSR (Financial Status Report) must be submitted in OPUS within 60 days of the end of the fiscal year, per subgrantee's grant agreement/contract requirements.~~

~~HSP has extremely tight timelines for reporting and AGRs/RFFs **MUST** be submitted in a timely manner in order to request reimbursement of funds from ODHS. If subgrantees do not meet these timelines, subgrantee funds are subject to recapture by OHCS.~~

~~(H) *Internal Controls for Fraud*~~

~~As stated in the subgrantee's OHCS agreement/contract, subgrantees 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). Subgrantees must establish and maintain clear procedures for 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 must establish and maintain clear procedures for preventing, detecting and dealing with employee fraud. All incidents of~~

fraud must be reported to OHCS. Subgrantees are responsible for repayment of funds which were provided to applicants and participants that do not meet program eligibility.

(I) *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.

Fixed assets with a value greater than $5,000, includes computer equipment, electronic equipment, photography equipment, hand tools and other items and are subject to pre-approval by OHCS. Title to all equipment as defined in 2 CFR Part 200, purchased in whole or part with OHCS funds, shall rest with the subgrantee. Disposal of any item having an original cost of more than $5,000or those purchases which have a current per-unit, fair market value of $5,000 or more requires prior OHCS consent before disposal. 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 funds provided under this Agreement. 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.

1. When OHCS approval is required, subgrantee is expected to obtain multiple bids or pricing, and if required, provide sufficient information on cost allocation principles in accordance with 2 CFR 200. Subgrantee must provide sufficient information, in OHCS' determination, to justify reasonableness 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 purchasing must comply with subgrantee's policies and procedures and the subgrantee's grant agreement/contract.

9. Data, Submission and Reporting Requirements

(A) *Data Entry*

Subgrantee and subrecipient agencies are required to enter reliable, valid and accurate HSP related participant and service data into the Homeless Management Information System (HMIS) being operated in their geographic Continuum of Care (CoC). 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 their CoC's HMIS Data Quality Plan.

~~HUD-defined Victim Service Providers (VSPs) must enter information into a comparable database that meets HUD HMIS standards.~~

~~(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, depending on local CoC HMIS policies.~~

~~(C) *Data Entry Requirements for Program Components*~~

~~All HSP program components require both an HMIS entry/exit and HMIS Service Transaction to be entered into HMIS. Each allowable service must be represented with a Service Transaction. Same-day services will have the same Service Start and End Date. Service Transactions, including all payments, arrearages, deposits, fees, etc., must include a HMIS Fund Source and Amount.~~

~~(D) *Required Data Elements*~~

~~Universal, program specific, and OHCS-required Data Elements must be collected in HMIS and are specific to program and project type. Refer to the Data Collection Requirement by Program and Project Type document that can be found on the HSS dashboard for applicable data elements specific to HSP.~~

~~(E) *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 required client-level data into a comparable database that is comparable to and complies with all HUD HMIS requirements.~~

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

~~(F)~~(A) *Submissions/Reporting Requirements*

Program reporting (as identified below) is a program delivery expense.

It is critical that subgrantees ~~must~~ 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**.

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 requirements for the subgrantee to report timely and accurately.

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

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

See the HSS Program Standards Guidance for more information.

~~**System Query Data**~~

~~Subgrantees must directly submit or automate the export of disaggregated HMIS participant, program and service transaction data twenty (20) 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 as the HMIS annual report.~~

~~**Aggregated Quarterly Reports**~~

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

(B) *HSP Referral Tracking and Quarterly Provider Report*

Subgrantees are required to submit the HSP Referral Tracking and Quarterly Provider Report, in form and format required by OHCS including subrecipient information, by the 20th of the month following the end of each quarter (Oct 20, Jan 20, Apr 20 and Jul 20). **OHCS CANNOT allow extensions for HSP**, so it is imperative that reports are provided by this date. Even if extensions are provided on other OHCS programs, subgrantee must submit the HSP reports by the due dates. If OHCS is unable to meet ODHS requirements for reporting, ODHS will not be able to use the MOE reported within their reporting period to HHS and this can decrease TANF funds to the state and can reduce the funds awarded to this program.

If any modifications to the HSP Referral Tracking and Quarterly Provider Report are desired, they must be prior approved by OHCS before use and during the subgrantee's grant agreement/contract Funding Application process. Subgrantees MUST NOT add any restrictions, protections, or other permissions to the HSP Referral Tracking and Quarterly Provider Report. Any report submitted that has been altered in form or format and/or includes restriction, protections or permission will be returned to the subgrantee for correction and resubmission. The deadline for submitting the report is not extended for

reports submitted that do not meet OHCS requirements. ~~and s~~Submissions that occur after the deadline ~~and~~ are considered late by OHCS and out of compliance with program requirements. If the requirement for complete and accurate reports by the due date, in the form and format required by OHCS, are not met, the subgrantee is out of compliance with program requirements and may result in a monitoring finding or other remedies as afforded in the OHCS Grant Agreement/Contract.

If an error on a previous quarter's reporting is discovered by the subgrantee, the subgrantee **cannot** go back and make changes to a previously submitted report; but must make corrections in the next quarter's report. For example, if MOE is reported as $900 in Quarter 1 and it was determined that only $800 was provided, subgrantee must reflect in Quarter 2 the deduction of $100 – subgrantee cannot modify Quarter 1's MOE to reflect $800. This information will have already been reported to ODHS, so corrections must be made in the quarter in which the error was discovered.

Blank templates for the HSP Referral Tracking and Quarterly Provider Report can be found on the HSS Dashboard at: https://app.smartsheet.com/b/publish?EQBCT=8a215621578a4f76ae98113d719d5e64

~~**Program Delivery Annual Report**~~

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

(C) *Fiscal Reporting*

~~Per the Funds Rollover Section of this manual, all~~**All HSP funds MUST be expended, and all funds drawn from OPUS by the 20th day following the end of the fiscal year**.

The final Agency Grant Status (AGS)/FSR (Financial Status Report) must be submitted in OPUS within 60 days of the end of the fiscal year.

~~At the discretion of OHCS, other reports can be required when deemed necessary by OHCS.~~

~~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.~~

~~Failure to provide required data or reports may result in a non-monetary finding in the Monitoring Report.~~

10. Records Requirements

(A) *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.

(B) *Records Retention*

Subgrantees, subrecipient organizations and subrecipient organization's subrecipients shall retain all program records pertinent to applicant/participant services and expenditures incurred under HSP 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);

and State Agency General Records Retention Schedules, found 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. Destruction of records must occur timely and in compliance with applicable law and retention schedules. Retention begins from the later of the date that the final payment is made or from the termination of HSP funding, or until the conclusion of any audit, controversy or litigation arising out of, or relating to, HSP.

~~11.~~10. Appendix 1: Applicable Rules and Regulations

All the following as can be amended from time to time:

1. TANF Rules and Regulations: See https://www.acf.hhs.gov/ofa/programs/tanf/laws-regulations.
2. Food Stamp Act: 7 USC §2020(e)(8), 7 CFR § 272.1(c); ORS 411.320 and 411.990; OAR 461-105-0010 through OAR 461-105-0140.
3. Temporary Assistance to Needy Families (TANF): 42 USC § 602(a)(1)(A)(iv); ORS 418.130 and 418.990; OAR 461-105-0010 through 461-105-0140.
4. Health Insurance Portability and Accountability Act of 1996, as amended: Public Law 104–191—Aug. 21, 1996
5. Medicaid: Medicaid Services under the Medicaid Act, Title XIX, 42 USC § 1396 et. seq; including § 1396a(a)(27); 42 CFR § 431.107(b)(1) & (2); 42 CFR Part 1002.3(a); 42 CFR Part 455 Subpart (B); 42 USC § 1396(a)(57) and (w); 42 CFR Part 431.107(b)(4); 42 CFR Part 489 Subpart I; Section 6032 of the Deficit Reduction Act of 2005, 42 USC § 1396a(a)(68).; ORS 411.320 and 411.990; OAR 461-105-0010 through 461-105-0140.
6. Income Eligibility Verification System (IEVS): 5.3.1.4.1 42 USC § 1320b-7, 20 CFR § 603; ORS 411.320, 411.990, ORS 418.130, 418.990; OAR 461-105-0010 through 461-105-0140.
7. Social Security Numbers: 5 USC § 552a, 42 USC §405 and § 408, and individual programmatic confidentiality provisions; ORS 411.320, 411.990, ORS 418.130, 418.990; OAR 461-105-0010 through 461-105-0140.
8. Tax Information: 26 USC § 6103, 26 USC § 7213(a) (2); ORS 314.835, ORS 314.840 and ORS 314.991.
9. Unemployment Insurance Information: ORS 657.670; ORS 411.320, 411.990, ORS 418.130, 418.990; OAR 461-105-0010 through 461-105-0140.
10. Alcohol and Drug Information: 42 USC § 290dd-2; 42 CFR § 2.1; ORS 411.320, 411.990, ORS 418.130, 418.990; OAR 461-105-0010 through 461-105-0140.
11. Mental Health Information: 42 USC § 6041, 42 USC § 10841(1) (H); ORS 179.505 and ORS 192.515 through ORS 192.525.
12. Child Abuse Information: ORS 419B.035.
13. Support Enforcement Information: 42 USC § 654(26), ORS 25.260 and 25.990; OAR 461-200-1140.
14. Criminal Background Check Information: ORS 181.536, 181.537 and ORS 181.540; OAR 461-165-0400.; OAR 407-007-0000 through 407-007-0640.
15. School Records: ORS 192.496(4) and ORS 326.565; OAR 581-021-0330 and OAR 581-021-0350.
16. Disclosure: 42 CFR Part 455.104 and 455.434.
17. Public Records In General: ORS 192.496 through 192.530.

18. Misuse of Confidential Information: ORS 162.425.
19. Refugee Program: 45 CFR 400.27, OAR 461-105-0010 through 461-105-0140.
20. Faith-Based Organizations: 45 CFR Part 87; Federal Register, July 16, 2004, Vol. 69, #136.
21. Federal Intellectual Property Rights Notice: 37 CFR Part 401
22. Federal Whistleblower Protection: 41 USC 4712, Pilot Program for Enhancement of Employee Whistleblower Protection; Attachment 4, "Information Required by 2 CFR Subtitle B and 2 CFR 200.331(a)(1)".
23. ORS 456.515 through 456.725: *Housing and Community Services Department*
24. ORS 458.505 through 458.545: *Community Services Program*
25. OAR 166-300: *State Agency General Records Retention Schedules*
26. OAR 813-051: *Housing Stabilization Program*
27. Inter-Agency Agreement between ODHS and OHCS
28. **This manual** as guidelines for HSP, and all other references made within this manual.
29. HMIS Data Standards Manual: https://www.hudexchange.info/resource/3824/hmis-data-dictionary/
30. **CFRs** cited are amended from time to time and can be found at: http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=%2Findex.tpl
31. **ORS** cited are amended from time to time and can be found at: https://www.oregonlegislature.gov/bills_laws/Pages/ORS.aspx
32. **OARs** cited are amended from time to time and can be found at: https://secure.sos.state.or.us/oard/ruleSearch.action
33. **OMBs** cited are amended from time to time and can be found at: https://www.whitehouse.gov/omb/information-for-agencies/circulars
34. The ODHS Oregon Programs Eligibility Notebook can be found at: https://www.oregon.gov/dhs/ssp/fsm/pages/index.aspx **Limited English Proficiency** federal interagency website can be found at: http://www.lep.gov/ and FAQs can be found at: https://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/promotingfh/lep-faq.

~~12.~~11. Appendix 2: Acronyms

Acronyms commonly used in this program are:

AGR	Agency Grant Request
AGS	Agency Grant Status
CFR	Code of Federal Regulations
FPL	Federal Poverty Level
FSR	Financial Status Report
HHS	U.S. Department of Health and Human Services
HMIS	Homeless Management Information System
HSP	Housing Stabilization Program
HUD	U.S. Department of Housing and Urban Development
MOE	Maintenance of Effort
OAR	Oregon Administrative Rule
ODHS	Oregon Department of Human Services
OHCS	Oregon Housing and Community Services
ORS	Oregon Revised Statute
OSP	Oregon State Police
RFF	Request for Funds
SNAP	Supplemental Nutrition Assistance Program (formerly food stamps)
SSI	Social Security Income
SSN	Social Security Number
TANF	Temporary Assistance for Needy Families

~~13.~~12. Appendix 3: Definitions

Barriers to Employment include lack of childcare, education, transportation, or work experience, lack of a high school degree or GED (General Educational Development) Certificate, illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, or a history of unstable employment.

Caretaker Relative:

The Dependent Child must live with a Caretaker Relative:

Any blood relative of the dependent child's, stepfather, stepmother, stepbrother, stepsister or **an individual who has legally adopted the dependent child.**

U.S. Citizen

A U.S. citizen includes the following people:

(a) A person born in the U.S.;

(b) A naturalized citizen;

(c) A person born outside of the U.S., but whose parents (both mother and father) are U.S. citizens;

(d) A person born outside of the U.S., who is over 18 years of age, but who has at least one parent who is a U.S. citizen. The person must either have a certificate of U.S. citizenship or meet one of the following criteria:

(i) Born on or after December 24, 1952, and prior to November 14, 1986, and their citizen parent was physically present in the U.S. or its outlying possessions for 10 years or more, at least five of which were after age 14;

(ii) Born on or after November 14, 1986, and their citizen parent was physically present in the U.S. or its outlying possessions five years or more, at least two of which were after age 14.

(e) A child born outside of the U.S., who is under 18 years of age and has at least one parent who is a U.S. citizen. The child is residing in the U.S. in the legal and physical custody of the citizen parent pursuant to a lawful admission for permanent residence;

(f) A person lawfully adopted by U.S. citizens; or

(g) A citizen of Puerto Rico, Guam, the Virgin Islands, the Northern Mariana Islands (Saipan, Tinian, Rota and Pagan), American Samoa and the Swains Islands.

(1) Qualified Non-Citizen

Qualified non-citizens are individuals who are admitted to the United States with a lawful immigrant status. The person who is granted that status either enters the United States as a lawful permanent resident or will be eligible to become a lawful permanent resident in the future. A lawful permanent resident is eligible to be naturalized as a U.S. citizen usually after five years of lawful permanent residency in the U.S.

A qualified non-citizen includes the following people:

(a) A person who is lawfully admitted for permanent residence under the Immigration and Nationality Act (INA);

(b) A person who is admitted to the United States as a refugee under section 207 of the INA;

(c) A person admitted to the United States under the Trafficking Victims Protection Act of 2000;
(d) A person who is granted political asylum under section 208 of the INA;
(e) A person whose deportation is being withheld under section 243(h) of the INA;
(f) A person who is paroled into the United States under section 212(d)(5) of the INA;
(g) A person who is granted conditional entry pursuant to section 203(a)(7) of the INA as in effect prior to April 1, 1980;
(h) Battered immigrant spouse, battered immigrant child, immigrant parent of a battered child or an immigrant child of a battered parent, with a petition under 204(a)(1)(A) or (B) or 244(a)(3) of the INA;
(i) Cuban/Haitian persons who are either public interest or humanitarian parolees; or
(j) A person granted immigration status according to the Amerasian Homecoming Act, section 584(a) of the INA.

(2) Additional Qualified Non-Citizens

The following people also meet qualified non-citizen status requirements for HSP:
(a) American Indians born in Canada; or
(b) Non-citizens (regardless of INS status) who are currently victims of domestic violence or are at risk of victimization by domestic violence.

(3) Non-Qualified, Non-Citizen

Non-qualified non-citizens are:
Individuals who are admitted lawfully into the United States but do not have immigrant status (i.e., they are residents for a specific period, but cannot stay in the country for longer than their travel visa allows them). Foreign students, tourists, diplomats, performers, artists, entertainers, certain private company employers, etc., are included in this category.

If there any further questions on non-citizens, find the information at the following link of the ODHS Oregon Programs Eligibility Notebook:
https://www.oregon.gov/odhs/benefits/pages/open-manual.aspx.

Client means a household who has received an assessment of need, has been entered into an OHCS-funded program (intake) and who is receiving financial assistance. ~~A client is someone who has developed a client services/housing plan and is not receiving one-time only assistance.~~Once a household receives financial assistance, they are considered a client.

Dependent Child: *A dependent child must be one of the following:*

(1) An individual who is living with the caretaker relative and is under the age of 18, **OR** is under 19 and a full-time student in high school or the equivalent level of vocational or technical training; **OR**
(2) A minor parent whose parents have chosen to apply for benefits for the minor parent (this does not apply to a minor parent who is married and living with his or her spouse); **OR**
(3) An unborn child (see client eligibility requirement for pregnancies)

Domestic Violence: This definition includes domestic violence, dating violence, sexual assault, stalking, attempting to cause, or intentionally, knowingly or recklessly causing or placing another in fear of imminent serious physical injury or emotional, mental or verbal abuse, and using coercive or controlling behavior. This does not include other criminal acts such as violence perpetrated by a stranger, neighbor, acquaintance or friend, unless those persons are family members, intimate partners or household members. ~~(Note: This definitional aligns with TANF rules and regulations)~~

HMIS means Homeless Management Information System. Victim Service Providers must use an HMIS comparable database.

Marriage means the union of two individuals who are legally married. Legally married means a marriage uniting two individuals according to the provision of:

(1) The statutes of the state where the marriage occurred;

(2) The common law of the state in which the two individuals previously resided while meeting the requirements of common law marriage in that state; or

(3) The laws of a country in which the two individuals previously resided while meeting the requirements for legal or cultural marriage in that country.

Parent means the biological mother or father of an unborn child or the biological, step, or adoptive mother or father of a child.

Participant means a household who may or may not be a client, but is receiving OHCS-funded services (such as case management).

Spouse means an individual who is legally married to another individual.

Stand-Alone Policy/Procedure means a written policy/procedure that includes all the requirements for such a policy/procedure and is either its own separate document or it is included in a larger document, such as a policy and procedures handbook, that can easily be separated from the larger document for the purpose of approval and review by OHCS.

Subgrantee Agency: Community Action Agencies (or other qualified entities) that receive funding from the Grantee (OHCS) and provides client assistance payments/services. Subgrantee agencies may contract client assistance payments/services to subrecipients.

Subrecipient: Subrecipients are entities that, by contract with the subgrantee agency, provide ~~HSP client~~ assistance payments/services and receive funding directly from the subgrantee agency. Through its agreements with subgrantee agency, subrecipients ~~will~~ mustl comply ~~must~~ with all requirements for the Housing Stabilization Program. Subrecipients include a subgrantee's subcontractors, contractors, vendor, subrecipients and any subcontractors, contractors, vendors or subrecipients of a subcontractor, contractor, vendor or subrecipient. Subrecipients are those organization that receive OHCS funding from the Subgrantee or from the Subgrantee's subrecipient.

Support Network: Examples include family, friends and faith-based or other social networks.

Target Population means persons a subgrantee/subrecipient wishes to reach out to who are under-represented in their service population (such as refugees, teen parents, SSI recipients).

Temporary Living: Residing in a facility for fewer than 90 days

Unaccompanied Youth with Child/ren: For the purpose of household composition, includes ~~A~~a minor parent under the age of 18 or a teen parent under the age of 20 and has not completed a high school diploma or GED program.

If the Unaccompanied Youth with Child/ren is a Minor Parent (under the age of 18), to be eligible for benefits, the Minor Parent must live with his/her parent, legal guardian or another adult relative. If it is determined that it is in the best interest of the minor parent to live on their own, the minor parent must attend high school or its equivalent full-time or participate in the Department of Human Services JOBS or other training program to develop employment or self-sufficiency skills.

Operational Flexibility: Sexual abuse or other physical or emotional abuse is grounds to waive the requirement that a minor parent live with their parent(s), legal guardian or other adult relative in order to receive benefits. The decision to waive this requirement may also be based on the unavailability of the parent(s), legal guardian or other adult relative in providing the minor parent's care, control and supervision. This is true when they are not living in the same state, or when the minor parent has been living on his/her own for over 12 months before or since the birth of his/her last child.

If a Minor Parent returns to live with his/her parent, parents or legal guardian, consider the parent, parents, or legal guardian's income during application for benefits.

(End)

~~14.~~13. Appendix 4: MOE FAQs

1. What kinds of expenditures DO NOT count towards MOE:

(1) Funds that originated with the Federal government;
(2) State funds expended under the Medicaid program;
(3) State funds from a prior fiscal year;
(4) Any funds used as MOE for a previous HSP grant (not used again for MOE on a subsequent grant award).

2. What are some examples of Cash contributions that DO NOT count towards MOE:

- Low-Income Home Energy Assistance Program (LIHEAP)
- HOME Tenant Based Assistance (HTBA)
- Community Development Block Grant (CDBG)
- Community Services Block Grant (CSBG)
- Continuum of Care (CoC)
- Emergency Food and Shelter Program (EFSP)
- Supplemental Assistance for Facilities to Assist the Homeless Program (SAFAHP)
- Supplemental Nutrition Assistance Program (SNAP)
- Women Infants & Children nutrition program (WIC)
- US Housing & Urban Development Family Unification Voucher (HUDFUV)

3. What are some examples of Cash contributions that DO count towards MOE:

- Emergency Housing Assistance (EHA)
- Elderly Rental Assistance (ERA)
- State Homeless Assistance Program (SHAP)
- Private funds
- Foundation funds
- State funds (as qualified by #5 in this FAQ and not already counted by another source)
- Local government funds (as qualified by #5 in this FAQ and not already counted by another source)
- *IF YOU PLAN TO USE STATE OR LOCAL GOVERNMENT FUNDS, THESE FUNDS MUST NOT ALREADY BE COUNTED AS MOE BY ANOTHER SOURCE. PLEASE CONTACT THE SOURCE OF THESE FUNDS TO ENSURE THAT THEY ARE NOT ALREADY COUNTED AS MOE.*

4. What are some examples of In-Kind contributions that DO count towards MOE (funds not already counted by other sources, such as Oregon Food Bank, and with prior approval – see Section 4 of this manual):

- Volunteer driver hours
- Volunteer food pantry hours
- Other volunteer worker hours

5. What kinds of State expenditures count toward meeting a State's basic MOE expenditure requirement?

(a) Expenditures of State funds in TANF MOE may count if they are made for the following types of benefits or services:

(1) Cash assistance, including the State's share of the assigned child support collection that is distributed to the family, and disregarded in determining eligibility for, and amount of the TANF assistance payment;

(2) Child care assistance (see §263.3);

(3) Education activities designed to increase self-sufficiency, job training, and work (see §263.4);

(4) Any other use of funds allowable under section 404(a)(1) of the Act including:

(i) Nonmedical treatment services for alcohol and drug abuse and some medical treatment services (provided that the State has not commingled its MOE funds with Federal TANF funds to pay for the services), if consistent with the goals at §260.20 of this chapter [these services are not allowable with HSP]; and

(ii) Pro-family healthy marriage and responsible fatherhood activities enumerated in part IV-A of the Act, sections 403(a)(2)(A)(iii) and 403(a)(2)(C)(ii) that are consistent with the goals at §§260.20(c) or (d) of this chapter, but do not constitute "assistance" as defined in §260.31(a) of this chapter; and

(5)(i) Administrative costs for activities listed in paragraphs (a)(1) through (a)(4) of this section, not to exceed 15 percent of the total amount of countable expenditures for the fiscal year.

(ii) Costs for information technology and computerization needed for tracking or monitoring required by or under part IV-A of the Act do not count towards the limit in paragraph (5)(i) of this section, even if they fall within the definition of "administrative costs."

(A) This exclusion covers the costs for salaries and benefits of staff who develop, maintain, support, or operate the portions of information technology or computer systems used for tracking and monitoring.

(B) It also covers the costs of contracts for the development, maintenance, support, or operation of those portions of information technology or computer systems used for tracking or monitoring.

(b) With the exception of paragraph (a)(4)(ii) of this section, the benefits or services listed under paragraph (a) of this section count only if they have been provided to or on behalf of eligible families. An "eligible family" as defined by the State, must:

(1) Be comprised of citizens or non-citizens who:

(i) Are eligible for TANF assistance;

(ii) Would be eligible for TANF assistance, but for the time limit on the receipt of federally funded assistance; or

(iii) Are lawfully present in the United States and would be eligible for assistance, but for the application of title IV of PRWORA;

(2) Include a child living with a custodial parent or other adult caretaker relative (or consist of a pregnant individual); and

(3) Be financially eligible according to the appropriate income and resource (when applicable) standards established by the State and contained in its TANF plan.

(c) Benefits or services listed under paragraph (a) of this section provided to a family that meets the criteria under paragraphs (b)(1) through (b)(3) of this section, but who became ineligible solely due to the time limitation given under §264.1 of this chapter, may also count.

(d) Expenditures for the benefits or services listed under paragraph (a) of this section count whether or not the benefit or service meets the definition of assistance under §260.31 of this chapter. Further, families that meet the criteria in paragraphs (b)(2) and (b)(3) of this section are considered to be eligible for TANF assistance for the purposes of paragraph (b)(1)(i) of this section.

(e) Expenditures for benefits or services listed under paragraph (a) of this section may include allowable costs borne by others in the State (e.g., local government), including cash donations from non-Federal third parties (e.g., a non-profit organization) and the value of third party in-kind contributions if:

(1) The expenditure is verifiable and meets all applicable requirements in 45 CFR 92.3 and 92.24;

(2) There is an agreement between the State and the other party allowing the State to count the expenditure toward its MOE requirement; and,

(3) The State counts a cash donation only when it is actually spent.

(f)(1) The expenditures for benefits or services in State-funded programs listed under paragraph (a) of this section count only if they also meet the requirements of §263.5.

(2) Expenditures that fall within the prohibitions in §263.6 do not count.

(g) State funds used to meet the Healthy Marriage Promotion and Responsible Fatherhood Grant match requirement may count to meet the MOE requirement in §263.1, provided the expenditure also meets all the other MOE requirements in this subpart.

6. When do child care expenditures count?

(a) State funds expended to meet the requirements of the CCDF Matching Fund (i.e., as match or MOE amounts) may also count as basic MOE expenditures up to the State's child care MOE amount that must be expended to qualify for CCDF matching funds.

(b) Child care expenditures that have not been used to meet the requirements of the CCDF Matching Fund (i.e., as match or MOE amounts), or any other Federal childcare program, may also count as basic MOE expenditures. The limit described in paragraph (a) of this section does not apply.

(c) The child care expenditures described in paragraphs (a) and (b) of this section must be made to, or on behalf of, eligible families, as defined in §263.2(b).

7. When do educational expenditures count?

(a) Expenditures for educational activities or services count if:

(1) They are provided to eligible families (as defined in §63.2(b)) to increase self-sufficiency, job training, and work; and

(2) They are not generally available to other residents of the State without cost and without regard to their income.

(b) Expenditures on behalf of eligible families for educational services or activities provided through the public education system do not count unless they meet the requirements under paragraph (a) of this section.

~~15.~~14. HSP REFERRAL TRACKING AND QUARTERLY PROVIDER REPORT

The HSP Referral Tracking and Quarterly Provider Report is available each biennium through the subgrantee's grant agreement/contract funding application and can be found on the OHCS website at: https://app.smartsheet.com/b/publish?EQBCT=8a215621578a4f76ae98113d719d5e64.

If any modifications to the template HSP Referral Tracking and Quarterly Provider Report are desired, they must be prior approved by OHCS before use. Subgrantees MUST NOT add any restrictions, protections or other permissions to the HSP Referral Tracking and Quarterly Provider Report. Any report submitted that has been altered in form or format and/or includes restriction, protections or permission will be returned to the subgrantee for correction and resubmission.

The deadline for submitting the report is not extended for reports submitted that do not meet OHCS requirements. If the report is submitted prior to the deadline, but is incomplete or requires correction, if such correction occurs after the deadline, the submission will be considered late by OHCS and not submitted within the requirements of the program. ~~and submissions that occur after the deadline and are considered late by OHCS.~~

There are no extensions for the submission of the HSP Referral Tracking and Quarterly Provider Report and complete and accurate reports must be submitted in form and format as required by OHCS by the due date, Oct 20, Jan 20, Apr 20 and Jul 20 of each fiscal year. See Section 9(B) of this manual for more information.

AMEND: 813-051-0020

RULE SUMMARY: Amend rule to align with statutory references and purpose.

CHANGES TO RULE:

813-051-0020
Administration ¶

(1) OHCS may contract with subgrantees to provide eligible HSP services (see OAR 813-051-0040) in service areas in such manner to provide holistic coverage statewide without duplication or overlap of services. ~~In a service area where a Community Action Agency (CAA) exists, the CAA has the conditional right of first refusal to serve as the subgrantee for the given service area.~~¶
(2) OHCS will allocate HSP funds to all subgrantees through a formula established by OHCS prior to the allocation process. OHCS reserves the right to modify such formula at any time in its sole discretion.¶
(3) A subgrantee may establish subrecipients that meet the requirements of ORS 458.~~505(4~~610(6) to provide eligible HSP services in the subgrantee's service area.¶
(4) Subgrantees shall, at a minimum, provide HSP services to eligible applicants or households that meet HSP requirements. Whenever appropriate, subgrantees may assist eligible households in accessing other services designed to stabilize housing.¶
(5) Subgrantee representatives must attend and participate in HSP-related training made available or conducted by OHCS, when required.¶
(6) A designated portion of HSP funds are reserved for subgrantees and their subrecipients to use for administrative costs. Subgrantees and their subrecipients may expend up to a determined amount as authorized by OHCS and outlined in the funding agreement. ¶
(7) Subgrantees must collaborate with their local Department of Human Services (DHS) field office(s) and develop a referral process for the purpose of identifying eligible family households, submitted with the funding application and requiring approval by OHCS, in writing.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 45 CFR 260-265, ORS 458.~~505~~610

AMEND: 813-051-0030

RULE SUMMARY: Amend rule to align with statutory references and purpose.

CHANGES TO RULE:

813-051-0030
Applicant Eligibility ¶

(1) HSP services shall be made available to family households who ~~meet eligibility requirements, including but not limited to:¶~~
~~(a) Household income equal to or less than 250% of the federal poverty guidelines established by the U.S. Department of Health and Human Services, as adjusted for family size;¶~~
~~(b) Are homeless or unstably housed; and¶~~
~~(c) Meet U.S. citizenship requirements or qualified non-citizenship requirements for~~are receipients of Temporary Assistance for Needy Families (TANF) federal grant funds and are residents of Oregon.¶
(2) Specific requirements and documentation to provide proof of eligibility for HSP services are detailed in the HSP Manual.¶
~~(3) Priority for HSP services will be given to family households applying for or receiving Temporary Assistance for Needy Families (TANF).~~
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 45 CFR 260-265~~, ORS 458.505~~

AMEND: 813-051-0040

RULE SUMMARY: Amend rule to align with statutory references, purposes and current uses.

CHANGES TO RULE:

813-051-0040
Use of Funds ¶

(1) Use of HSP funds must be in compliance with HSP requirements for eligible family households.¶
(2) To the extent of available funding, eligible HSP services include, but are not limited to:¶
(a) Housing costs;¶
~~(b) Auxiliary services;¶~~
~~(c) Case management;~~ and·¶
(~~d~~b) ~~Data collection. ¶~~
~~(3) HSP funds may be used to supplement existing funds or to support existing programs or establish new programs. Subgrantees shall not use HSP funds, granted or otherwise awarded, to replace funds currently being received from other sources, available or reasonably expected to be available to the subgrantee~~Program delivery.¶
(~~4~~3) Subgrantees will supplement the program by providing maintenance of effort. OHCS reserves the right to establish the amount of maintenance of effort required for the subgrantees to provide.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 45 CFR 260-265~~, ORS 458.505~~

AMEND: 813-051-0050

RULE SUMMARY: Amends rule to align with statutory references, purposes and current requirements.

CHANGES TO RULE:

813-051-0050
Application for Funding; Funding Agreement ¶

(1) Prior to providing any HSP services using OHCS funding, subgrantees must submit biennially an application for funding to OHCS. A funding agreement must be approved by OHCS in writing before being operative.¶
(2) Applications for funding must meet all requirements of form and content as established by OHCS. At a minimum, an application must include a subgrantee's proposed activities for eligible households, anticipated expenditures, and any other information as OHCS may require specific to HSP funding. Subgrantees must adhere to OHCS requirements and deadlines for submitting an application. An application is subject to approval, with or without modifications, or disapproval by OHCS.¶
(3) ~~In cases where a Community Action Agency (CAA) has the conditional right of first refusal for antipoverty program administration, and the CAA cannot meet the requirements listed in subsection (2) above, OHCS, in its sole discretion, may allow other eligible organizations to submit an application for funding with respect to that service area.¶~~
~~(4) OHCS will evaluate all applications for funding for HSP~~OHCS will not approve any application for funding for HSP unless it meets sufficiency requirements. Sufficiency is based on the quantity, thoroughness and quality of performance that is satisfactory to OHCS. This includes, but is not limited to, providing relevant information necessary for OHCS to assess the subgrantee's compliance with all HSP requirements and any other standards, goals, and requirements established by OHCS.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 45 CFR 260-265~~, ORS 458.505~~

AMEND: 813-051-0060

RULE SUMMARY: Amends rule to align with statutory reference and purposes

CHANGES TO RULE:

813-051-0060
Recordkeeping and Compliance Monitoring ¶

(1) Subgrantees and their subrecipients must maintain accurate financial records satisfactory to OHCS and consistent with HSP requirements, which document the receipt and disbursement of all HSP funds by OHCS. Subgrantees must have an accounting system in place satisfactory to OHCS, and implement an approved Homeless Management Information System (HMIS) database for data and fiscal entry. ¶
(2) Subgrantees and their subrecipients must maintain other HSP records satisfactory to OHCS and consistent with HSP requirements, which include, but are not limited to, documentation of household eligibility, receipt of allowable HSP services, termination of services and the basis for same, housing status, administrative actions, contracts with subrecipients, review of subrecipient performance, action taken with respect to deficiency notices, and any administrative review proceedings. Such records must be satisfactory to OHCS in substance and format.¶
(3) Subgrantees must provide OHCS with all required reports, data, and financial statements by submission deadlines and satisfactory to OHCS in form and substance as identified in the HSP requirements and as requested by OHCS.¶
(4) To ensure proper compliance and monitoring of HSP, subgrantees and their subrecipients must:¶
(a) Furnish representatives of OHCS, the Oregon Secretary of State's Office, Oregon Depatment of Human Services, the federal government, and their duly authorized representatives access to and permit copying of all electronic and hardcopy books, accounts, documents, and records and allow reasonable access to the project and other property pertaining to HSP, at any such representative's request.¶
(b) Cooperate fully in any inspections or other monitoring actions taken by OHCS, the Oregon Secretary of State's Office, Oregon Department of Human Services, the federal government, and their duly authorized representatives.¶
(c) Retain and keep accessible all HSP records and data according to HSP requirements and as requested by OHCS.¶
(5) OHCS will conduct reviews, audits, and other compliance monitoring as it deems appropriate with respect to each subgrantee and its subrecipients to verify compliance with the HSP requirements. Subgrantees and their subrecipients must cooperate fully with OHCS in its compliance monitoring activities.¶
(6) Subgrantees must require by contract and monitor their subrecipients' compliance with all HSP requirements including, but not limited to, recordkeeping and retention of records and OHCS compliance monitoring and enforcement.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 45 CFR 260-265~~, ORS 458.505~~

AMEND: 813-051-0070

RULE SUMMARY: Amends rules to align with statutory references and current remedies.

CHANGES TO RULE:

813-051-0070
Remedies ¶

(1) OHCS reserves the right to identify deficiencies in the performance of any subgrantee or their subrecipients discovered during program operations or compliance monitoring activities and take remedial action upon such subgrantees, including, but not limited to, modifying funding amount, reducing or withholding payment, suspending or recouping payment s or both, requiring a corrective action or additional activities necessary to satisfy its obligations or meet performance standards, initiation of an action or proceeding for damages, specific performance, or declaratory or injunctive relief, exercise of its right of recovery of overpayments, declaring subgrantee ineligible for the receipt of future awards from OHCS, criminal action for misstatements or fraud, misfeasance, claims under the Oregon False Claims Act, or other culpable behavior, investigation, audit, and/or sanction by other governmental bodies, and terminating its funding agreement with a subgrantee and requiring repayment of HSP funding.¶
(2) To remedy any identified deficiencies, OHCS:¶
(a) Mustay issue a deficiency notice notifying a subgrantee of deficiencies identified through the monitoring process and provide documentation for the basis of such determination and the specific deficiency or deficiencies that must be corrected;¶
(b) Mustay require the subgrantee to correct any deficiencies in a manner and time frame satisfactory to OHCS;¶
(c) May offer training and technical assistance related to such deficiencies to the subgrantee; and¶
(d) May, at its discretion, offer the subgrantee assistance in the development of a corrective action plan. If a corrective action plan is allowed, OHCS must review the plan and issue a decision of approval or disapproval to the subgrantee.¶
(3) OHCS must provide adequate notice to a subgrantee of remedial action that will terminate or reduce a subgrantee's eligibility for HSP funding. OHCS must provide the subgrantee an initial opportunity to appeal to the director of the Housing Stabilization Division of OHCS, whose decision may be deferred to the director of OHCS.¶
(4) For appeals unable to be resolved internally, OHCS adopts the procedures detailed in ORS Chapter 183 for contested cases.¶
(5) Issuance of a deficiency notice will not constitute a waiver of other remedies available to OHCS or preclude OHCS from exercising such other remedies available to it under the HSP requirements, at law or otherwise.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 45 CFR 260-265, ORS 458.505

AMEND: 813-051-0080

RULE SUMMARY: Amends rule to align with statutory references and current practice.

CHANGES TO RULE:

813-051-0080
Challenge of Subgrantee Action ¶

(1) Any household aggrieved by a subgrantee administering or providing HSP services may challenge the subgrantee's action by entering the subgrantee's administrative review process (see OAR 813-051-0090). Any household who received either an unsatisfactory determination or refusal of a review by the subgrantee may submit a written request to OHCS within 30 days of receiving the notice of review determination or refusal by the subgrantee to provide such administrative review.¶
(2) OHCS may accept or deny a request to conduct a subgrantee administrative review, in whole or in part, at its sole discretion. An OHCS review will be in the manner determined appropriate by OHCS and may include, but is not limited to, review of provided information.¶
(3) If OHCS accepts the review request, the requesting household, the subgrantee, and any relevant subrecipients will produce all information required by OHCS, including requested affidavits or testimony.¶
(4) Upon accepting the review request, OHCS may make a determination on such review request and require such remedial action as OHCS determines, in its sole discretion, to be appropriate.¶
~~(5) OHCS adopts the procedures detailed in ORS Chapter 183 for contested cases.~~
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 45 CFR 260-265~~, ORS 458.505~~

AMEND: 813-051-0090

RULE SUMMARY: Amends title, statutory references and aligns with current practice.

CHANGES TO RULE:

813-051-0090
~~Administrative~~ Review by Subgrantee ~~¶~~

(1) Subgrantees must establish in writing a process satisfactory to OHCS that enables all potentially eligible households, having received HSP services or not, to contest a determination by the subgrantee or its subrecipients that either denies, limits, terminates, or modifies HSP services.¶
(2) An aggrieved household may request a~~n administrative review or fair hearing~~ formal review of a subgrantee's or its subrecipients' ~~contested~~ action (as described in subsection (1) above). The subgrantee must allow a minimum of 30 days, from the time of ~~contested action~~the requested review or the aggrieved household's discovery of such action, for which an aggrieved household ~~may~~ request ~~as~~ review ~~or hearing~~. The ultimate determination of an aggrieved household's discovery period is reserved to OHCS, in its sole discretion.¶
(3) A household remaining aggrieved after such review ~~or hearing of a contested action may request administrative~~may request further review of the subgrantee's actions by OHCS (see OAR 813-051-0080).¶
(4) The subgrantee must inform OHCS and the aggrieved party in writing of any final ~~administrative~~ review determination made by the subgrantee, and the basis for same, within 10 days of such final determination.¶
(5) The subgrantee must comply with OHCS requests for all supporting documentation related to the grievance when a household exercises their right for an administrative review of the subgrantee or subrecipient's decision (as described in subsection (3) above).
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 45 CFR 260-265~~, ORS 458.505~~

AMEND: 813-053-0000

RULE SUMMARY: Amend rule to align with statutory references and purpose.

CHANGES TO RULE:

813-053-0000
Purpose and Objectives ¶

The purpose of OAR chapter 813, division 53 of the administrative rules is to implement the Elderly Rental Assistance Program (ERA). ~~Funding for ERA is created within the State Treasury, separate and distinct from General Fund, through ORS 458.377, and is administered through ORS 458.375. Oregon Housing and Community Services (OHCS) is designated as the state agency responsible for administering state and federal antipoverty programs in Oregon. The purpose of ERA, which is one such program,~~ERA is administered through ORS 458.375. The purpose of ERA is to fund local homeless prevention programs that assist very-low-income elderly households, who are ~~homeless or~~ unstably housed, to attain housing stability.
Statutory/Other Authority: ORS 458.375
Statutes/Other Implemented: ORS 458.~~377, 458.505~~620, 458.625~~0~~, 458.65~~1~~0

AMEND: 813-053-0010

RULE SUMMARY: Amend rule to align with statutory references and current definitions.

CHANGES TO RULE:

813-053-0010
Definitions ¶

Terms used throughout this division (OAR 813-053) may be defined in Oregon Revised Statute (ORS) or in the OHCS General Definitions (OAR 813-005-0005). Terms used within this division observe those definitions, except as defined below:¶
(1) "Elderly household" means an individual living alone, a family with or without children, or a group of individuals who are living together as one economic unit, where at least one member of the household is age 58 or older.¶
(2) "ERA" means the Elderly Rental Assistance program administered by the OHCS pursuant to this division and other applicable law.¶
(3) ~~"ERA Manual" or "Program manual" means the State Homeless Funds Program Operations Manual, as described in OAR 813-053-0015.¶~~
~~(4)~~ "ERA requirements" means these administrative rules; all funding agreement terms and conditions; OHCS directives (including deficiency notices); the ERA Manual requirements; and applicable state, local, and federal laws and requirements.¶
(~~5~~4) "ERA services" means services as defined in OAR 813-053-0040 and the ERA Manual, which are eligible activities with ERA funding.¶
(~~6~~5) "Homeless~~" means an individual, family or household that lacks a~~ Management Information System" or "HMIS" is defi~~x~~ned~~, regular, and/or adequate nighttime residence in accordance with department categorical definitions. Categorical defini~~ in 24 CFR 576.2.¶
(6) "Household income" means the total household income from all sources before taxes. Specific sources and deduc~~ta~~tions are ~~conta~~outlined in the ~~program m~~SHF Manual.¶
(7) "~~Homeless Management Information System" or "HMIS" is defined in 24 CFR 576.2.¶~~
~~(8) "Household income" means the total household income from all sources before taxes. Specific sources and deductions are outlined in~~SHF Manual" or "Program manual" means the State Houseless Funds Program Operations Manual, as described in OAR 813-053-0015.¶
(8) "Subgrantee" means person, entity, or party that enters into a contract, loan agreement, or grant agreement directly with OHCS to receive funds to administer the ERA Program.¶
(9) "Subrecipient" means organization as defined in ORS 458.610(6) that works with, collaborates with, or enters into a direct agreement with the subgrantee to provide services under the ERA ~~Manual~~Program.¶
(~~9~~10) "Unstably housed" means an individual or family who is rent-burdened, defined as paying more than 30% of their gross income in rent; or is currently paying more than the Fair Market Rent, defined by HOME FMRs or is at risk of losing their housing and does not otherwise qualify as homeless or imminent risk, has been notified to vacate their current residence, or otherwise demonstrates a high risk of losing their current housing and lacks the resources or support networks to obtain other permanent housing.¶
(1~~0~~1) "Very-low income household" means an annual household income that is at or less than 50% of the area median income based on HUD determined guidelines, adjusted for family size.
Statutory/Other Authority: ORS 458.375
Statutes/Other Implemented: ~~ORS 458.375,~~ 24 CFR 576.2, ~~ORS 458.505,~~ ORS 458.610, ~~ORS~~ 458.620, ~~ORS~~ 458.650

AMEND: 813-053-0015

RULE SUMMARY: Amend rule to update manual guidance.

CHANGES TO RULE:

813-053-0015
Manuals
Effective on July 1, 202~~3~~5, the State Ho~~m~~use less Funds Program Operations Manual (~~ERA~~SHF Manual) with the requirements and standards therein, is incorporated into and adopted as part of division 813-053-0015 of the department's administrative rules, 813-053-0000 to 813-053-0090. The ~~Elderly Rental Assistance~~State Houseless Funds Program Operations Manual (~~ERA~~SHF Manual), dated July 1, 202~~0~~3, previously incorporated into and adopted as part of these administrative rules remains in effect until July 1, 202~~3~~5, on which date it is repealed. The SHF Manual may be accessed online at the OHCS website.
Statutory/Other Authority: ORS 458.375
Statutes/Other Implemented: ~~24 CFR 576.2, ORS 458.505,~~ ORS 458.610, ORS 458.620, ~~ORS~~ 458.650

RULE ATTACHMENTS MAY NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.

Emergency Housing Assistance Program (EHAP)
Elderly Rental Assistance (ERA)
State Homeless Assistance Program (SHAP)
July 1, ~~2023~~2025

OREGON HOUSING and COMMUNITY SERVICES

State ~~Homeless~~ Houseless Funds Program Operations Manual

Contacts

Oregon Housing and Community Services
Homeless Services Section
(503) 986-2000

Published date: July 1, ~~2023~~2025

Oregon Housing and Community Services | 725 Summer St. NE Suite B, Salem, OR 97301-1266 | (503) 986-2000 | FAX (503) 986-2020

Table of Contents

1. Program Summary 6
2. General Program Requirements 7
   (A) Program Standards 7
   (B) Client Service or Housing Stability Plan 10
3. Applicant Eligibility 18
   (A) Household Composition 19
   (B) Legislatively Targeted Populations for EHAP DRF 19
   (C) Housing Status 19
   (D) Income 21
   (E) Assets 24
   (F) Veteran Status 24
   (G) Citizenship 25
   (H) Oregon Residency 25
4. Allowable Program Components and Expenditures 27
   (A) General Guidance 28
   (B) Street Outreach (Program Delivery) 29
   (C) Emergency Shelter and Transitional Housing Operations 32
   (D) Financial Assistance 49
   (E) Program Delivery 61
   (F) Engagement Incentives 66
   (G) Emergency Shelter or Transitional Housing Facilities Rehab/Renovation 72
   (H) Emergency Systems and Strategy Strengthening 79
5. Financial Management 85
   (A) Fiscal Standards 85
   (B) Administration 85
   (C) Funds Spend Down 88
   (D) Match 90
   (E) Supplementing Existing Funds/Programs 90
6. Data, Submission and Reporting Requirements 91
   (A) Data Entry 91
   (B) Submissions/Reporting Requirements 93
7. Records Requirements 94
   (A) Case Files 94
8. Applicable Rules and Regulations 96
9. Definitions 97
10. Appendix A – Maintenance/Rehab Activities 102
~~1. Program Summary ..... 4~~
~~2. General Program Requirements ..... 4~~
   ~~(A) System Wide Performance Requirements ..... 4~~
   ~~(B) Training ..... 4~~
   ~~(D) Equity and Racial Justice ..... 5~~

(E) Duplication of Benefits 6
(F) Privacy Notification 6
(G) Client Service or Housing Stability Plan 7
(H) Confidentiality 8
(I) Grievances and Appeals 9
(J) Nondiscrimination 10
(K) Limited English Proficiency 11
(L) Conflict of Interest 12
(M) Monitoring 13
(N) Subrecipient Monitoring 14
3. Applicant Eligibility 15
(A) Household Composition 15
(B) Legislatively Targeted Populations for EHA 16
(C) Housing Status 16
(D) Income 17
(E) Veteran Status 20
(F) Citizenship 20
(G) Oregon Residency 20
(H) Eligibility Documentation 21
4. Allowable Program Components and Expenditures 23
(A) Street Outreach 24
(B) Emergency and Transitional Shelter 26
(C) Transitional Housing 33
(D) Homelessness Prevention and Rapid Re-Housing 38
(E) Supportive In-Home Services 45
(F) ERA Rental Subsidy Assistance 46
(G) Distinguishing Between Maintenance and Renovation (Rehab/Conversion) 49
(1) Shelter Operations: Maintenance 49
(2) Renovation and Conversion 50
(H) Shelter or Transitional Housing Facilities Acquisition, Rehab/Conversion 51
(1) Free-Standing Temporary Shelter 52
(2) Acquisition, Rehabilitation, Renovation or Conversion Instructions 52
a) Restrictive Use Period 53
b) Contracted Oversight 54
c) Period of Fund Availability 54
d) Use of HMIS 54
e) Procurement Requirements 54
f) OHCS Anti-Displacement and Relocation Assistance Policy 54
g) OHCS Fiscal Monitoring 55
h) Quarterly Progress Report 55
i) First Year Report 55
j) Annual Certificate of Continuing Program Compliance 55
k) Environmental Review 56
l) Certificate of Occupancy 56
m) Subgrantee's Responsibilities for Subrecipients 56

n) Repurposing the Property 56
o) Transferring Property Ownership 56
(3) Checklist of Steps to Follow 57
(I) Community Capacity Building 58
(J) Data System Expenses 61
(K) Gift Cards 62
5. Financial Management 64
(A) Administration 64
(B) Advance Requests for Funds 65
(C) Use of OPUS 65
(D) Request for Funding Documentation 66
(E) Budget Change Requests and Implementation Report Amendments 66
(F) Funds Spend Down 66
(G) Funds Rollover 67
(H) Internal Controls for Fraud 67
(I) Match 67
(J) Supplementing Existing Funds/Programs 67
(K) Procurement 68
6. Data, Submission and Reporting Requirements 69
(A) Data Entry 69
(B) Data Timeliness 69
(C) Data Entry Requirements for Emergency and Transitional Shelters 69
(D) Data Entry Requirement for Other Program Components 69
(E) Required Data Elements 70
(F) Comparable Database 70
(G) Submissions/Reporting Requirements 70
7. Records Requirements 71
(A) Case Files 71
(B) Records Access 72
(C) Records Retention 72
8. Applicable Rules and Regulations 73
9. Definitions 74
10. Appendix A – Maintenance/Rehab Activities 78

NOTE: If a statute, rule, contract or guidance does not expressly prohibit an activity or expense, it does not mean that the activity or expense is allowable. Statutes, rules, contracts and guidance are meant to express how funds are intended to be used.

Contact OHCS for prior approval before using any OHCS funds for an activity or expense if it is not addressed in statute, rule, contract or guidance. Failure to do so may result in the disallowance of an activity or expense and may result in remedies afforded in contract. It is an incorrect assumption to believe that because language does not say you cannot do something, that it must mean you can. OHCS provides guidance around what is disallowed from frequently asked questions; however, this does not mean to encompass everything that is disallowed.

Contact OHCS for any questions on how to expend OHCS funds if what you want to do is not covered by statute, rule, contract or guidance prior to the use of funds

NOTE: Guidance in this manual is specific to the programs identified in this manual. Unless specifically stated, any other guidance from other manuals produced by OHCS does not apply to these programs and are not comparable or transferable.

1. Program Summary

The general purposes of these programs are to provide an individualized approach to ~~homeless~~houseless households that includes an assessment of individual needs, identification of appropriate solutions that may include services, coordination with other programs and resources and ~~cost effective use of support across agencies coupled with~~ appropriate monitoring and evaluation of ~~homeless~~houseless households' individual progress. This guidance ~~may be~~is ~~appropriate~~ for EHAP, SHAP and ERA (as identified below) and may be used ~~for~~ with other ~~program~~ OHCS funds from state, federal or other sources in which the use of funds aligns with the purpose and intent of these programs.

The **Emergency Housing Assistance Program** (EHAP) provides state funds to supplement ~~effective existing local~~OHCS programs and/or establish new programs designed to prevent and reduce ~~homeless~~houselessness. **EHAP** program funding comes from state general funds (GF) and the Document Recording Fee (DRF). ~~EHA funds, including DRF, and are allocated annually to subgrantees.~~ This manual will use EHAP GF and DRF to differentiate between the funding sources. DRF funding ~~and DRF funding for Veterans~~ requires separate tracking and reporting of participants and expenditures. Twenty-Five (25%) percent of DRF award (ORS 294.187) must be expended on the veteran population (program delivery and financial assistance) and will require that subgrantee's draw funds from separate OPUS categories for tracking purposes.

The **State Homeless Assistance Program** (SHAP) provides operational support for emergency shelters and ~~related participant supportive~~ services for ~~homeless~~houseless individuals, families, and households. **SHAP** program funding comes from state general funds ~~allocated annually to subgrantees~~.

The **Elderly Rental Assistance** (ERA) provides state funds to defray the cost of rental housing for very-low-income households that are ~~homeless or~~ unstably housed and at risk of ~~homeless~~houselessness, where at least one household member is 58 years or older. ERA's only allowable use of funds is for

Houselessness Prevention activities to align with the statutory intent of the program and cannot be used for any other category of program funding. **ERA** program funding comes from state general funds ~~allocated annually to subgrantees~~.

2. General Program Requirements

~~(A) System Wide Performance Requirements~~

~~The Oregon Legislative Fiscal office adopted a set of criteria that agencies must meet when developing key performance measures. In alignment with the federal and state strategic plans to end homelessness, OHCS has established the following key performance measure:~~

> ~~Percentage of homeless households who exited into permanent housing and retained that housing for six months or longer (statewide target 80%).~~

~~This key performance measure uses HMIS as the primary data source.~~

(A) Program Standards

Subgrantee/subrecipients **must** adhere to all program standards as identified in the Homeless Services Section (HSS) Program Standards Guidance. **Failure to adhere to HSS Program Standards will result in audit findings and may put subgrantee/subrecipient funding at risk**. The HSS Program Standards Guidance includes requirements related to policies and procedures, along with general requirements for financial management of HSS grants, data requirements and records requirements. HSS Program Standards apply to EHA GF, EHAP DRF/, ERA and SHAP and align across HSS programs. It is **critical** that subgrantee/subrecipients understand their responsibilities in ensuring that they are following all program and funding requirements. Inclusion of the HSS Program Standards Guidance ensures that subgrantee/subrecipients and OHCS has a central location for the consistency of program standards across multiple programs. Find the HSS Program Standards Guidance on the HSS Dashboard or the OHCS website.

~~(B)~~ ~~*Subgrantees must notify and receive approval from OHCS when adding subrecipients and/or renewing subrecipients. Notification and approval normally occur during the subgrantee's grant agreement/contract funding application process. However, if changes are made outside of the funding application, subgrantees must submit an Implementation Report Amendment Request form for approval of subrecipient additions, deletions, or modifications within 30 days of such change.*~~ ~~Training~~

~~Subgrantee and subrecipient staff that provide direct services and supervise staff who provide direct services and manage homeless grants must receive relevant training. 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 is an eligible expense of program delivery and must minimally include:~~

~~(1) Trauma Informed Services;~~
~~(2) Mental Health First Aid;~~

(3) Harm Reduction;
(4) Supporting Victims of Domestic Violence;
(5) Fair Housing; and
(6) For those using OHCS funds for Street Outreach, training must include Outreach Safety Strategies.

(D) *Equity and Racial Justice*

OHCS is committed to advancing equity and racial justice in alignment with the Statewide Housing Plan and informed by national promising practices and lived experience of communities of color. OHCS is committed to an intentional, data-driven approach to reduce disparities in housing and social service provisions. Subgrantees are expected to further equity and racial justice practices by partnering with Culturally Responsive Organizations (CROs) which includes funding CROs in a meaningful way.

Subgrantees must have a stand-alone policy that addresses how they will deliver OHCS-funded programs in a culturally specific way, which will include the minimum of:

(1) Identification of how the subgrantee addresses any barriers identified by the CRO;

(2) Identification of how the subgrantee provides funding to CROs that aligns with OHCS program activities;

(3) Identification of how subgrantee assists CROs bridge access to other funders and support systems;

(4) Identification of regularly scheduled partnership meetings with CROs, no less than twice per fiscal year; and

(5) Partnership agreement/MOU or other written document of partnership (partners, inclusive of all subrecipients, vendors, contractors, who receive OHCS funding, and must include adhering to program requirements).

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

More information can be found at https://www.centerforsocialinclusion.org/our-work/our-four-strategies/, http://center4si.com/sparc/, and https://www.usich.gov/news/racial-equity-an-essential-component-of-our-nations-homelessness-response/

(E) *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) 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 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 that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.~~

~~(B) *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 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.~~

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

~~(C)~~(B) *Client Service or Housing Stability Plan*

Case management is one of the primary services offered to individuals and families who face multiple challenges, including severe mental illness, addiction, and ~~homeless~~houselessness. Effective case management includes **assessment, planning, implementation, coordination and evaluation**. Best practices in case management skills are available on the OHCS Homeless Services Section dashboard.

A Client Service/Housing Stability Plan **is** needed when:

1) A client is receiving more than one-time only services;
2) Required by the program based on the type of assistance or services provided to the client;
1) A subgrantee/subrecipient is unable to assist a client with the entirety of their funding request. ~~For those clients receiving case management and/or more than one-time only services the development of a client service or housing stability plan (action plan) is required. Additionally, in cases in which, based on the assistance or services provided, where it is a requirement of the program, a client service or housing stability plan (action plan) can also be required.~~ For example, a client owes six months of rent arrears and the subgrantee/subrecipient is only able to cover three months of that arrears. A plan would be needed to determine how the client will be able to avoid eviction and remain housed so that the three months of assistance covered by OHCS funds is not just a debt payment. Minimally, the client stability plan in this case, should document referrals, such as such as budgeting classes, housing navigation, long-term rental assistance programs, SOAR, assistance is obtaining other needed services, etc., that were provided and the subgrantee/subrecipient's best effort to assist the client in understanding how they can stabilize their situation.
2) A client is receiving hotel/motel voucher as part of an emergency shelter strategy and are receiving **more than 14 days** of hotel/motel voucher assistance within a fiscal year, they must have a client service or housing stability plan, documenting minimally the referrals provided, such as budgeting classes, housing navigation, long-term rental assistance programs, SOAR, assistance is obtaining other needed services, etc., and the subgrantee/subrecipient's best effort to assist the client in understanding how they can stabilize their situation.

Plans are required to be client driven, using input and goal setting by the client. An existing and active client service/housing stability plan from other providers can be shared and amended for purposes of OHCS-funded programs.

A Client Service/Housing Stability Plan is **NOT** needed when:

~~If client is receiving hotel/motel voucher as part of an emergency shelter strategy and are receiving more than 14 days of hotel/motel voucher assistance within a fiscal year, they must have a client service or housing stability plan.~~

3) A client is assisted within an Inclement Weather ~~Warming/cooling centers~~Centers. ~~are excluded from this requirement.~~ If hotel/motel vouchers are used in lieu of ~~a warming/cooling~~an inclement weather center, where there are no

~~warming/cooling~~inclement weather centers or they exceed capacity, then a client service/housing stability plan is also not required.

4) Temporary stays in emergency shelter in which the client is **not** receiving case management activities.

~~Existing and active client service/housing stability plans with other providers can be used and amended for purposes of OHCS-funded programs.~~

~~(D) *Confidentiality*~~

~~Confidential records include all applications, records, files, and communications relating to applicants and participants of, OHCS-funded services regardless of hard-copy or electronic format.~~

~~Subgrantees must have a stand-alone policy for the confidentiality of applicant/participant records. Such policy 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 policy and must include an acknowledgement of such policy, in writing;~~

~~4) A provision for the electronic collection of applicant/participant information which states that:~~

- ~~Computer terminals must be 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 must be cleared (or a screen saver activated) immediately after accessing a(n) applicant/participant record;~~
- ~~Computer terminals must be 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; and~~

~~5) 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 that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.~~

~~**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.

(E) *Grievances and Appeals*

Subgrantees are required to have an established, written stand-alone policy for addressing applicant/participant grievances/appeal requests. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy 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 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 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) 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) 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 that in its determination does not meet basic principles or requirements for such a policy.

(F) *Nondiscrimination*

Subgrantees are required to comply with all state and federal statutes relating to nondiscrimination. Subgrantee must have a stand-alone policy 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 that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

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 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 or 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.

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.

(G) *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 that describes the following:

(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 that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

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".

(H) *Conflict of Interest*

In the performance of work under EHA, (DRF/DRF VET), ERA and SHAP, 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, unless in rare circumstances it is in the interest of the participant for the expediency of housing placement services or to create a seamless service delivery while keeping the participant engaged in services and such situation is documented in the participant file.~~

~~Subgrantee must have a conflict of interest policy 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. If a subgrantee or subrecipient wishes to apply for a waiver, they must contact the OHCS homeless program analyst or manager 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.

Subgrantee must have a Conflict of Interest stand-alone policy 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 that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

(I) *Monitoring*

OHCS will conduct a program monitoring of subgrantees once every two fiscal years or more frequently at OHCS' discretion. OHCS program monitoring may include desk audit, site visit and/or site visit with subrecipients (or subrecipient organization's subrecipient). Fiscal monitoring will be conducted once every two fiscal years unless circumstances and/or risk assessment require less or more frequent monitoring at OHCS' discretion. Subgrantees will be notified thirty (30) 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 EHA (DRF/DRF VET) ERA and SHAP funds to OHCS or other remedies as described in the subgrantee's grant agreement/contract.

Subgrantees must notify and receive approval from OHCS when adding subrecipients and/or renewing subrecipients. Notification and approval normally occur during the subgrantee's grant agreement/contract funding application process. However, if changes are made outside of the funding application, subgrantees must submit an Implementation Report Amendment Request form for approval of subrecipient additions, deletions, or modifications within 30 days of such change.

(J) *Subrecipient Monitoring*

For the purposes of this operations manual the term "subrecipient" shall mean any subgrantee's subcontractors, contractors, vendor, subrecipients and any subcontractors, contractors, vendors or subrecipients of a subcontractor, contractor, vendor or subrecipient. Subrecipients must follow program intent, rules, and guidelines for the expenditure of funds.

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

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

- Frequency of subrecipient monitoring, which must be minimally once during a biennium or the term of the subgrantee's grant agreement/contract;
- The number of relevant samplings of fiscal transactions per program;
- The number of relevant samplings of participant files and that such review includes eligibility, notification and documentation;
- The number of relevant samplings of HMIS entries to ensure appropriate entry and tracking of participant information and service transactions;
- A review of participant records to ensure compliance with security, maintenance, retention, and destruction of records; and
- 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 that in its determination does not meet basic principles or requirements of such a policy.

At least once during each biennium, Subgrantee must monitor 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.

(1) Subgrantee's monitoring of its subrecipients must include: 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;~~

~~(2) a review of financial and performance reports;~~

~~(3) a review of subrecipient policies and procedures, forms, documentation, client records including eligibility, notifications and documentation;~~

~~(4) a review of participant records to ensure compliance with security, maintenance, retention and destruction of records; and~~

~~(5) follow up on all deficiencies pertaining to any OHCS funding in accordance with all program rules and regulations.~~

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

~~(1) Frequency of subrecipient monitoring, which must be minimally once during a biennium or the term of the subgrantee's grant agreement/contract;~~

~~(2)~~(1) ~~The number of relevant samplings of fiscal transactions per program;~~

~~(3)~~(1) ~~The number of relevant samplings of participant files and that such review includes eligibility, notification and documentation;~~

~~(4)~~(1) ~~The number of relevant samplings of HMIS entries to ensure appropriate entry and tracking of participant information and service transactions;~~

~~(5)~~(1) ~~A review of participant records to ensure compliance with security, maintenance, retention, and destruction of records; and~~

~~(6)~~(1) ~~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.~~

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

Applicant Eligibility	Emergency Housing Assistance (EHAP GF/~~EHA~~ DRF~~/EHA VET DRF~~)	State Assistance Program (SHAP)	Elderly Rental Assistance (ERA)
~~Homeless~~Houseless Status	• literally ~~homeless~~houseless • imminent risk • other federal statutes • fleeing DV • unstably housed	• literally ~~homeless~~houseless • other federal statutes • fleeing DV	~~• literally homeless~~ • imminent risk ~~• fleeing DV~~ • unstably housed
Income Requirement	80% or below area median income	no income requirements	50% or below area median income

Age	N/A	N/A	One member of household is 58 years or older

(A) *Household Composition*

"Household" means an individual living alone, family with or without children, or a group of individuals who are living together as one economic unit. For **ERA**, one member of the household must include a member that is 58 years of age or older.

(B) *Legislatively Targeted Populations for EHAP DRF*

Legislatively targeted populations for **EHAP** DRF include veterans (ORS 294.187). ~~, seniors over 65 years of age, persons with disabilities, farmworkers, and Native Americans.~~ Subgrantees/Subrecipients must expend a minimum of 25% of EHAP DRF ~~VET~~ funds ~~must be exclusively expended~~ on households that include a veteran. DRF Allocations in OPUS will require that funds for households with a veteran be provided for the purpose of program delivery and financial assistance and must equal 25% of the DRF award.

(C) *Housing Status*

~~Homeless~~Houseless households are eligible to receive **EHAP GF/**~~(~~DRF~~/DRF VET), ERA~~ and **SHAP** funded services and financial assistance.

~~; and u~~Unstably housed households ~~can~~ are eligible to receive **EHAP GF/**~~(~~DRF~~/DRF VET)~~ **and ERA** funded services and financial assistance.

Eligible applicants ~~for program~~OHCS-funded services must meet one of the following categorical definitions of homeless or unstably housed ~~and at risk of homelessness~~:

Category 1: Literally Homeless—An ~~i~~individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

- Living in a primary nighttime residence that is a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human being, ~~human habitation (~~including~~, but not exclusive to,~~ a car, park, abandoned building, bus or train station, airport or camping ground~~)~~; **OR**
- Living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional ~~shelter~~housing, and hotels ~~or~~ and motels paid for by charitable organizations or by federal, state or local government programs for low-income individuals); **OR**
- Exiting an institution where he or she ~~has~~ resided for 90 days or less **AND** who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.

Category 2: Imminent Risk of Homelessness—Individual or family who will imminently lose their primary nighttime residence provided that:

- The primary nighttime residence will be lost within ~~21~~ 14 days of the date of application for homeless assistance; **AND**
- No subsequent residence has been identified; **AND**
- The individual or family lacks the resources or support networks (e.g., family, friends, faith-based or other social networks) needed to obtain other permanent housing.

Category 3: Homeless Under Other Federal Statutes—Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, ~~(literally homeless, imminent risk of homelessness or fleeing/attempting to flee domestic violence)~~ but who:

- Are defined as homeless under Section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)) or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)~~Are defined as under other listed federal statutes~~; **AND**
- Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance~~prior to the program assistance application~~; **AND**
- Have experienced persistent instability as measured by two moves or more during the ~~preceding~~ 60 day period immediately preceding the date of applying for homeless assistance~~s~~; **AND**
- Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment.~~due to special needs or barriers~~.

~~1. Other Federal Statutes include:~~

- ~~11434a)Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.),~~
- ~~Head Start Act (42 U.S.C. 9831 et seq.),~~
- ~~Subtitle N of the Violence against Women Act of 1994 (42 U.S.C. 14043e et seq.) (VAWA),~~
- ~~Section 330 of the Public Health Service Act (42 U.S.C. 254b),~~
- ~~Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),~~
- ~~Section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), and~~
- ~~Subtitle B of title VII of the McKinney-Vento Act (42 U.S.C. 11431 et seq.)~~

Category 4: Fleeing/Attempting to Flee Domestic Violence—Individual or family who:

- Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence; **AND**
- Has no other ~~safe~~ residence; **AND**
- Lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, to obtain other permanent housing.

Category 5: Unstably Housed—Individual or family who:

- Is rent-burdened, defined as paying more than 30% of their gross income in rent (documented income/rent amount); **OR**
- Is currently paying more than the Fair Market Rent, defined by HOME FMRs (https://www.oregon.gov/ohcs/compliance-monitoring/Pages/rent-income-limits.aspx) or Small Area FMRs, as applicable (with documented income/rent amount); **OR**
- Is at risk of losing their housing, and does not otherwise qualify as homeless or imminent risk under the above listed (1-4) categories, provided that:
  - They have been notified to vacate current residence or otherwise demonstrate high risk of losing current housing (rationale for high risk of losing current housing must be documented and kept in the client file); **AND**
  - Lack the resources or support networks to obtain other permanent housing (must be evidenced by documentation in the client file).

(D) *Income*

If a person is assisted with **EHAP GF/DRF** and is residing in shelter, ~~T~~there is no income eligibility requirement.

For persons assisted with **EHA GF/DRF or ERA** that are not in shelter, ~~for **SHAP** funded assistance~~such persons are required to meet income eligibility requirements.

If a person is assisted with **SHAP,** regardless of whether sheltered or unsheltered, such persons are not subject to income eligibility requirements.

If a person, not residing in shelter, is/was employed and fleeing domestic violence, but leaving behind earned income to do so, the client file must have documentation of the loss of employment to qualify for a no-income eligibility criteria; otherwise, they must meet **EHAP GF/DRF** income eligibility requirements as identified below (if residing in shelter, no income eligibility requirement apply):

EHAP GF/DRF-provided services require applicants to be low-income; i.e., gross household income at or below 80% of area median income (as determined by HOME AMI limits located at: https://www.oregon.gov/ohcs/compliance-monitoring/Pages/rent-income-limits.aspx).

ERA-provided houseless prevention services require applicants to be very-low-income; i.e., gross household income at or below 50% of area median income (as determined by HOME

AMI limits located at: https://www.oregon.gov/ohcs/compliance-monitoring/Pages/rent-income-limits.aspx).

Income includes the current gross income of all adult household members. Income earned by household members who are minors or full-time students **and** are not considered heads of household is excluded.

~~While household assets must be identified to determine that a program applicant lacks the resources to obtain or retain permanent housing, if using the unstably housed housing status, they are generally not counted as income, unless an income is derived from such assets dividends on investments, stocks, bitcoins, etc., which must be counted as part of the household's available income.~~

Subgrantee's process for determining income eligibility and the documentation required must be consistent with OHCS program requirements.

Subgrantees' policies and procedures must identify what method they will use to calculate income eligibility and income eligibility must be calculated consistently between applicants of the same program. 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.

Documentation methods may include:

- Previous 12 months of income;
- Year-to-date income divided the number of months included in the year-to-date income; or
- Previous 30 days (or the previous 60 days or other specified period of days) of income.

Convert periodic wages to annual income by multiplying:

1. *Hourly wages by the number of hours worked per year (2,080 hours for full-time employment with a 40-hour week and no overtime);*
2. *Weekly wages by 52;*
3. *Bi-weekly wages (paid every other week) by 26;*
4. *Semi-monthly wages (paid twice each month) by 24; and*
5. *Monthly wages by 12.*

To annualize other than full-time income, multiply the wages by the actual number of hours or weeks the person is expected to work.

A "Snapshot" of current income can be used **as an exception** to subgrantee's policies and procedures, when warranted and documented in the client file. **"Snapshot" Method** means the process of determining the estimated annual income that uses a "snapshot" of the household income at the time of application. It does not rely on a specific period in the past to determine the annual income amount. The method must only be used when a household's income has recently changed drastically and is not expected to change from the time of the

snapshot (such as in a recent job loss) or when income tends to be very volatile. The snapshot method **cannot** be used to avoid accounting for income.

(1) Standardization: Subgrantees/subrecipients have the discretion to calculate income standards in a manner best suited for the organization, based on their own policies/procedures. Example policies/procedures include using a year-to-date amount divided by the number of months in the year-to-date amount; using the last 30 days of paystubs or the last 60 days of paystubs. The main requirement is that the way income is calculated is consistent between clients. Exceptions to the standard way of calculating income must be identified in policy/procedure (such as circumstances in which a snapshot method is used).

(2) Consistency: Subgrantee/subrecipient must be consistent in how income calculation standards are applied, even if that means it excludes someone from being able to be assisted. Subgrantee/subrecipient cannot use the most current paystub for one person, the last 30 days for another, and a year-to-date for someone else, especially if the fluctuating use shows that it is being done to under-calculate income. Income calculation standards must be documented in policy/procedure and such policy/procedure will be subject to OHCS monitoring.

(3) Client quit a job: If an applicant/client quits their job within the past 30 days and meets other eligibility, assistance may still be provided; however, the income can be calculated on the "snapshot" method. The snapshot method is an exception to a standardization of income calculation and must be identified in the subgrantee/subrecipient policy/procedure as well as documented in the client file as to why the exception was granted.

(4) Overtime and Bonuses cannot be excluded from income calculations. Income cannot be excluded just because it would put the applicant/participant over the income limit. Year-to-date income methodology is an effective way to determine income when income is varied and includes overtime or bonuses.

(5) Income from a live-in aide is not considered part of the income determination; however, a live-in aide must meet the following criteria:

a. Live-in aide means a person who resides with one or more elderly household member, or near-elderly household member, or member of the household with disabilities, and who:
    i. Is determined to be essential to the care and well-being of the household member;
    ii. Is not obligated for the support of the household member;
    iii. Would not be living in the unit except to provide the necessary supportive services; and
    iv. Provides documentation of payment for the live-in aide services provided to the household.

(6) Child tax credits, Earned Income Tax Credits, Stimulus Payment and Tax Refunds are not considered income.

(7) Self-employment: When calculating self-employment, use the previous year's tax information, if available. Use the gross income and subtract out the deductions claimed on Schedule C to get a net income. Schedule C is the Profit and Loss form used for a Business, which deducts expenses, such as their vehicle, supplies, offices expenses, travel, utilities, etc. The net income is then divided by 12 and the result is used for the household's monthly income.

More information on income can be found on the OHCS website in the Income Inclusions and Exclusions form.

(E) *Assets*

Unstably housed (category 5) housing status requires that households lack the resources to obtain or retain permanent housing. Documentation of assets must be completed when using category 5 housing status. ~~While household assets must be identified to determine that a program applicant lacks the resources to obtain or retain permanent housing, if using the unstably housed housing status, they are generally~~Such assets are not counted as income, unless an income is derived from such assets, i.e., ~~–~~dividends on investments, stocks, ~~bitcoins~~digital currency, etc., Income derived from assets ~~which~~ must be counted as part of the household's available income for eligibility purposes.

~~(E)~~(F) *Veteran Status*

Eligible applicants for **EHAP DRF** veterans funding ~~(EHA-DRF-VET)~~ must meet one of the following conditions as documented with original discharge papers or DD214 Identification or other acceptable Veteran's Affairs documentation:

(1) Served on active duty with the Armed Forces of the United States for an identifiable period of time as further defined in ORS 408.225 and was discharged or released from active duty under honorable conditions; **OR**

(2) Received a combat or campaign ribbon or an expeditionary medal for service in the Armed Forces of the United States and was discharged or released from active duty under honorable conditions; **OR**

(3) Is receiving a non-service-connected pension from the United States Department of Veterans Affairs; **OR**

(4) Includes a person who served in the military, naval, or air service that has been discharged or released from that service and has been determined by the United States Department of Veteran's Affairs to be eligible to receive any benefit from that Department.

Documentation of veteran status may include evidence of receiving any benefit from the Veteran's Affairs Department, such as a signed statement on the letterhead of a Supportive Services for Veteran Families (SSVF) provider. Veterans have up to 12 months from the date of application in which to provide documentation of eligible veteran status. If desired, a template ~~extension~~ "Veteran Status Documentation Extension" form is available to subgrantees/subrecipients on the OHCS ~~dashboard.~~website If documentation is not received within 12 months of the date of application, EHAP ~~VET~~ DRF funds drawn from the veteran set-aside cannot be used for assistance/services and subgrantee must rebook the costs with

another allowable funding source, such as regular EHA DRF or EHAP GF. If funds cannot be rebooked, they must be repaid to OHCS within 30 days.

~~(F)~~(G) *U.S. Citizenship*

There is no applicant/participant United States citizenship requirement to be eligible for **EHAP GF/ ~~(~~DRF~~/DRF VET)~~-, ERA**- and **SHAP**-funded assistance.

~~(G)~~(H) *Oregon Residency*

Services must be provided to those residing and intending to reside within the state of Oregon; however, there is no length of time prior to receiving services or financial assistance in which a participant had to have been a resident in the state of Oregon.

If a household's documented housing status is Category 4, Fleeing Domestic Violence, **EHAP GF/~~(and EHA~~ DRF~~/EHA DRF VET)~~** and **SHAP** can be used for eligible categorical costs associated with moving out of Oregon to a safe location, providing that there is documentation in the client's service/housing plan, indicating that the client's destination has been confirmed as an available safe, housing option and that no funds are used for rent, hotel/motel, utilities or other services in a state other than Oregon. Such allowable costs are restricted to moving costs.

OHCS does not require strict adherence to an organization's service boundaries within Oregon; however, some clients may start intake and assessment with one organization and then find housing or move to another organization's jurisdiction. OHCS recommends that organizations coordinate with one another ~~and work together~~ to meet the needs of the client, or one organization can provide a soft hand-off to another organization for continued support. Roles and responsibilities should be clearly identified between the organizations to effectively support the client.

~~(H) *Eligibility Documentation*~~

~~*[also see Records Section of this Manual]*~~

~~(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. 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 assistance.~~

~~(2) **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 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 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 that in its determination does not meet basic principles or requirements of such a policy.

The subgrantee's Remote Application and Documentation policy 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.

(3) **Order of Preference**

OHCS requires program staff to comply with the following general documentation standards listed in order of preference:

- **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 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. 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.

(4) **Simplified Documentation Option**

When a subgrantee or subrecipient moves an active client from the Housing Stabilization Program (HSP) to EHA (DRF/DRF VET), SHAP or Elderly Rental Assistance (ERA) programs or between state funds (EHA (DRF/DRF VET), SHAP, ERA), they can choose to use a simplified documentation process for the client's homeless status and income; whereby the subgrantee or subrecipient case manager verifies that the client meets the homeless 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) will still remain requirements that must documented when using a simplified documentation option 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) funds still require separate documentation and are not subject to a simplified documentation option.

4. Allowable Program Components and Expenditures

Emergency Housing Assistance (EHAP GF/EHA DRF/EHA VET DRF)	State Homeless Assistance Program (SHAP)	Elderly Rental Assistance (ERA)
• Street Outreach • Emergency Shelter & Transitional ShelterHousing Operations • Transitional HousingFinancial Assistance	• Street Outreach • Emergency Shelter & Transitional ShelterOperations • RRH Financial Assistance • RRH Program Delivery	• Transitional Housing • HP/RRHHP Financial Assistance • HP Program Delivery • Supportive In-Home Services

• ~~HP/RRH~~Program Delivery • ~~Supportive In-Home Services~~ • ~~Acquisition/~~Rehab, Renovation • ~~Community Capacity Building~~Emergency System and Strategy Strengthening • ~~Data System Expenses~~ • Engagement Incentives	• ~~Acquisition/~~Rehab, Renovation • ~~Data System Expenses~~	• ~~Data System Expenses~~ • ~~Rental Subsidy~~

(A) *General Guidance*

Follow requirements identified in the HSS Program Standards Guidance. ~~Documentation of allowable program components and expenditures must identify how an expense or service helped a participant maintain or attain permanent housing. OHCS-funded assistance provided 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. Allowable component expenditures do not include costs associated with residential treatment facilities, residential homes, nursing, memory care or assisted living facilities, permanent supportive housing, hospital, jails and other similar institutions.~~

Twenty-Five (25%) percent of DRF award must be expended on the veteran population for program delivery and financial assistance and will require that subgrantee's draw funds from separate OPUS categories for tracking purposes

~~**EHA (inclusive of EHA Document Recording Fee (DRF) and EHA DRF VET), ERA** and **SHAP** can be used in **one or more** of the following program components, where the program allows:~~

~~(A) Street Outreach~~
~~(B) Emergency & Transitional Shelter~~
~~(C) Transitional Housing~~
~~(D) Homelessness Prevention & Rapid Re-Housing~~
~~(E) Supportive In-Home Services~~
~~(F) ERA Rental Subsidy~~
~~(G) Shelter or Transitional Housing Facilities Acquisition. Rehab/Conversion~~
~~a. Distinguishing Between Maintenance and Rehab/Conversion~~
~~(I) Community Capacity Building~~
~~(J) Data System Expenses~~
~~(K) Gift Cards~~
~~(L) Engagement Incentives~~

~~(A)~~(B) *Street Outreach (Program Delivery)*

EHAP GF/(DRF~~/DRF VET)~~ and **SHAP** funding can pay for street outreach services. Street Outreach is service delivery that targets unsheltered ~~homeless~~houseless individuals and households. Street Outreach is drawn from the Program Delivery category of the grant. Street outreach includes reaching out to people who **do not otherwise seek assistance**. Street outreach involves going outside of the agency to connect with individuals and households (non-clients) where they build rapport and meaningfully engage with unhoused individuals and families for assessment, eligibility screening, and case management so that subgrantee/subrecipient can assist them in obtaining permanent housing. Street outreach includes connecting with individuals and households experiencing ~~homeless~~houselessness who may be disconnected or alienated from supports and services and is focused on moving people into permanent housing without preconditions for receiving assistance.

OHCS encourages the use of multi-disciplinary approaches and partnerships with culturally responsive, healthcare-focused, or other specialty outreach services. Leveraging various fund sources to pay for health services, such as through Medicaid, should be explored whenever possible. It is expected that any health professionals providing specialty outreach services have proper credentialing and licensure through relevant governing bodies (e.g., Oregon Health Authority, Mental Health and Addiction Certification Board of Oregon).

1) **Requirements for the delivery of Street Outreach:**
   a) Employs engagement strategies focused on building rapport as identified in this Section.
      - Includes basic assessment of needs that engages with the individual or household to get an understanding of factors related to immediate health and basic needs, vulnerabilities, and risks, and any other related factors. This does not necessarily need to be a formalized assessment tool and completing an assessment tool (such as coordinated entry assessment) is not a precondition for receiving street outreach services.
   b) Safety in service delivery – the subgrantee must have a written policy/procedure (such policy/procedure must be made available to OHCS upon request, 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) regarding staff safety in service delivery, which may include the following:
      - Never go out alone. Teams of two should be considered the absolute minimum.
      - Establish a system in which threats to safety to teammates are identified unbeknownst to others while conducting street outreach.
      - The office or clinic (e.g., team members not in the field) should always know the location of outreach teams. Keep to a set schedule and use Smartphones that have GPS functionality built-in.

- Wear matching clothing, ideally in bright colors, so the street outreach team is easily identified as the street outreach workers.
- Linkages with crisis response teams and behavioral health support are essential, especially if outreach teams lack a behavioral health provider.
- Use trauma-informed de-escalation training for outreach staff.
- Use harm reduction principles: safety and comfort are two different things, as are perceived threats to safety and actual threats. Witnessing drug use is not necessarily a threat to safety, for example.
- Create time and space for street outreach teams to debrief and process any threatening events. Trauma-informed supervision of outreach personnel is essential.

c) Works toward connecting participants with local coordinated entry (CE) systems and as a means of connecting participants to available permanent supportive housing opportunities, if participant has this need. If participant agrees, this will include completing a CE assessment or referring them for a CE assessment/enrollment. Coordinated Entry is not a requirement of EHAP GF/~~(EHA~~ DRF~~/EHA VET)~~ or SHAP).

~~c)~~d) Street Outreach is only eligible for non-clients. Once a person is officially a client, funds for continued financial assistance and program delivery support must be funded under other eligible components (shelter, prevention, rapid rehousing).

~~d)~~e) Services are person centered, trauma informed, culturally responsive and meet requirements of non-discrimination guidelines.

~~e)~~f) Staff receive appropriate training, that at least covers minimum training requirements, as identified in the Training Section of ~~this manual~~the Program Standards Guidance.

~~f)~~g) Use of street outreach funds to provide ~~safety/comfort resources~~Street Outreach Consumable Purchases for non-clients (such as food, tarps, sleeping bags, clothing, blankets, tents, toiletries, propane tanks, pet food, pet supplies/leashes, pet crates, etc., (veterinary services are allowable for sheltered and unsheltered clients only under Shelter Operations and require HMIS entry) is allowable as a means of building rapport and encouraging program participation. Consumable Purchases must be delivered to the non-client where they are at and does not require them to travel or use a voucher or gift card to obtain the item (gift cards or cash equivalents, such as a pre-paid laundry card) are not allowable in street outreach). ~~, however, t~~The goal must be the connection to permanent housing and subgrantee/subrecipient must utilize donations and other available resources for obtaining these consumable supplies prior to using state funds. ~~and such e~~Efforts to obtain these consumable supplies outside of using state funds must be documented and such document must be available to OHCS, upon request or the subgrantee/subrecipient must be able to articulate appropriate measures taken that align with OHCS' intent identified in this manual. Consumable purchases must meet the intent of street outreach, which is to build rapport sufficiently so that the houseless person(s) receives an assessment, eligibility screening, and case management as a client (see definitions section) to assist them in obtaining permanent housing. This use of funds should be limited and applies only when other donations or resources are not available. Once a person is a client, they no longer receive street outreach services and

are entered into other eligible categories for financial assistance and program delivery services. Subgrantee/subrecipient may track the distribution of Consumable Purchases to houseless individuals through an HMIS service transaction.

~~g)~~h) Data entry - all street outreach events and services must be entered into HMIS

2) Allowable Costs for Street Outreach include:

a) Assessment, enrollment, data entry – conducting an initial assessment of applicant basic needs and eligibility, conducting a CE entry assessment and data entry into HMIS;

b) ~~Safety & Comfort~~ Street Outreach ~~Resources~~ Consumable Purchases ~~such as food, tarps, sleeping bags, clothing, blankets, tents, toiletries, propane tanks are allowed; however, this must not be the sole strategy for street outreach services and such items must be limited and provided as a means of building rapport with homeless individuals to connect them to shelter, permanent housing options and additional health and human services~~(see requirements in (1)(g) above);

c) Providing crisis counseling;

d) Assessing emergent health, behavioral and mental health needs and connecting and/or referring participants to these services;

e) Collaboration with health, behavioral and mental health service providers to connect with street outreach households in the field;

f) Connect street outreach households to appropriate shelter services where basic needs can be met, such as access to shower, laundry, food services and other shelter resources and services;

g) Organizational costs for developing Homeless Connect events;

h) Marketing and outreach costs inclusive of written materials, translation and interpretation services (promotion and marketing must be program specific to EHAP, SHAP and/or ERA and cannot be general promotion or marketing of the organization or of emergency assistance in general);

i) Cell phone costs for outreach workers; and

j) Travel expenses incurred by outreach workers or in conjunction with outreach workers, social workers, medical professionals, or other service agency employees during the provision of allowable street outreach services (Street Outreach program delivery travel expenses must be expended and documented in accordance with guidance for travel identified in the Administration Section of this manual)

3) Unallowable Costs for Street Outreach include:

a) Cash or cash-equivalent funds provided to applicants/participants

b) Use of vouchers or gift cards/cash equivalents

c) Stipend or direct payment to client for any purpose

d) Personal solar or other powered generators

e) Phone purchases for clients

~~a)~~ Veterinary or animal behavioral health services (see Shelter Operations)

~~(B)~~(C) *Emergency ~~and Transitional~~ Shelter and Transitional Housing Operations*

~~(1) Shelter Facility Operations~~

~~**EHA (and DRF/DRF-VET)** and **SHAP** funding can pay for emergency and transitional shelter facility operations.~~ **EHAP GF/DRF** funding can be used for transitional housing facility operations. **EHA GF/DRF** and **SHAP** funding can be used for emergency shelter facility operations.

Emergency~~/Transitional~~ Shelter/Transitional Housing Operations are those costs associated with maintaining and operating emergency ~~or transitional~~ shelter and transitional housing facilities whose primary purpose is to provide temporary ~~or transitional~~ shelter and housing to ~~the general homeless~~houseless or specific populations of ~~the homeless~~houseless households. ~~Use of **EHA-DRF-VET** funds for emergency and transitional shelter, must include a requirement that recipients of such shelter meet the definition of "veteran" as outlined in this manual.~~

Program delivery services and financial assistance to clients residing in emergency shelters or transitional housing can be provided through Rapid Rehousing activities.

Emergency Shelter (EHAP/DRF, SHAP) means a facility whose primary purpose is to provide emergency shelter to houseless households or specific populations of the houseless and which do not require occupants to sign leases or occupancy agreements (inclusive of transitional shelter; however, not transitional housing). Shelters act as the "front door" of a houseless system of care. They provide emergency services including hygiene, nutrition, and safe sleep, while also helping to connect families and individuals to housing. Shelters may be congregate or non-congregate.

Emergency Shelter must:

- provide protection from the elements;
- provide space to live and securely store belongings (including ability to securely store required prescription medications);
- include kitchen/meal preparation facilities;
- include bathroom (toilet/shower) facilities;
- be free of accumulated trash and debris and all trash kept securely in closed/covered bins;
- receive regular cleaning and areas of high traffic must be regularly disinfected to reduce the spread of germs. Areas such as bathrooms, door handles and light switches must be cleaned daily and bathrooms free of trash/debris;
- receive frequent broom/mop cleaning, particularly in areas in which pets reside;
- appropriately dispose of hazardous materials, such as needles;
- provide access to refrigeration for required prescription medication that is needed for a resident or their pet; and
- not charge residents a fee for such shelter or shelter services.

Any building that uses OHCS funds for the purpose of shelter must meet basic habitability standards as follows (this is not the same as an NSPIRE or HQS inspection and can be performed by subgrantee/subrecipient staff; however, documentation must be on file that such an inspection was performed at a minimum of once every funding cycle – a habitability standards checklist is available on the OHCS website, if desired):

- ***Structure and materials.*** The shelter building must be structurally sound to protect residents from the elements and not pose any threat to health and safety of the residents.
- ***Access.*** The shelter must be accessible to those with disabilities.
- ***Space and security.*** Except where the shelter is intended for day use only, the shelter must provide each program participant in the shelter with an acceptable place to sleep and adequate space and security for themselves and their belongings.
- ***Interior air quality.*** Each room or space within the shelter must have a natural or mechanical means of ventilation. The interior air must be free of pollutants at a level that might threaten or harm the health of residents.
- ***Water supply.*** The shelter's water supply must be free of contamination and contaminates.
- ***Sanitary facilities.*** Each program participant in the shelter must have access to sanitary facilities that are in proper operating condition, are private, and are adequate for personal cleanliness and the disposal of human waste.
- ***Thermal environment.*** The shelter must have any necessary heating/cooling facilities in proper operating condition. This does not mean that a shelter must have air conditioning, but that any heating/cooling system being used is in proper operating condition and minimally, provides adequate heat and cooling functions.
- ***Illumination and electricity.*** The shelter must have adequate natural or artificial illumination to permit normal indoor activities and support health and safety. There must be sufficient electrical sources to permit the safe use of electrical appliances in the shelter.
- ***Food preparation.*** Food preparation areas, if any, must contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.
- ***Sanitary conditions.*** The shelter must be maintained in a sanitary condition.
- ***Fire safety.*** There must be at least one working smoke detector in each occupied unit of the shelter. Where possible, smoke detectors must be located near sleeping areas. The fire alarm system must be designed for hearing-impaired residents. All public areas of the shelter must have at least one working smoke detector. There must also be a second means of exiting the building in the event of fire or other emergency.

Shelters may require that residents sign or agree to a Code of Conduct, which is not the same as an occupancy agreement (see Definitions section of this manual).

Low-Barrier Shelters are a priority at OHCS. Low-barrier shelters have limited entry requirements that enable people, who otherwise are not willing or able to access shelter

services, to be off the streets. Low barrier shelters must not expect residents to abstain from using alcohol or other drugs while living on-site and residents must not engage in these activities in common areas of the house. Low barrier shelters allow pets, allow couples/families to stay together, and can provide secure storage space for personal items. Low barrier shelters do not require documentation of identification, custody, citizenship, or gender and comply with Equal Access requirements. Low-barrier shelters are a state priority and should be implemented whenever feasible. Low-barrier shelters must maintain the same standards for cleaning/sanitation and habitability as emergency shelters as identified above.

Hotel/Motel Vouchers can be used as an emergency shelter strategy in those areas and times when no appropriate emergency shelter is available or to meet the medical needs of the shelter resident(s). Subgrantee/subrecipient must have documentation on file and available for monitoring purposes, that identifies that due diligence has been performed to determine that no appropriate emergency shelter is available or that the client meets a need for non-congregate sheltering options. Hotel/motels do not have to perform inspections for habitability standards related to EHA GF/DRF or SHAP.

~~**Warming/Cooling**~~**Inclement Weather Centers** are a short-term, drop-in and/or overnight facility that operates when temperatures or a combination of precipitation, wind chill, wind, air quality and/or temperature become dangerously inclement. Their paramount purpose is the prevention of death and injury from exposure to the elements and are an allowable use of Emergency Shelter Operation funding. When operated by a subrecipient, such subrecipient must be identified in the subgrantee's Funding Application and must be prior approved by OHCS before receiving OHCS funds. The resulting contract/agreement between the subgrantee and subrecipient must contain all required provisions from the OHCS Subgrantee Agreement/Contract. Subaward agreements must cite the correct regulations and the correct grant(s). 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 Program Element: Scope of Work.

Safe Sleep Sites are locations in which the subgrantee/subrecipient provides houseless individuals/households a safe and lawful place to temporarily place a vehicle and/or tent in which they live and provides access to human and social services.

Safe Sleep Sites must be a strategy taken when no other sheltering options are available to meet the need of housing unsheltered households. There must be documented evidence available for review at OHCS' request, such as a community needs assessment or other analysis that identifies a gap in sheltering options that only Safe Sleep Site are able to fill.

To be an eligible use of Shelter Operations funds, these shelters **must** adhere to local zoning requirements and meet minimum requirements of which the end goal is to be permanent housing and subgrantee/subrecipient **must** have a written plan of operation for each site or policies and procedures that meet the same standard.

The written plan of operation (policy/procedure) of Safe Sleep Sites must be available during monitoring. Safe Sleep Sites must have a minimal level of onsite management that ensures:

1) timely and appropriate responses to compliance with zoning requirements, when identified by state, local or county officials;
2) the safety of participants, such as security personnel or other measures that ensures participant safety;
3) site cleanliness/janitorial services for regular clean-up of the site;
4) garbage collection, inclusive of "sharps" and other bio-hazard disposal;
5) sanitation options, such as portable toilets or access to toilet facilities;
6) access to a potable water source;
7) removal/towing of inoperable and/or abandoned vehicles;
8) waste management that may include plan to address spills and RV waste water disposal
9) provision of subgrantee/subrecipient services to residents, such as case management, rehousing options, housing navigation, links to employment, and needed medical services, etc.; and
10) that site rules are posted at the site and must include contact information for the subgrantee/subrecipient in case of emergency.

~~**EHA** and **SHAP** Shelter Operations can be used to support the operations performed by partners of subgrantees when such partners are operating a warming/cooling center during periods of inclement weather. To provide~~ Shelter

~~a)~~**b)** ~~Operation funds to a partner organizations, such partner organizations must be identified as a subrecipient of the subgrantee and must follow general EHA and SHAP guidance and specific requirements related to the delivery of Shelter Operations as identified in Section (B)(1)(a) and (b) below.~~**Requirements for the delivery of Shelter Operations:**

1) Subgrantees must have an animal policy in place to ensure the safety and welfare of all residents and animals, if animals are accepted at the shelter facility, and such policy must be available to OHCS upon request. Shelters must not implement specific dog breed restrictions. Pets may include service animals and companion animals as defined in ORS 609.500(4). 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. An animal safety policy/procedure must include:
   i. What type of pet is acceptable (dog breed restrictions are prohibited);
   ii. How many pets are acceptable (per person or per shelter limitation);
   iii. Whether muzzles or leashes are required, when and where;
   iv. Requirements on waste clean-up;

v. What happens when guidelines are not met;

vi. If there are any animal facilities (such as kennels) available, what are the rules to use them; and

vii. If there are any requirements for cleanliness of animal or proof of current vaccinations/shots and what are those requirements (or process by which clients could obtain services for these issues?).

viii. What is the process for addressing pet aggression behavior or other pet concerns raised by staff or shelter users/residents?

2) ~~Hotel/Motel vouchers can be used as an emergency shelter strategy when there is a lack of available emergency shelters in the subgrantee's/subrecipient's service area. Use of hotel/motel vouchers for this purpose must be specifically identified in the subgrantee's annual report and funds used for this purpose must be identified in the hotel/motel category of the subgrantee's budget.~~

3) Emergency shelter participants and persons receiving hotel/motel vouchers as an emergency shelter strategy must have the same access to essential services delivered by the subgrantee and subrecipient and/or provision of information and referral to other service providers. Essential services include: case management; child care; education services, employment assistance and job training; outpatient health services; life skills training; mental health services; substance abuse treatment services; transportation; services for special populations and mainstream income and health benefits where appropriate.

4) When hotel/motel voucher is used as an emergency shelter strategy, damages to a hotel/motel unit that occurred while the participant was in residence of that unit can be an allowable cost of shelter operation when expenses are **reasonable and specifically itemized** by the hotel/motel voucher facility and would not be allowable if such expenses were not reasonable and specifically itemized. Such documentation must be kept in the participant's file (for example, it is not reasonable to cover the replacement of carpet over 8 years old if damaged by the guest).

5) Hotel/motel costs, when used as an emergency shelter strategy, includes wi-fi costs as part of the room fee, if charged separately; however, no other incidental costs are covered, such as movie rentals, room service, long-distance phone calls, etc.

6) Food costs, when used to prepare congregate meals is allowed.

7) Childcare services for residents in shelters: Childcare can be provided when needed to allow residents in shelters to attend meetings, appointments or do job search activities. Childcare service providers should be licensed. Shelters can become licensed, see OAR 413-215 for more information. Shelters can also enter into agreements with licensed childcare facilities for drop-in childcare services. Subgrantees must develop policies/procedures that identify how they will provide childcare services that mitigate liability and details when and how clients may access childcare services while they are residents of shelter. Such policy/procedure must be available to OHCS upon request. 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.

8) Costs to board and care for shelter residents' animals, such as boarding costs, kennels, leashes, pet food, pet toys, pet licenses, behavioral services for pets, basic veterinary services not available or inaccessible within the community (such as vaccinations, flea treatment, spay/neuter operations and costs must be limited and reasonable), as well as transportation costs to transport an eligible pet to and from veterinary care or boarding/kennel care. Note: Veterinary or behavioral services provided must have an HMIS record of the service transaction and households must meet the definition of "client" to receive these benefits, whether the client is sheltered or unsheltered.

~~7)~~

~~8) All Emergency Shelter events and services must be entered into HMIS.~~

9) Bed Inventory must remain current in HMIS.

10) Free-Standing Temporary Shelter (FSTS), also known as tiny homes and "Pallet™" shelters, are a type of alternative shelters that do not include a foundation and are allowed under Shelter Operations as an equipment purchase. Any purchase of FSTS, regardless of procurement limitations, must be prior-approved by OHCS before purchase. Funds may also be used for the operations of FSTS.

FSTS are not considered Safe-Sleep Sites, but are physical shelters and are held to a different standard for operation. Prior OHCS approval of the purchase of FSTS is required. Complete a FSTS Pre-Approval Form, located on the HSS Dashboard. The FSTS Pre-Approval Form includes completing information on your purchase process, site location, amenities on site which is inclusive of utilities, waste management, food service, and public safety strategy, as well as your shelter operation plan.

Using OHCS funds for bringing utilities to a site, requiring ground disturbance, for the purpose of operating FSTS, is unallowable.

Regardless of whether FSTS is a purchase request or if funds are used for the operations of these shelters, each FSTS location must include the following:

- Heat in each unit;
- Electricity in each unit;
- Hard-surface walls and roofing in each unit;
- The ability to close and lock a unit door;
- Showers and toilets onsite;
- Potable water onsite;
- Site cleanliness/janitorial services for regular clean-up of the site;
- Garbage collection, inclusive of "sharps" and other bio-hazard disposal;
- Food preparation facilities available onsite **or** an action plan to provide meals to shelter residents;

- Provision of subgrantee/subrecipient services to residents, such as case management, rehousing options, housing navigation, links to employment, and needed medical services, etc.; and
- That site rules are posted at the site and must include contact information for the subgrantee/subrecipient in case of emergency.

For information and instruction and a How To Guide on Building a Shelter Community, visit www.palletshelter.com.

f) Transitional Housing (EHAP/DRF) Transitional Housing provides temporary housing with supportive services to individuals and families experiencing homelessness with the goal of interim stability and support to successfully move to and maintain permanent housing. TH projects can cover housing costs and accompanying supportive services for program participants for up to 24 months TH requires clients to pay some portion of the rent. Transitional Housing is not the same as "transitional shelter", which requires no lease/occupancy agreement.

a) Requirements for the delivery of Transitional Housing Operations:

1) Transitional Housing tenancy should be limited to less than 24 months. If more than 24 months of tenancy is needed, the client file must document the reason and a clear plan of action to move the client to permanent housing which includes time-bound activities.

2) Participants in a TH projects must have a signed lease, sublease, or occupancy agreement with the following requirements:

- An initial term of at least one month
- Automatically renewable upon expiration, except by prior notice by either party
- A maximum term of 24 months

3) Transitional Housing facilities may charge a resident tenant) a portion of a reasonable rent, based on the resident's (tenant's) household income; however, EHA GF/DRF cannot be used to pay the tenant's portion of such rent.

4) Transitional Housing require residents (tenants) to sign a rental or occupancy agreement (this is not the same as a Code of Conduct – see Definitions section of this manual).

5) Transitional Housing must follow the same habitability standards as emergency shelter (see the Emergency Shelter section of this manual).

~~9)~~

c) Allowable Costs for Shelter and Transitional Housing Operations:

Allowable Cost	Shelter Operations (EHAP/DRF, SHAP)	Transitional Housing Operations (EHAP/DRF)
Lease or rent payments for facility	X	X
Utilities (includes water, sewer, garbage, gas, electricity, internet, phone) for facility	X	X

Security equipment, personnel or service to operate facility	X	X
Janitorial supplies, personnel and service to operate facility	X	X
Facility management (staff costs for a facilities manager to manage day-to-day operations necessary to ensure a physical environment that supports the facilities needs and core function)	X	X
Minor maintenance/repairs to facility (see Definitions, Appendix A and Rehabilitation Sections of this manual for more information)	X	X
Furnishings and appliances for shelter facility (televisions are allowable when placed and used in common spaces)	X	
Furnishings and appliances for transitional housing facility, **if** included as part of the unit and not retained by client upon move-out		X
Hotel/Motel costs as shelter operation strategy	X	
Signage that is for the purpose of providing information to users of the shelter. When signage is for the purpose of advertising or public relations, it is allowable as an administrative costs, but only when following OMB 200.421 guidance for such costs.	X	
Food for congregate shelter facility settings	X	
Childcare services for residents	X	
Pet costs	X	

~~**b)**~~

1) ~~Lease or rent payments for shelter facility~~;
2) ~~Utilities (includes water, sewer, garbage, gas, electricity, internet, phone) for shelter facility~~;
3) ~~Security equipment or service to operate shelter facility~~;
4) ~~Janitorial supplies and service to operate shelter facility~~;
5) ~~Facility management (staff costs for a facilities manager to manage day to day operations necessary to ensure a physical environment also supports a shelter's needs and core function)~~;

~~5)~~6)

~~6)~~7) ~~Minor maintenance/repairs to facility (see Definitions, Appendix A and Acquisition/Rehabilitation Sections of this manual for more information)~~;

~~7)~~8) ~~Furnishings and appliances for shelter facility (televisions are allowable when placed and used in common spaces)~~;

~~8)~~9) ~~Signage that is for the purpose of providing information to users of the shelter. When signage is for the purpose of advertising or public relations, it is allowable as~~

~~an administrative costs, but only when following OMB 200.421 guidance for such costs~~.

~~9)~~10) ~~Food for congregate shelter facility settings~~;

~~10)~~11) ~~Childcare services for residents~~; and

12) ~~Costs to board and care for shelter residents' animals, such as boarding costs, kennels, leashes, pet food, pet toys, pet licenses, behavioral services for pets, basic veterinary services not available or inaccessible within the community (such as vaccinations, flea treatment, spay/neuter operations and costs must be limited and reasonable)~~.

d) Unallowable Costs for Shelter Operations

1) The purchase of recreational vehicles as a form of shelter is not allowable.

~~11)~~

~~(2) SHELTER FINANCIAL ASSISTANCE~~

~~**EHA (and DRF/DRF VET)** and **SHAP** funding can be used for Financial Assistance. Financial assistance are those costs paid on behalf of the participant and that meet the financial needs of the participant to facilitate transitioning out of shelter into more stable housing.~~

~~a) **Requirements for the delivery of Shelter Financial Assistance**~~

~~1) **Client Non-Categorical Services** are the rare provision of goods or payments of expenses not included in other allowable expense categories, which directly help a household obtain or maintain permanent housing or meet a unique **essential** household need, as documented in the client service or housing plan. Consumer debt payments are not allowed as a client non-categorical service. Client Non-Categorical Service payment cannot be made for expenses already allowed in a program category and cannot be used as a means of giving funds directly to a client when a landlord or utility is uncooperative or as a means of covering an unallowable expense. Client Non-Categorical Services is not a cash or cash equivalent payment to a client and such use is unallowable, except where expressly identified in this manual. Prior approval by the case manager's supervisor is required before goods or payments are delivered.~~

~~2) **Food** costs associated when facilitating a client out of shelter and into permanent housing is allowable as a one-time emergency benefit, when other resources are not available for this service and at a maximum amount of the standard for SNAP benefit (https://www.fns.usda.gov/snap/recipient/eligibility) for one month, based on household size, inclusive of any grocery delivery fees. Clients receiving this service must be connected to SNAP benefits and if needed, assistance must be given to help a client apply for SNAP benefits. Client file must document steps taken to ascertain that other food resources were not available to meet the emergent need. Gift cards can only be used when a gift card policy has been pre-approved by OHCS and the limitation for food costs are identified in such policy and cannot exceed the limitation stated above. This service cannot be duplicated in the rapid re-housing category.~~

3) **Pet Deposit** means a security deposit required by a landlord to house an individual or family with a pet. This may be referred to as a one-time pet fee at move in or a non-refundable pet deposit. This does not include a pet deposit for clients during an existing rental/lease agreement. Pet deposits are limited to one pet. Pet deposit does not include repayment of any damages caused by a pet. Other sources of non-OHCS funding must be deferred to first and pet deposit assistance is only eligible when other sources of non-OHCS funds cannot be obtained and providing a pet deposit is necessary, and documented in the participant file, to ensure stability in housing.

4) **Pet Rent** means a monthly rent charged for a pet and required by the landlord through a rental/lease agreement, which must be included in the client file for purposes of documentation.

5) **Rent arrearage** means past due rent owed to a current landlord. Payment of arrears is restricted to 6 months past due rent, per calendar year. Subgrantees have the discretion to limit payments for rent arrearage with a policy that details such further restrictions and their purpose, and identification of how those restrictions are communicated to the participants (such policy must be made available to OHCS upon request). Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

6) **Rental-related expenses** include other expenses incurred such as filing fees, property damage, court fees or lease-break fees to a previous landlord (or collection agency) **when being required by a prospective landlord**, with a case manager's supervisor's approval. Fund cannot be used for debt payment. There must be **documented evidence** from the prospective landlord that payment of the arrears is necessary for the participant to obtain permanent housing and maintain stability in that housing and a unit must be lined up and available for the participant's occupancy if such expenses are to be paid.

7) **Utility arrearage** assistance is past due utilities and can only be provided when there is documented evidence of a utility bill in the participant's name. If arrears are owed to a previous utility company or to a collection agency, these arrears can be paid, but only when there is **documented evidence** that payment of the arrears is necessary for the participant to obtain or retain utility service. Payment of utility arrears to a previous utility company or to a collection agency must result in the utilities remaining on or the connection/reconnection of utility service. Documentation in the client file must show the steps taken to defer to other utility assistance first. Utility deposit assistance may only be provided when there is documented evidence of the requirement of the deposit, the utility will be in the client's/participant's name and client file shows the steps taken to defer to other utility assistance first.

8) If using funds for **storage fees** of personal items, such use of funds must be not more than three months of storage rent and provided as a means of securing a homeless person's belonging while obtaining permanent housing. Costs can include arrears, current or future costs or any combination of those costs for the maximum total assistance of 3 months and costs may not be duplicated with rapid re-housing

financial assistance. Such households must be actively in the process of obtaining permanent housing and are awaiting placement in their home.

9) **Moving costs** can be provided to secure the rental of a moving van/truck and could include a transportation payment in alignment with transportation guidelines. In cases where need is demonstrated, moving costs can cover the professional expenses of a contracted moving company. Moving costs do not include cash or gift cards, except as provided in the transportation guidelines. In circumstances in which a client meets the definition of fleeing domestic violence and there are safety concerns with remaining in Oregon, moving costs can be used to assist the client to safely move to another state; however, the client file must have written documentation that a safe place is available in the destination state and such allowability must be in alignment with the client's service/housing plan. This allowability does not extend to paying an out-of-state landlord for rent, security deposit, application fees, etc., and only encompasses moving costs.

10) **Transportation**: costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repairs/insurance are allowable. Payments that allow participants to use public transportation are the highest priority and must be considered first for the purpose of attending required appointments, job search or other critical services. Case managers have the discretion to provide repairs/gas/insurance for a client's personal vehicle. Case managers must document why a client's personal vehicle option is preferred over public transportation options and that the expense will lead to the stabilization of housing. Costs associated with a vehicle not owned by the client are not allowed. Client must have a valid driver's license.

OHCS funds cannot be used to build assets, such as the purchase of a vehicle or loan payments and cannot be used for debt payments, such as traffic violations/fines to obtain a license. Private transportation options can include minor vehicle repair, car insurance, and the least costly option for vehicle registration, with written subgrantee policy on use of funds for these services and such policy must be available to OHCS upon request. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy. For example, repair to a vehicle might be preferable to a bus pass if the community does not have public transportation or if the client works at night when public transportation is not operational.

Transportation does not include insurance to pay for roadside assistance (such as a membership to AAA) or traffic violations or any collection costs associated with these fines. Insurance includes only general liability insurance as required by the State of Oregon; however, comprehensive/collision coverage, can be allowed, but only when there is documented evidence that such coverage is a requirement of a vehicle loan. Insurance is paid before the period of service and vehicle owners have 10 days in which to make payment; therefore, insurance arrears is not a factual cost and is unallowable.

A Private Vehicle Costs policy must include:

I. Dollar limitation per participant and frequency of such limitation (e.g., once per biennium);

II. Number of months limitation per participant for insurance costs;

III. Identification on what factors are used to determine whether such costs are preferable to public transportation; and

IV. Identification of how justification of expense and documentation of that justification is performed. Client files must include such documentation.

b) Allowable Costs for Shelter Financial Assistance:

1) Housing relocation (e.g., rent payments (inclusive of first, last, rent arrears, pet rent, and if accepted by landlord as an incentive, forward rent), manufactured home rental space "lot rent", application fee, security deposit, pet deposit, utility arrears, utility deposit, storage fees);

2) Rental-related expenses;

3) Moving costs (van/truck rental);

4) Purchase of identification and driver's license;

5) Purchase of birth certificates;

6) Food, inclusive of delivery fee;

7) Transportation costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repairs/insurance; and

8) Client non-categorical services.

c) Unallowable Costs for Shelter Financial Assistance:

1) Cash;

2) Cash equivalent funds provided to applicants/participants, except through an OHCS approved gift card policy; and

3) Participant debt payment

(3) Shelter Program Delivery

EHA (and DRF/DRF VET) and **SHAP** funding can be used for Shelter Program Delivery. Shelter Program Delivery are those costs associated with providing services to facilitate shelter resident's transition out of shelter into more stable housing.

a) Requirements for the delivery of Shelter Program Delivery services

1) Food costs associated with disseminating technical information necessary and reasonable for successful performance of shelter participant education opportunities, such as tenant readiness education, financial/budgeting education and other client educational services is allowable as identified in OMB 200.432 and Oregon Accounting Manual 10.40.10.

2) Case management is one of the primary services offered to individuals and families who face multiple challenges, including severe mental illness, addiction, and homelessness. Effective case management includes **assessment, planning, implementation, coordination and evaluation**. Best practices in case management skills are available on the OHCS Homeless Services Section dashboard.

b) Allowable Costs for Shelter Program Delivery

1) Intake, data entry into HMIS;
2) Case management including pre-eligibility determination for housing and other needed services;
3) Housing navigation assistance;
4) Crisis intervention/counseling;
5) Education and training in such areas as personal finance and budgeting, job search and access to job training, life skills, and literacy;
6) Assistance in completing/submitting applications for other state/federal benefits (SSI/SSDI, TANF, SNAP, Unemployment, etc.);
7) Referrals and/or "warm hand-offs" to counseling, addiction and mental health services;
8) Mediation between client and landlord;
9) Tenant readiness education; and
10) Maintenance costs associated to assist a unit pass an HQS inspection, this does not include major repair/rehabilitation costs (see the Acquisition/Rehabilitation Sections of this manual).

(C) *Transitional Housing*

EHA (and DRF/DRF VET) and **ERA** funding can be used for Transitional Housing. Transitional Housing facilitates a homeless household's transition to permanent housing and is offered to participants for a reasonable amount of time (usually less than 24 months). Transitional Housing is designed to provide interim support to successfully move a participant to, and help them maintain, permanent housing. Transitional Housing will require program participants to sign either a lease or an occupancy agreement and requires participants to pay some portion of the rent. Transitional Housing is not the same as Transitional Shelter, which requires no lease/occupancy agreement.

(1) TRANSITIONAL HOUSING OPERATIONS

EHA (and DRF/DRF VET) and ERA funding can be used for Transitional Housing Operations. Transitional Housing Operations are those costs associated with maintaining and operating Transitional Housing facilities whose primary purpose is to provide housing to the general homeless or specific populations of the homeless while they perform activities that increase their ability to obtain permanent housing.

a) Requirements for the delivery of Transitional Housing Operations:

1) Transitional Housing tenancy should be limited to less than 24 months. If more than 24 months of tenancy is needed, the client file must document the reason and a clear plan of action to move the client to permanent housing which includes time-bound activities.
2) All Transitional Housing events and services must be entered into HMIS.

b) Allowable Costs for Transitional Housing Operations

1) Lease or rent payments for transitional housing facility;
2) Utilities (includes water, sewer, garbage, gas, electricity, internet, phone) for transitional housing facility;
3) Security equipment or service to operate transitional housing facility;
4) Janitorial supplies and service to operate transitional housing facility;
5) Facility management (staff costs for a facilities manager to manage day to day operations necessary to ensure a physical environment supports a transitional housing's needs and core function);
6) Minor maintenance/repairs to facility (see the Definitions Appendix A, and Acquisition/Rehabilitation Sections of this manual); and
7) Furnishings and appliances for transitional housing facility, if included as part of the unit and not retained by client upon move-out.

(2) TRANSITIONAL HOUSING FINANCIAL ASSISTANCE

a) **EHA (and DRF/DRF VET) and ERA** funding can be used for Financial Assistance. Financial Assistance are those costs paid on behalf of the participant and that meet the financial needs of the participant to facilitate transition out of transitional housing and into permanent housing. **Requirements for the delivery of Transitional Housing Financial Assistance**

1) Paying a **tenant's share** of transitional housing placement is not allowed. A purpose of the transitional housing service model is working with participants on building ownership and responsibility in paying housing costs which means having the income necessary to do so. Programs often have graduated rent share levels or do income proportional requirements, etc., so outright paying the tenant's portion of rent is counterproductive to service delivery. Subgrantees and subrecipients can employ different degrees and approaches for flexibility so if there's a month where a participant is unable to pay rent, the transitional housing provider can reassess the current participant's income/rent ration. Subgrantees must have a policy in place on income/rent formula reassessments and such policy must be available to OHCS upon request. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy

   A Transitional Housing Formula Reassessment policy must include:

   I. Frequency of income/rent ratio formula reassessments or what event(s) trigger a reassessment;
   II. Any limitation on frequency of reassessments;
   III. Methodology of formula for reassessment; and
   IV. A statement that formula reassessments are used consistently between participants.

2) **Client Non-Categorical Services** are the rare provision of goods or payments of expenses not included in other allowable expense categories, which directly help a household to obtain or maintain permanent housing or meet a unique **essential** household need, as documented in the client service or housing plan. Consumer debt

payments are not allowed as a client non-categorical service. Client Non-Categorical Service payment cannot be made for expenses already allowed in a program category and cannot be used as a means of covering an unallowable expense. Client Non-Categorical Service is not a cash or cash equivalent payment to a client and such use is unallowable, except where expressly identified in this manual. Prior approval by the case manager's supervisor is required before goods or payments are delivered.

3) **Food** costs when facilitating a client out of transitional housing and into permanent housing as a one-time emergency benefit, when other resources are not available for this service and at a maximum amount of the standard for SNAP benefit (https://www.fns.usda.gov/snap/recipient/eligibility) for one month, based on household size, inclusive of any grocery delivery fees. Clients receiving this service must be connected to SNAP benefits and if needed, assistance must be given to help a client apply for SNAP benefits. Client file must document steps taken to ascertain that other food resources were not available to meet the emergent need. Gift cards can only be used when a gift card policy has been pre-approved by OHCS and the limitation for food costs are identified in such policy and cannot exceed the limitation stated above.

4) **Pet Deposit** means a security deposit required by a landlord to house an individual or family with a pet. This may be referred to as a one-time pet fee at move in or a non-refundable pet deposit. This does not include a pet deposit for clients during an existing rental/lease agreement. Pet deposits are limited to one pet. Pet deposit does not include repayment of any damages caused by a pet. Other sources of non-OHCS funding must be deferred to first and pet deposit assistance is only eligible when other sources of non-OHCS funds cannot be obtained and providing a pet deposit is necessary, and documented in the participant file, to ensure stability in housing.

5) **Pet Rent** means a monthly rent charged on a pet and required by the landlord through a rental/lease agreement, which must be included in the client file for purposes of documentation.

6) **Rent arrearage** means past due rent owed to a current landlord. Payment of arrears is restricted to 6 months past due rent, per calendar year. Subgrantees have the discretion to limit payments for rent arrearage with a policy that details such further restrictions and their purpose, and identification of how those restrictions are communicated to the participants (such policy must be made available to OHCS upon request) Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

7) **Rental-related expenses** include other expenses incurred such as filing fees, property damage, court fees or lease break fees to a previous landlord (or collection agency) **when being required by a prospective landlord**, with a case manager's supervisor's approval. There must be **documented evidence** from the prospective landlord that payment of the arrears is necessary for the participant to obtain permanent housing and maintain stability in that housing and a unit must be lined up and available for the participant's occupancy if such expenses are to be paid.

8) **Utility arrearage** assistance is past due utilities and can only be provided when there is documented evidence of a utility bill in the participant's name. If arrears are owed to a previous utility company or to a collection agency, these arrears can be paid, but only when there is documented evidence that payment of the arrears is necessary for the participant to obtain or retain utility service. Payment of utility arrears to a previous utility company or to a collection agency must result in the utilities remaining on or the connection/reconnection of utility service. Documentation in the client file must show the steps taken to defer to other utility assistance first. Utility deposit assistance may only be provided when there is documented evidence of the requirement of the deposit, the utility will be in the client's/participant's name and shows the steps taken to defer to other utility assistance first.

9) **Transportation:** costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repairs/insurance are allowable. Payments that allow participants to use public transportation are the highest priority and must be considered first for the purpose of attending required appointments, job search or other critical services. Case managers have the discretion to provide repairs/gas/insurance for a client's personal vehicle. Case managers must document why a client's personal vehicle option is preferred over public transportation options and that the expense will lead to the stabilization of housing. Costs associated with a vehicle not owned by the client are not allowed. Client must have a valid driver's license.

OHCS funds cannot be used to build assets, such as the purchase of a vehicle or loan payments and cannot be used for debt payments, such as traffic violations/fines to obtain a license. Private transportation options can include minor vehicle repair, car insurance, and the least costly option for vehicle registration, with written subgrantee policy on use of funds for these services and such policy must be available to OHCS upon request. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy. For example, repair to a vehicle might be preferable to a bus pass if the community does not have public transportation or if the client works at night when public transportation is not operational.

Transportation does not include insurance to pay for roadside assistance (such as a membership to AAA) or traffic violations or any collection costs associated with these fines. Insurance includes only general liability insurance as required by the State of Oregon; however, comprehensive/collision coverage, can be allowed, but only when there is documented evidence that such coverage is a requirement of a vehicle loan. Insurance is paid before the period of service and vehicle owners have 10 days in which to make payment; therefore, insurance arrears is not a factual cost and is unallowable.

A Private Vehicle Costs policy must include:

I. Dollar limitation per participant and frequency of such limitation (e.g., once per biennium);

II. Number of months limitation per participant for insurance costs;

III. Identification on what factors are used to determine whether such costs are preferable to public transportation; and

IV. Identification of how justification of expense and documentation of that justification is performed. Participant files must include such documentation.

b) Allowable Costs for Transitional Housing Financial Assistance:

1) Housing relocation (upfront housing costs related to relocation such as rent arrears, first/last month's rent, application fee, security deposit, pet deposit, pet rent, utility arrears, utility deposit);

2) Rental-related expenses;

3) Purchase of identification and driver's license;

4) Purchase of birth certificates;

5) Food, inclusive of delivery fee;

6) Transportation costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repair/insurance; and

7) Client non-categorical services.

c) Unallowable Costs for Transitional Housing Financial Assistance:

1) Cash

2) Cash equivalent funds provided to applicants/participants, except through an OHCS-approved gift card policy; and

3) Participant debt payment.

(3) TRANSITIONAL HOUSING PROGRAM DELIVERY

EHA (DRF/DRF-VET) and **ERA** funding can pay used for Transitional Housing Program Delivery. Transitional Housing Program Delivery are those costs associated with providing services that facilitate a participant's transition out of transitional housing and into permanent housing.

a) Requirements for the delivery of Transitional Housing Program Delivery services

1) Food costs associated with disseminating technical information necessary and reasonable for successful performance of transitional housing participant education opportunities, such as tenant readiness education, financial/budgeting education and other client educational services is allowable as identified in OMB 200.432 and Oregon Accounting Manual 10.40.10.

2) Case management is one of the primary services offered to individuals and families who face multiple challenges, including severe mental illness, addiction, and homelessness. Effective case management includes **assessment, planning, implementation, coordination and evaluation**. Best practices in case management skills are available on the OHCS Homeless Services Section dashboard.

b) Allowable Costs for Transitional Housing Program Delivery

~~1) Intake, data entry into HMIS;~~

~~2) Case management including pre-eligibility determination for housing and other needed services;~~

~~3) Housing navigation assistance;~~

~~4) Crisis intervention/counseling;~~

~~5) Education and training in such areas as personal finance and budgeting, job search and access to job training, life skills, and literacy;~~

~~6) Assistance in completing/submitting applications for other state/federal benefits (SSI/SSDI, TANF, SNAP, Unemployment, etc.);~~

~~7) Referrals and/or "warm hand-offs" to counseling, addiction and mental health services;~~

~~8) Mediation between client and landlord;~~

~~9) Tenant readiness education; and~~

~~10) Maintenance costs associated to assist a unit pass an HQS inspection, this does not include major repair/rehabilitation costs (see the Acquisition/Rehabilitation Sections of this manual).~~

(D) ~~*Homelessness Prevention and Rapid Re-Housing*~~*Financial Assistance*

EHAP **GF/~~(and~~ DRF~~/DRF VET)~~** ~~and ERA~~ can be used to support ~~Homeless~~Houselessness Prevention and Rapid Re-Housing activities.

ERA can only be used to support Houselessness Prevention activities.

SHAP can only be used to support Rapid Re-Housing activities.

~~**Homeless**~~**Houselessness Prevention** are ~~those services performed~~funds used to prevent ~~homeless~~houselessness and assist a participant in remaining in their current housing. ~~Homeless~~houselessness Prevention is used when a household's housing status is at imminent risk of ~~homeless~~houselessness (category 2) or unstably housed (category 5). ***ERA*** *only allows for houselessness prevention activities. Houselessness Prevention activities are unallowable in* ***SHAP****.*

Rapid Re-Housing are ~~those services performed~~funds used to enable households to obtain permanent housing when they are currently ~~homeless~~houseless. Rapid Re-Housing is used when a household's housing status is literally ~~homeless~~houseless (category 1), ~~homeless~~houseless under other federal statutes (category 3) or when a household is fleeing or attempting to flee a domestic violence situation (category 4). *SHAP only allows for rapid rehousing activities. Rapid rehousing activities are unallowable in* ***ERA****.*

Financial Assistance are those costs paid on behalf of a client to the meet the financial need(s) of the client. Financial Assistance can be provided to participants residing in Emergency Shelter or clients residing in Transitional Housing and can be provided to those who are Rapidly Re-Housed or to prevent Houselessness.

Twenty-five (25%) percent of DRF awards must be expended on the veteran population for financial assistance and program delivery and will require that subgrantee's draw funds from separate OPUS categories for tracking purposes. Both Houselessness Prevention and Rapid Re-Housing can be used under the DRF grant for the purpose of assisting veterans.

1) ~~HP/RRH Financial Assistance~~Requirements of Financial Assistance

~~HP/RRH FA are those costs paid on behalf of a participant to meet the financial need of the participant.~~

~~a) Requirements of HP/RRH Financial Assistance~~

a) Paying a **tenant's share** of transitional housing placement is not allowed. A purpose of the transitional housing service model is working with participants on building accountability and responsibility in paying housing costs which means having the income necessary to do so. Programs often have graduated rent share levels or income proportional requirements, etc., so outright paying the tenant's portion of rent is counterproductive to service delivery. Subgrantees and subrecipients can employ different degrees and approaches for flexibility so if there's a month where a participant is unable to pay rent, the transitional housing provider can reassess the current participant's income/rent ration. Subgrantees must have a policy/procedure in place on income/rent formula reassessments and such policy/procedure must be available to OHCS upon request. 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.

   A Transitional Housing Formula Reassessment policy/procedure must include:
   - Frequency of income/rent ratio formula reassessments or what event(s) trigger a reassessment;
   - Any limitation on frequency of reassessments;
   - Methodology of formula for reassessment; and
   - A statement that formula reassessments are used consistently between participants.

b) **Rent payments** for a client's primary residence in which the lease/rental agreement is verified (lease/rental agreement with signature, if digital, must follow requirements for a digital signature) and/or through a past due notice from the landlord. Rent payments may include a tenant's portion of a Housing Assistance Payment/Voucher rent amount when there is proof of need. A tenant's portion of a Transitional Housing rent amount is not eligible with OHCS funds.

c) **Mortgage payments** (inclusive of property tax) for a client must be for the client's primary home and requires third-party documentation. Arrears for mortgage payments (inclusive of property tax) cannot exceed six months and must be for the purpose avoiding foreclosure.

d) **"Roommate"** situations are areas of high fraud probability and due diligence is needed to ensure that such situations are adequately documented. Self-certifications or dependence on a client's statement **are not** valid methods of meeting documentation requirements for roommate situations. For example, Tenant A is the "landlord" tenant,

Tenant B is the "roommate" tenant. Whether Tenant B will be placed into Tenant's A unit or whether Tenant B currently lives with Tenant A, if OHCS funds are to be used for Tenant B, Tenant B must provide evidence that Tenant A has the authority to enter into a roommate agreement. Such documentation may be a copy of the amended rental agreement providing approval of the tenancy arrangement or it may be evidence that Tenant B paid an application fee to the landlord to be placed as an occupant in the unit. If a lease/rental agreement includes prohibitions for subleasing or unauthorized occupants, this could denote a fraud attempt.

Placing Tenant B into a roommate situation must not jeopardize Tenant A's housing stability with an unauthorized occupant.

If Tenant A is seeking assistance, Tenant A must declare the income received from Tenant B as part of their income for eligibility requirements.

Payments made directly to the landlord must adhere to rent, rent-related and rent arrears standards.

~~a)~~ If paying rent/utilities in a roommate situation whereby the rent/utilities is being paid to Tenant A and not the actual landlord, ~~C~~clear documentation of a roommate arrangement includes the authority document listed above, ~~both~~ a lease/rental agreement with wet signatures (or valid digital signature) demonstrating the tenant/landlord relationship between ~~the two parties~~Tenant A and Tenant B **AND** documented financial records showing a pattern of financial transactions (bank statements, money order receipts, Paypal/Venmo statements, etc.) ~~are needed~~from Tenant B to Tenant A for rent/utility payments, otherwise payments should be made directly to the landlord/utility company rather than to Tenant A. Hand-written receipts **are not** allowed for this purpose, due to the high risk of fraud. All records must be kept in the client file for monitoring purposes.

~~b)~~e) **Utility assistance** programs **must be deferred to first**, utility assistance is only eligible when other utility assistance cannot be obtained and payment of utility assistance is in the context of, and documented in, an action plan or goal designed to increase housing stability, along with documentation of the steps taken to defer to other utility assistance first. There must be documented evidence of a utility bill in the participant's name. If paying a utility deposit for a client to obtain or retain services, there must be documented evidence of the need to pay such a deposit.

~~c)~~f) **Utility arrearage** assistance is past due utilities and can only be provided when there is documented evidence of a utility bill in the participant's name. If arrears are owed to a previous utility company or to a collection agency, these arrears can be paid, but only when there is documented evidence that payment of the arrears is necessary for the participant to obtain or retain utility service by the current utility company. Payment of utility arrears to a previous utility company or to a collection agency must result in the utilities remaining on or the connection/reconnection of utility service. Documentation in the client file must show the steps taken to defer to other utility assistance first. Utility deposit assistance may only be provided when there is documented evidence of the requirement of the deposit, the utility will be in the client's/participant's name and shows the steps taken to defer to other utility assistance first.

~~d)~~g) **Phone services** must be in the participant's name and must only be provided for one line of service (either landline or cellular line) per household and only when such billing statement clearly identifies the costs of a single line of service, or such cost can be ascertained from the phone service provider. Arrearages are allowed, up to 6 months of service, in alignment with the limitation of a single line of service. Purchases of phones are unallowable. Connect ~~and~~ clients ~~can be connected~~ to ~~the Affordable Connectivity Program (https://www.affordableconnectivity.gov) or through~~ Oregon LifeLine (~~https://www.oregon.gov/puc/pages/oregon-lifeline.aspx~~www.lifeline.oregon.gov) to meet the need.

~~e)~~h) **Internet-related fees and taxes, equipment** (modem/router) rental fees are allowed and must be capped at no more than $300 per biennium and must be in the participant's name. Subgrantees and subrecipients must attempt to obtain a participant's documentation or perform outreach to the internet provider to acquire monthly internet service costs; however, if either of these options are unduly burdensome, the subgrantee must have a policy/procedure that applies a reasonable process to determine the amount of the bill that is applicable to the internet costs; however, total internet assistance cannot exceed $300 per funding biennium. Such policy/procedure must be available to OHCS upon request. 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.

Internet providers retain a "price list" which can be requested to determine the separate costs for each type of service which will provide subgrantees/subrecipients a reasonable process to determine the amount to be paid.

~~In addition, the Affordable Connectivity Program (ACP) is a Federal Communications Commission (FCC) program that helps low-income households pay for internet service and connected devices. If eligible, a household can receive up to $30/month discount on internet service; up to a $75/month discount if the household is on qualifying tribal lands; and a one-time discount of up to $100 for a laptop, tablet, or desktop computer (with a co-payment of more than $10, but less than $50. More information can be found at: https://acpbenefit.org/~~Connect clients to Oregon Lifeline to help meet the need for internet services (www.lifeline.oregon.gov).

The costs of internet-related fees and taxes, equipment rental fees can only be provided when there is documented evidence in a client service/housing stability plan that such payment of the expense is needed for the purpose of obtaining/retaining permanent housing as a means of accessing needed services, attending required appointments or needed as part of job search.

~~f)~~i) **Pet Deposit** means a security deposit required by a landlord in order to house an individual or family with a pet. This may be referred to as a one-time pet fee at move in or a non-refundable pet deposit. This does not include a pet deposit for clients during an existing rental/lease agreement and is not allowable under ~~homeless~~houselessness prevention. Pet deposits are limited to one pet. Pet deposits for multiple pets is

unallowable. Pet deposit does not include repayment of any damages caused by a pet. ~~Other sources of non-OHCS funding must be deferred to first and pet deposit assistance is only eligible when other sources of non-OHCS funds cannot be obtained and providing a pet deposit is necessary, and documented in the participant file, to ensure stability in housing~~.

~~g)~~i) **Pet Rent** means a monthly rent charged on a single pet and required by the landlord through a rental/lease agreement, which must be included in the client file for purposes of documentation. Pet rents for multiple pets is unallowable.

~~h)~~k) **Rent arrearage** means past due rent owed to a current landlord. Rent arrears is only allowable for ~~Homeless~~Houseless Prevention. Payment of rent arrears is restricted to 6 months past due rent, per calendar year. A copy of the lease/rental agreement may be necessary in order to determine that any lump-sum past due amount does not exceed the 6-month limitation and to validate the tenancy. Any equity/interest/tax payments within a lease-to-own agreement are unallowable and rent arrearage would apply only to the past-due rental portion amount. Third-party documentation must be included in file for lease-to-own agreements identifying the portion of rent arrears applicable to rent and equity payments when paying for rent arrearages in a lease-to-own agreement. Subgrantees have the discretion to limit payments for rent arrearage with a policy that details such further restrictions and their purpose, and identifies how those restrictions are communicated to the participants (such policy must be made available to OHCS upon request) 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.

~~i)~~l) **Previous Landlord Rental-related expenses** include other expenses incurred such as rent, filing fees, property damage, court fees, late fees, lease break fees or unpaid rent owed to a previous landlord (or collection agency) **when being required by a prospective landlord**, with a case manager's supervisor's approval; however, total expenses cannot exceed 6 months of the rent amount charged at the previous unit. There must be **documented evidence** from the prospective landlord that payment of the arrears is necessary for the participant to obtain permanent housing and maintain stability in that housing and a unit must be lined up and available for the participant's occupancy if such expenses are to be paid.

~~j)~~m) **Rent/Lease-to-Own.** Rent payments (inclusive of late fees) are allowable when there is documented evidence of the amount owed and an active lease/rental agreement with the landlord. When a ~~homeless~~houselessness prevention tenant is under a rent/lease-to-own contract, a contractual monthly payment (or arrears per this manual's guidance) is allowable to keep a tenant from being ~~homeless~~houseless; however, program funds may not be used to enter into a rent/lease-to-own contract and cannot pay the portion of the rent/lease-to-own agreement applicable to an equity/interest/tax payment. OHCS program funds cannot be used for potential asset building. Client file must include third-party documentation that identifies the portion

of payment applicable to both rent and equity payments to ensure payment covers only the rent portion.

~~k)~~n) Rapid Re-Housing funds can be used for **storage fees** – these costs are not allowable under ~~Homeless~~Houselessness Prevention. If using funds for storage fees of personal items, such use of funds must be not more than three months of storage rent and provided as a means of securing a ~~homeless~~houseless person's belonging while obtaining permanent housing for the purpose of rapid re-housing only. Costs can include arrears, current or future costs or any combination of those costs for the maximum total assistance of 3 months a~~nd costs may not be duplicated with shelter financial assistance.~~ Such households must be actively in the process of obtaining permanent housing and are awaiting placement in their home. Such cost is not allowable through ~~homeless~~houselessness prevention.

~~l)~~o) **Moving costs** within the state of Oregon, provided to secure the rental of a moving van/truck and could include a transportation payment in alignment with transportation guidelines. Moving costs do not include cash or gift cards/cash equivalents, except as provided in the transportation guidelines. In circumstances in which a client meets the definition of fleeing domestic violence and there are safety concerns with remaining in Oregon, moving costs can be used to assist the client to safely move to another state; however, the client file must have written documentation that a safe place is available in the destination state and such allowability must be in alignment with the client's service/housing plan. This allowability does not extend to paying an out-of-state landlord for rent, security deposit, application fees, etc., and only encompasses moving costs. Moving costs do not include cleaning of the unit which the client is leaving, disposing of trash/furnishings or other costs associated with moving out of the unit.

~~m)~~p) In ~~Homeless~~**Houseless Prevention**, **Food** costs as a one-time (per fiscal year) emergency benefit, when other resources are not available for this service and at a maximum amount of the standard for SNAP benefit (https://www.fns.usda.gov/snap/recipient/eligibility) for one month, based on household size, inclusive of any grocery delivery fees (for those clients that are home-bound). Clients receiving this service must be connected to SNAP benefits and if needed, assistance must be given to help a client apply for SNAP benefits. Client file must document steps taken to ascertain that other food resources were not available to meet the emergent need. Gift cards/cash equivalents can only be used when a gift card policy/procedure has been pre-approved by OHCS and the limitation for food costs are identified in such policy/procedure and cannot exceed the limitation stated above.

q) In **Rapid Re-Housing**, **Food** costs when facilitating a client out of ~~homeless~~houselessness and into permanent housing as a one-time emergency benefit, when other resources are not available for this service and at a maximum amount of the standard for SNAP benefit (https://www.fns.usda.gov/snap/recipient/eligibility) for one month, based on household size, inclusive of any grocery delivery fees (for clients that are home-bound). Clients receiving this service must be connected to SNAP benefits and if needed, assistance must be given to help a client apply for SNAP

benefits. Client file must document steps taken to ascertain that other food resources were not available to meet the emergent need. Gift cards/cash equivalents can only be used when a gift card policy/procedure has been pre-approved by OHCS and the limitation for food costs are identified in such policy/procedure and cannot exceed the limitation stated above. This benefit cannot be duplicated in the shelter financial assistance category.

r) **Clothing** as needed for employment or when fleeing domestic violence and participant had no options to leave the situation with clothing. Clothing purchases are only allowable when other donations or community resources cannot be obtained and where client file identifies steps taken to ascertain that other resources are not available to meet this need (documentation of how the subgrantee/subrecipient was unable to obtain other donations or community resources to meet this need);

s) Financial assistance to provide for the installation of **housing modifications** such as temporary ramps or grab bars or rails to assist physically challenged households. When used in a rental home, devices must be able to be removed without creating damage to the property.

t) Purchases of **identification, driver's license and birth certificates** are allowable when needed as a support to clients that are assisted with housing stability as documented in the client's service or housing stability plan.

~~n)~~u) **Transportation:** costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repairs/insurance are allowable. Payments that allow participants to use public transportation are the highest priority and must be considered first for the purpose of attending required appointments, job search or other critical services. Case managers have the discretion to provide repairs/gas/insurance for a client's personal vehicle. Case managers must document why a client's personal vehicle option is preferred over public transportation options and that the expense will lead to the stabilization of housing. Costs associated with a vehicle not owned by the client are not allowed. Client must have a valid driver's license to allow any cost related to a client's personal vehicle.

OHCS funds cannot be used to build assets, such as the purchase of a vehicle or vehicle loan payments and cannot be used for debt payments, such as traffic violations/fines to obtain a license. Private transportation options can include minor vehicle repair, car insurance, and the least costly option for vehicle registration, with written subgrantee policy/procedure on use of funds for these services and such policy/procedure must be available to OHCS upon request. 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. For example, repair to a vehicle might be preferable to a bus pass if the community does not have public transportation or if the client works at night when public transportation is not operational.

Transportation does not include insurance to pay for roadside assistance (such as a membership to AAA) or traffic violations or any collection costs associated with these

fines related to traffic violations. Insurance includes only general liability insurance as required by the State of Oregon; however, comprehensive/collision coverage, can be allowed, but only when there is documented evidence that such coverage is a requirement of a vehicle loan. Insurance is paid before the period of service and vehicle owners have 10 days in which to make payment; therefore, insurance arrears is not a factual cost and is unallowable.

A Private Vehicle Costs policy/procedure must include:

I. Dollar limitation per participant and frequency of such limitation (e.g., once per biennium);

II. Number of months limitation per participant for insurance costs;

III. Identification on what factors are used to determine whether such costs are preferable to public transportation; and

IV. Identification of how justification of expense and documentation of that justification is performed. Participant files must include such documentation.

~~o)~~v) **Client Non-Categorical Services** are the **rare** provision of goods or payments of expenses not included in other allowable expense categories, which directly help a household to obtain or maintain permanent housing or meet a unique **essential** household need, as documented in the client service or housing plan. Consumer debt payments are not allowed as a client non-categorical service. Client Non-Categorical Service payment cannot be made for expenses already allowed in a program category and cannot be used as a means of covering an unallowable expense. Client Non-Categorical Services is not a cash or cash-equivalent payment to a client and such use is unallowable, except where expressly identified in this manual. Prior approval by the case manager's supervisor is required before goods or payments are delivered.

~~p)~~w)There are no **duration or amount of assistance** limitations imposed on subgrantees/subrecipients, with the exception of any specific limitations for particular types of services or expenses as identified in this manual (e.g., rent arrears). Subgrantees have the discretion to set a maximum number of months that a participant can receive assistance and a maximum dollar amount of assistance. The process for determining such conditions must be applied consistently for all households and, if subgrantee make any such limitation, they must have a policy/procedure describing these limitations and how such limitations are determined and monitored and communicated in advance to eligible participants. ~~, incorporated into the subgrantee's policies and procedures and communicated in advance to eligible participants.~~ Such policy/procedure must be available to OHCS upon request. Subgrantees must ensure that subrecipients have policies/procedures that align with OHCS requirements and are consistent with the intent of such a policy/procedures 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.

b) Allowable Costs for ~~HP/RRH~~ Financial Assistance:

~~Where allowable, expenses for HP/RRH Financial Assistance:~~

Expense ERA is excluded from al Rapid Rehousing Activities. SHAP is excluded from all Houselessness Prevention Activities.	HP Allowable	RRH Allowable
~~Housing costs such as mortgage~~Mortgage payment (inclusive of property taxes)/manufactured home payments ~~and arrearages (arrears limited to 6 months)~~ *[ERA is excluded from ~~this~~ mortgage payment allowability]*	X	
Housing relocation costs such as rent payments and security deposit (inclusive of first, last, pet rent, and if accepted by landlord as an incentive, forward rent)~~, and late fees~~	~~X~~	X
Rent/mortgage arrears (limited to 6 months and ERA is excluded for mortgage payment arrears allowability).	X	
Previous Landlord Rental-related expenses	~~X~~	X
Rent or~~/~~Lease-to-Own payments, inclusive of late fees. Lease to-Own payments do not include equity/interest/tax payment	X	
Subgrantee/Subrecipient share of a Transitional Housing portion of rent. *[SHAP is excluded from Transitional Housing activities]*		X
Manufactured home rental space "lot rent" or RV space lot if used for primary housing.	X	X
Utility payments and arrearages (utilities include water, sewer, garbage, gas, electricity, phone, internet),	X	~~X~~
Utility arrearages (utilities include water, sewer, garbage, gas, electricity, phone, internet),	X	
Utilities deposits.		X
Phone services.	X	X
Internet-related fees and taxes, equipment,	X	X
Moving costs (van/truck rental).		X
Storage costs.		X
~~Utilities deposits~~		~~X~~
Pet deposit, limited to one pet per household.		X
Pet rent, limited to one pet per household.	X	X

Application fees.		X
Clothing for employment, fleeing DV.	X	X
One-time Food benefit.	X	X
Installation of temporary modifications to housing for purposes of mobility.	X	X
ID, license, birth certificates.	X	X
Transportation costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repair/insurance.	X	X
Client non-categorical services.	X	X

c) Unallowable Costs for HP/RRH Financial Assistance:

1) Cash;
2) Cash-equivalent funds provided to applicants/participants except through an OHCS-prior approved gift card policy;
3) Hotel/motel expenses (emergency shelter costs are covered under the Emergency Shelter component);
4) ~~Participant~~ Consumer debt payment,
5) Home repairs and/or maintenance; ~~and~~
6) For **ERA,** mortgage payments are unallowable;~~.~~
7) Civil or criminal legal services;
8) Parking/carport/garage rent/fees;
9) Childcare/eldercare services/nursing care/cleaning services;
10) Renter's Insurance, even if required by landlord;
11) Personal solar or other powered generators;
12) Stipends or direct payment to client for any purpose;
13) Phone purchases for clients;
14) Property damages to a unit, except as otherwise provided in Previous Landlord Rental Related expenses
15) Loss mitigation programming; and
~~6)~~16) HOA fees

d) **Gift Card Usage in Financial Assistance**

Gift cards/cash equivalents (such as a prepaid laundry card) given to eligible clients for the purpose of purchasing items related to financial assistance must be in support of the client's written housing goals (client case/housing plan) and is allowable within **EHAP GF** and **SHAP** financial assistance funds, provided that adequate documentation exists to support the purpose and the expense and there is an OHCS-approved Gift Card Policy/Procedure with established policies and procedure in place to address the process. Such policy/procedure

must be submitted and approved by OHCS during each funding application process/cycle. (gift cards usage is not allowable in EHA DRF or ERA).

Use of gift cards/cash equivalents must be rare, for very specific housing-related goals and only when other options are not available. "Rare" means very unusual or not occurring often. It is not rare if, for example, 10% of your clients receive gift cards/cash equivalents, which would denote that gift cards/cash equivalents are used as a method of service delivery, which is unallowable. There are multiple alternatives to using gift cards/cash equivalents which are highly recommended:

- Partner[1] with bus or transportation services that bill for their eligible clients.
- Partner with stores for a voucher system. A voucher is a document which is worth a maximum dollar value, and which may be used only for specific items at a specific vendor. Vouchers are very similar to purchase orders. In advance, the organization establishes agreements with a vendor under which the vendor agrees to accept a "voucher" at the point of sale and then invoices the organization for the actual purchase. The voucher is created in multiple parts with one copy being sent to the vendor, one copy given to the individual making the purchase and at least one copy retained by the organization. The voucher must be uniquely numbered and must clearly detail the allowed item(s) and the maximum cost the purchaser is allowed to spend on the item(s). The vendor invoices for the actual amount of the purchase up to the maximum established cost listed on the voucher.
- Partner with clothing stores that will bill for clothing selected by eligible clients and the clothing can be picked up once the bill is paid (for example, Salem-Keizer Schools currently has this arrangement with Kohl's).
- Online purchases. Subgrantees can use a credit card to purchase the item through an online vendor and have the item shipped. Some online vendors (such as Walmart.com) also offer a same day pick up option for items currently available in local stores. Same day pick up allows an organization to make the purchase online and specify the name of an individual(s) authorized to pick the item up at their local store.
- Employee purchase. An employee goes to a store and purchases the needed items with either a company credit card or receives reimbursement by submitting detailed receipts for allowable costs.

1) Gift Card Requirements:

a) Subgrantee must have prior approval of a stand-alone gift card policy/procedure by OHCS **before incurring costs for gift cards/cash equivalents**. Prior approval must occur through the funding application only. Email, text or phone calls cannot be a method used for the approval of a Gift Card Policy/Procedure. Approval of a Gift Card Policy/Procedure in one biennium, does not mean approval is provided in a prior or subsequent biennium. The date in which a Gift Card Policy/Procedure is approved, is the date in which funds may begin to be used for such purpose and does not allow for purchases of gift cards/cash equivalents prior to the approval date, retroactively and will be disallowed. Approval runs through the end of the biennium in which the policy/procedure was

[1] CCB potential for increasing partnerships.

approved. The gift card policy/procedure must be prior-approved each biennium during the OHCS funding application. 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.

b) Subrecipients of a subgrantee **must** follow the provision of the subgrantee's approved gift card policy/procedure and all OHCS requirements for the use of gift cards/cash equivalents; however, subrecipients can create their own procedures for how they will implement the subgrantee's OHCS-approved policy (such as the position title of an approver, etc. – subrecipients cannot have a policy that does not comply with OHCS requirements and if funds are awarded under a policy not meeting OHCS requirements, costs will be disallowed).

c) Costs will be disallowed without a prior OHCS-approved Gift Card Policy/Procedure.

d) Gift cards/cash equivalents cannot be used as a standard way of delivering program services allowable under other components of OHCS funds, such as rent assistance, deposits, hotel/motel costs, etc.

e) Gift cards/cash equivalents cannot be used for events as a means of attracting applicants, but must be specific to clients receiving financial assistance and in support of a client's written housing goals (case/housing plan).

f) Subgrantees must document in their Gift Card Policy/Procedure the justification as to why they must use gifts cards rather than providing assistance through conventional means, such as partnerships with service providers, checks for goods/services to providers, or voucher options.

g) Subgrantee procurement policies/procedures must be followed when purchasing gift cards/cash equivalents.

h) Gift cards/cash equivalents must be purchased and issued to clients within the same grant period. For any gift cards/cash equivalent that are not issued within the same grant period in which they were purchased, subgrantees must submit a negative request for funds for the grant period in which the gift cards/cash equivalents were purchased totaling the amount of the unissued gift cards/cash equivalents and other non-OHCS funds must be used for the cost of the gift cards/cash equivalents. Such negative request for funds must be submitted within 60 days after the end of the performance period (Aug 30).

i) Subgrantee must maintain complete record of gift card/cash equivalent purchases and issuance and gift cards/cash equivalents must be kept in a secure location.

j) Issuance of a gift card/cash equivalent must be in the context of an action plan or goal designed to increase housing stability and such plan/goal clearly documents, in writing, how the purpose of the gift card/cash equivalent is helping the client obtain or maintain housing stability.

k) Documentation will be reviewed during monitoring and costs will be disallowed without sufficient documentation.

l) The cost must be allocable, within program guidelines and must adhere to internal controls (OMB 200.403, 200.303) and must clearly meet the intent of ORS 458.650(1), showing a connection to housing stabilization.

m) Gift cards/cash equivalents for the purchase of food must follow OHCS guidance for limitation of food expenses.

n) Subgrantee must identify the dollar limitation for gift cards/cash equivalents per client and the frequency limitation for a client's receipt of gift cards/cash equivalents and such limitations must be reasonable as determined by OHCS.

o) Client must receive documentation that identifies the purpose and intent of the gift card/cash equivalent and must acknowledge, by written, legible, wet signature, the same, and such documentation must be kept in the client's file. Gift cards/cash equivalents require an in-person exchange and must not ever be mailed to a client.

2) Gift Card Policy/Procedure must include the following:

a) Justification as to why the subgrantee must use gifts cards/cash equivalents rather than providing assistance through conventional means, such as partnerships with service providers, checks for goods/services to providers, or voucher options (i.e., why are other options of providing assistance not available?);

b) If gift cards/cash equivalents will be used for food purchases, policy must clearly identify the limitations as stated in this manual;

c) Identifies internal controls on how gift cards/cash equivalents are purchased and issued to clients within the same grant period;

d) Identifies internal controls on how gift cards/cash equivalents are securely maintained, who has access to gift cards, and how the issuance of gift cards/cash equivalents is tracked;

e) Identifies, per client, dollar limitation for gift cards/cash equivalents and frequency limitation for how often a client can receive a gift card/cash equivalent. Additionally, policy must identify internal controls on how these limitations are tracked to ensure compliance with the limitation;

f) Requirement that issuance of gift card/cash equivalent is in context to a client's action plan or goal designed to increase housing stability and that such plan is included in the client file; and

g) Written, legible, wet signature statement from client that identifies purpose and intent of gift card/cash equivalent and acknowledging and agreeing to the receipt of the gift card under the intended purpose.

~~2)~~(E) ~~*HP/RRH*~~ *Program Delivery*

Program Delivery~~HR/RRH PD~~ are those staffing costs associated with providing services ~~to help facilitate either maintaining a participant's current housing or assisting a participant to obtain permanent housing~~to clients residing in Emergency Shelter or Transitional Housing facilities. Program Delivery also applies to those who are Rapidly Re-Housed or to Prevent Houselessness. Program Delivery are costs determined necessary to enable a household to obtain/retain their housing and achieve housing stability as identified and documented in their client service/housing stability plan (when receiving more than one-time assistance).

a) Requirements for ~~the delivery of HP/RRH~~ Program Delivery ~~services~~activities:

1) Participant meal/refreshment ~~Food~~ costs associated with disseminating technical information necessary and reasonable for successful performance of HP/RRH participant education opportunities, such as tenant readiness education, financial/budgeting education and other client educational services is allowable as identified in OMB 200.432 and Oregon Accounting Manual 10.40.10.

2) Case management is one of the primary services offered to individuals and families who face multiple challenges, including severe mental illness, addiction, and ~~homeless~~houselessness or are unstably housed. Effective case management must include~~s~~ **assessment, planning, implementation, coordination and evaluation**. Best practices in case management skills are available on the OHCS Homeless Services Section dashboard.

3) ~~All events and services must be entered into HMIS~~Costs that can be directly attributed to program delivery can be paid with program funds, such as a direct staffing costs attributable to the delivery of the program (case worker, housing navigators, mediation, tenant readiness education, etc.). Indirect costs, by their nature (such as a subgrantee's utilities or maintenance of a copier used for many programs) are not a direct cost and may not be directly attributed to the delivery of program services. Indirect costs charged to program delivery must be in accordance with an organization's written cost allocation plan or Negotiated Indirect Cost Rate Agreement (NICRA) and must be consistently applied to all programs, whether OHCS-funded or not. See OMB 2 CFR 200 Subpart E for more information.

b) Allowable Costs for ~~HP/RRH~~ Program Delivery

1) Staffing costs for ~~I~~intake, needs assessment, data entry, data reporting, data mining and data analysis ~~into~~ relative to HMIS;

2) Staffing costs for ~~C~~case management including pre-eligibility determination for housing and other needed services;

3) Staffing costs for ~~H~~housing navigation assistance;

4) Staffing costs for ~~C~~crisis intervention/counseling;

5) Staffing, and participant meal/refreshment costs, associated with the delivery of ~~E~~education and training in such areas as personal finance and budgeting, job search and access to job training, life skills, and literacy;

6) Staffing costs associated with ~~A~~assistance in completing/submitting applications for other state/federal benefits (SSI/SSDI, TANF, SNAP, Unemployment, etc.);

7) Staffing costs associated with providing ~~R~~referrals and/or "warm hand-offs" to counseling, addiction and mental health services;

~~7)~~8) Staffing costs associated with assisting the client with linkages to family support and/or community social support networks or to perform welfare checks on clients in their own home (including travel) (Case management program delivery travel-related expenses must be expended and documented in accordance with guidance for travel identified in the Administration Section of this manual);

~~8)~~9) Staffing costs for ~~M~~mediation services between client and landlord;

~~9)~~10) Tenant readiness education staffing and material costs; and

11) Costs to cover a program-required NSPIRE (or similar) inspection, such as required in Home Tenant Based Rental Assistance and the Emergency Solutions Grant (does not include ~~Maintenance costs associated to assist a unit pass an~~ repair/rehabilitation costs ~~HQS inspection, this does not include major repair/rehabilitation costs~~ (see the ~~Acquisition/~~Rehabilitation Section~~s~~ of this manual~~)~~This Program Delivery cost is only allowable within EHA GF/DRF~~.~~

~~10)~~12) Costs related to HMIS, including user licenses, equipment upgrade, network system upgrades, training and technical assistance for the subgrantee and to support subrecipient organizations, reporting, data quality management and end-user support and troubleshooting.

~~(E) *Supportive In-Home Services*~~

~~**EHA (and DRF/DRF VET)** and **ERA** funding can be used for Supportive In-Home Services. Assistance is designed to provide supportive in-home service for clients who experience a short-term medical or disability need. Use of funds are allowable to meet the emergency and to support the client's recovery and facilitate the immediate needs to ensure their health and physical safety in situations when such services are not available or accessible in their community. Clients may reside in rental housing or own their own home.~~

~~**1) Supportive In-Home Services requirements:**~~

~~a) Supportive In-Home Services must be for clients who meet the housing status of imminent risk of homelessness (category 2) or unstably housed (category 5);~~

~~b) Clients receiving Supportive In-Home Services must be receiving case management services through another funding category or program of OHCS funds or a non-OHCS funding source;~~

~~c) Clients receiving Supportive In-Home Services must receive, as part of case management, minimally at time of application, a welfare/safety check to provide a needs assessment to appropriately identify needs in health care management and safety services. Additional welfare/safety checks should continue as needed;~~

~~d) Supportive In-Home Services must meet the needs of an emergency situation and efforts must be made to determine that other in-home service options are not available or accessible in the service area and such efforts must be documented in the client's file; and~~

~~e) Supportive In-Home Services cannot be used to make general unit repairs or to rehabilitate a unit.~~

~~**2) Allowable costs for Supportive In-Home Services:**~~

~~a) Housing maintenance to address mobility or safety barriers, such as temporary ramps, grab bars or rails with an approved reasonable accommodation request by the property manager or owner, or such maintenance can be permanent if there is documented evidence in the client's file that the client owns their home (no other home repair and/or maintenance is an allowable cost);~~

~~b) Short-term (less than six months) licensed personal care assistance for a medical condition or to recover from surgery when other such care is not available;~~

~~c) Performance of needs assessment and linkages to appropriate health care management and safety services;~~

d) Assisting the client with linkages to family support and/or community social support networks; and

e) Costs to cover emergency situations that threaten the health and safety of the household, such as an emergency payment for a life-saving prescription medication, rental of a hospital bed or other temporary durable medical equipment, dietary management by a registered nurse, temporary transportation to and from medical appointments, chore service for household cleaning during period of short term disability or injury recovery. Justification of such costs must be maintained in the client's file and such cost must not be covered as a cash payment; however, due to the emergency nature of the situation such cost can be covered under a subgrantee's OHCS-pre-approved gift card policy, if such policy exists at the time of need.

(F) *ERA Rental Subsidy Assistance*

ERA can be used to provide ERA clients a monthly rental subsidy to meet this population's ongoing rental assistance needs.

1) **ERA-Based Rental Subsidy Assistance Requirements:**

a) Subgrantee must have a stand-alone ERA Rental Subsidy policy, available for review by OHCS upon request and OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. Documentation will be reviewed during monitoring and costs will be disallowed without sufficient documentation of the ERA-Based Rental Subsidy Assistance requirements.

An ERA Rental Subsidy policy must identify:

i. How tenants will be selected to participate in the subsidy program;

ii. How often tenants will be assessed for continued assistance and what factors are considered in the assessment;

iii. The conditions under which a subsidy agreement is terminated;

iv. The notification process, and or remedies, of such termination;

v. Frequency of welfare checks or case management checks;

vi. What additional factors, if any, will be used in a formula that determines how much rental subsidy a client will receive. All tenants must be assessed using the same formula; and

vii. Limitation on the length of ERA Rental Subsidy, if any.

b) Clients must not pay more than 30% of their gross income in rent when using ERA Rental Subsidy, although, depending on factors identified in the subgrantee's policy, a client may pay less than 30% of their gross income in rent.

c) Clients receiving ERA Rental Subsidy Assistance must meet the housing status of imminent risk of homelessness (category 2) or unstably housed (category 5) and must meet ERA income and household composition requirements.

d) Routine welfare checks or case management checks must occur for tenants receiving ERA rental subsidy.

e) As part of case management (and an allowable cost under ERA HP), a client service/housing plan must be developed and monitored for specified goals for to assist clients in achieving long term stabilization.
f) There are no FMR or utility allowances.
g) Units must receive and pass a Habitability Standards inspection (a Habitability Standards Inspection form can be found on the OHCS website, specifically for ERA).
h) Landlord/tenant must have an executed lease/rental agreement.
i) Subgrantee/subrecipient must execute an Agreement for purposes of an ERA rental subsidy agreement. A sample template is available for this purpose on the OHCS website.
j) ERA HP can be used for costs associated with helping a unit pass a Habitability Standards inspection as part of minor repairs (this does not include rehabilitation, see the Acquisition/Rehabilitation section of this manual for more information).
k) Subsidy payments are allowable on a month-to-month rental agreement or a fixed term rental/lease agreement.
l) If a tenant moves to another unit, subgrantees/subrecipients are not required to enter into a new rental subsidy agreement with the tenant for the new location; however, they are not prohibited from doing so. ERA rental subsidy assistance cannot be paid for the same tenant in two separate dwelling units for the same period.
m) ERA Rental Subsidy cannot be used to replace other subsidy that the client already receives, nor can ERA Rental Subsidy be used to provide additional subsidy to a client that is already receiving other subsidy (such as Housing Choice Voucher Program).
n) ERA Rental Subsidy cannot be used in an Assisted Living Facility or cover the costs of discharge planning programs in mainstream institutions.

2) Termination of ERA Rental Subsidy Assistance

Landlord and/or Tenant must notify subgrantee in writing when terminating the tenancy and such termination must be done in compliance with state and local laws. Such termination would end the ERA Rental Subsidy Assistance and subgrantee/subrecipient must send notification of termination of the ERA Rental Subsidy Assistance to the Landlord and Tenant.

Subgrantee/subrecipient can terminate a subsidy agreement if:

a) Landlord/Tenant terminates the tenancy or tenant no longer occupies the unit;

b) Tenant has committed any fraud or misrepresentation in connection with any OHCS-funded program;

c) Subgrantee has determined tenant was non-compliant with ERA program requirements;

d) Landlord does not make needed health and safety repairs in a timely manner;

e) Unit is uninhabitable;

f) Landlord has committed any fraud or misrepresentation in connection with any OHCS-funded program;

g) Lack of available ERA funding or if required to terminate the agreement by OHCS; or

~~h) Other circumstances have occurred which are contrary to ERA program requirements. Subgrantee/subrecipient shall notify landlord and tenant in writing of its decision to terminate tenant's rent subsidy and that the subgrantee's/subrecipient's share of the rent, pursuant to the Rental Assistance Agreement, shall terminate 30 days after subgrantee/subrecipient gives such notice to landlord and tenant.~~

~~Subgrantee/subrecipient can continue or can decide not to continue ERA rental subsidy assistance in another unit for the tenant if the termination of subsidy is not due to the tenant noncompliance of program requirements. A new rental subsidy agreement must be executed at the new unit in compliance with ERA program requirements and in accordance with the subgrantee's ERA rental subsidy policy.~~

(F) *Engagement Incentives*

EHAP GF funding can be used to support a Subgrantee's efforts to engage **client's** feedback and provide payment of a **client's** participation in focus group or feedback sessions. Such engagement opportunities must include as part of its scope the desire to understand the housing-related needs, barriers and supports that community members identify rather than general data collection that is not related to the broad purpose of EHAP GF funds.

Use of EHAP GF for this purpose must be connected to houselessness and housing instability. If a survey opportunity incidentally discusses related topics such as food scarcity, public safety, and public health, that is permissible so long as there is a housing connection **This allowability does not extend to subrecipients of a subgrantee**. If a subrecipient wishes to use OHCS funds for this purpose, they must coordinate with the subgrantee.

Subgrantee must be responsible for the purchase of gift cards for this purpose, drawing funds from the Engagement category within OPUS, and must maintain the required documentation in the subgrantee's file of meeting all requirements identified in this Engagement Incentive section of this manual.

Funds can be used, in the form of gift cards, for the completion of surveys, focus groups or other feedback sessions in order to further inform community needs regarding houselessness and inform program development in addressing houselessness or housing instability. Persons receiving this incentive **must** meet the definition of **"client"** as identified in this manual (this limitation excludes those receiving Street Outreach services).

Funds used for this purpose must be budgeted and drawn from the Engagement category in OPUS and a part of a program's allocation of funds. Use of funds for this purpose does not permit the use of gift cards for any other purpose except as described in this section. An approved gift card policy/procedure under the Gift Card Usage in Financial Assistance does **not** extend to the approval of gift cards for engagement purposes – these are two separate processes. Allowability within this program component does not include the use of cash payments and the incentive must be delivered through a gift card provided in a face-to-face interaction and requires a client's wet signature of acknowledgment and acceptance. Documentation will be reviewed during monitoring and costs will be disallowed without sufficient documentation of Survey Requirements and Engagement Requirements.

Survey Requirements:

(1) Subgrantee must document the following;
   i. what client population was targeted to complete the survey,
   ii. why this client population was targeted, and
   iii. the method used to solicit this client population's participation.

(2) Survey must be focused on a specific program or policy designed to address houselessness or housing instability, which can also include community needs assessment survey completion by clients.

(3) Surveys **are not** ongoing customer satisfaction surveys.

(4) Surveys must minimally require that:
   (a) Clients are provided sufficient context of the purpose of the survey and how their results will be used;
   (b) Clients are engaged with in-depth questions that influence either program design, expansion of existing services or identify gaps in services;
   (c) Includes a record of client's legible name and address (or denotation of "Houseless"); and
   (d) Be limited in duration for the length of time that the survey will be open for clients to complete, with a beginning and end date that does not exceed a period of 60 days.

(5) Subgrantee must identify and document how responses to survey were used and the outcome of the survey (i.e., how did the results change houselessness/housing instability policy or program or identify community needs).

(6) Compensation must not exceed $25 per client.

(7) Employees of the subgrantee do not qualify for survey compensation, regardless of whether or not they are a client.

(8) Subgrantee must provide compensation through gift card (not cash).

(9) Clients must acknowledge receipt of gift card in a face-to-face interaction with written, legible, wet signature and date and must include acknowledgement, in writing, that they are engaging as an independent contractor being paid for services, and not as an employee of the subgrantee.

(10) Clients are limited to a one-time payment for survey participation per fiscal year and the Subgrantee **must** have policies/procedures in place to ensure this limitation is not exceeded (such policy/procedures must be made available to OHCS upon request).

(11) Subgrantee must maintain records of survey engagement which includes a copy of the survey questions, either individual or aggregate responses, outcomes, targeting information and client payment records. Records must be maintained for a period of 6 years after the date of the close of the survey.

Engagement Requirements:

(1) Subgrantee must document:
   i. what clients were targeted to participate in the engagement,
   ii. why this client population was targeted, and
   iii. the method used to solicit this client population's participation.

(2) Engagement must be focused on a specific program or policy designed to address houselessness or housing instability.

(3) Engagement opportunities can be a single session, focus group or workshop or can be a limited series of such activity. If a limited series, there must be a beginning and end date to the series and does not exceed more than 12 days of attendance in a calendar year.

(4) Subgrantee must document times, dates and locations of engagements and must produce written minutes or notes from each engagement session.

(5) Subgrantee must document the outcome of engagement session(s).

(6) Engagement clients must receive compensation through a gift card (not cash).

(7) Clients must acknowledge receipt of gift card in a face-to-face interaction with written, legible, wet signature and date and must include acknowledgement, in writing, that they are engaging as an independent contractor being paid for services, and not as an employee.

(8) Engagement clients must minimally provide legible name and address (or denotation of "Houseless").

(9) Compensation must not exceed $25 for each day in which clients engaged in such activities (aggregate maximum is $300). Each $25 gift card must be provided only at attendance of each session (face-to-face, with written acknowledgment) and cannot be combined.

(10) If a series of session applies, then a gift card for each session must be provided **after** attendance of each session.

(11) Employees of the subgrantee do not qualify for engagement compensation, regardless of whether or not they are a client.

(12) Clients must not participate in more than one engagement opportunity (whether a single session or a series) per fiscal biennium, and the subgrantee **must** have policies/procedures in place to ensure this limitation is not exceeded (such policy/procedures must be available to OHCS upon request).

(13) Subgrantee must maintain records, which includes targeting information, meeting agendas, notes/minutes, outcomes, and client payment records for a period of 6 years after the final date of an engagement session or series of engagement sessions.

Gift Card Usage for Survey and Engagement Opportunities Requirements

(1) Approval of the usage of gift cards for the purpose of survey and engagement compensation does not provide approval for the use of gift cards for any other purpose. Other uses of gift cards must be aligned with an approved Gift Card Policy/Procedures as identified in the State Houseless Funds Operation Manual's Gift Card Usage in Financial Assistance Section.

(2) Documentation will be reviewed during monitoring and costs will be disallowed without sufficient documentation as identified in each of the Survey Engagement and Engagement Opportunities noted above.

(3) The cost must be allocable, within program guidelines and must adhere to internal controls (OMB 200.403, 200.303).
(4) Subgrantee must maintain complete records of engagement gift card purchases and issuance for a period of 6 years.
(5) The Survey/Engagement Policy/Procedure must be submitted to OHCS through the subgrantee's funding application and 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.
(6) Subgrantee must have a stand-alone Survey/Engagement Policy/Procedure (or a separate section from a Gift Card Policy/Procedure as defined in this manual's Gift Card Usage in Financial Assistance Section) that includes:
  (a) A statement that gift cards for the purpose of compensation for surveys/engagement must be issued to EHA clients (*see definition section of this manual for "client").*
  (b) Identification of internal controls on how gift cards are purchased and issued to clients within the same grant period.
  (c) Identification of internal controls on who has access to gift cards, how gift cards are securely maintained and how the issuance of gift cards is tracked to ensure the safeguarding and oversight of gift card assets.
  (d) Identification of how subgrantee ensures that they do not exceed the per-client limitation for use of gift cards for survey or engagement purposes.
  (e) A statement of compliance with OMB 200.403, 200.303
  (f) A statement that clients must acknowledge receipt of gift card in a face-to-face interaction with written, legible, wet signature and date and must include acknowledgement, in writing, that they are engaging as an independent contractor being paid for services, and not as an employee.

~~(G) *Distinguishing Between Maintenance and Renovation (Rehab/Conversion)*~~

~~**EHA (EHA-DRF/EHA-VET-DRF)** and **SHAP** can be used for "Repairs to facility" as identified in the category of Shelter Operations. This is meant to define minor or routine repairs.~~

~~Distinguishing between maintenance activities and more extensive repair and rehabilitation 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 and therefore requires further environmental review.~~

~~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 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 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 of the program's operational manual for specific examples of maintenance activities.~~

~~The minimum period of use for maintenance activities is the same as for other shelter operations and essential services activities—that is, the recipient/subrecipient must provide services or shelter to homeless individuals and families at least for the period during which OHCS funds are provided (for example, the contract period specified in a subgrantee contract/agreement). Again, maintenance activities are not subject to environmental review.~~

~~*(2) Renovation and Conversion*~~

~~In general, an activity that does materially add to the value of the building, appreciably prolong its useful life, or adapt it to new uses would be considered renovation or conversion.~~

~~See the Table in the Appendix of the program's operational manual for specific examples of maintenance activities.~~

~~When the activity is renovation, rehabilitation or conversion, 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 renovation and value of the building, it might be considered minor rehabilitation or major rehabilitation (see below).

Renovation costs can include architect's fees, engineering costs, permits, and other costs of a renovation or conversion project when they are reasonable and appropriate, and directly related to the renovation or conversion project. Renovation includes four separate activities. 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 renovation and conversion activities, the minimum period of use starts on the date the building is first occupied by homeless individuals or families after the renovation or, if the building is occupied during the renovation, the period of use starts on the date the renovation is completed.

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

Minor Conversion	The cost of the conversion of a building to an emergency shelter is 75% or less of the value of the building after conversion*	3 Years	Environmental Assessment (can require an Environmental Impact Statement (EIS)
Major Conversion	The cost of the conversion of a building to an emergency shelter exceeds 75% of the value of the building after conversion*	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/transitional shelter or transitional housing or that with rehabilitation, renovation or conversion activities will operate for the purpose of emergency/transitional shelter or transitional housing on the site of the property.

(H)(G) *Emergency* Shelter or Transitional Housing Facilities *Acquisition,* Rehab/*Conversion*Renovation

[Refer to your Subgrantee Contract/Agreement for Procurement requirements]

Follow the HSS Program Standards Guidance for more detailed information on standards in rehabilitation/renovation of real property.

EHAP GF(**EHA DRF/EHA DRF VET**) can be used for the categoryies of acquisition and rehab/conversion renovation(encompasses rehabilitation, renovation, and conversion), of emergency shelter for those who are houseless and transitional housing for households who are homeless. Projects using **EHA DRF VET** funds must ensure that funds exclusively serve the veteran population. Where the program requires,meet client eligibility appliesrequirements.

SHAP can be used for the categoryies of acquisition and rehab/conversion renovation(encompasses rehabilitation, renovation, and conversion), of emergency shelter for those who are houseless.

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.

To notify OHCS, Subgrantee must complete the online form at: https://app.smartsheet.com/b/form/33ab4f86297c4a4c86e64a4bd2bb28e1. For OHCS-funded programs, acquisition of land must also include a building structure to be used. Acquisition of bare land is not an eligible use of funds. Funds for renovation/rehabilitation of property must be drawn from the OPUS category identified as Rehab/Renovation and is funded through a program allocation.

(1) *Free-Standing Temporary Shelter*

Free-Standing Temporary Shelter (FSTS), also known as tiny homes and "Pallet™" shelters, are a type of alternative shelters that do not include a foundation and are

allowed under the definition of Shelter Acquisition as an equipment purchase. This includes "new construction" of shelter. Prior OHCS approval of the purchase of FSTS is not the same as the OHCS Acquisition/Rehab/Renovation process. The process to receive approval for the purpose of Free Standing Temporary Shelters is to complete a FSTS Pre-Approval Form, located on the HSS Dashboard. The FSTS Pre-Approval Form includes completing information on your purchase process, site location, amenities on site which is inclusive of utilities, waste management, food service, and public safety strategy, as well as your shelter operation plan. Funds used for the purchase of FSTS must be allocated to the acquisition category of your OHCS grant; however, ongoing operation of FSTS already placed in service may be allocated to the shelter operations category of your OHCS grant, if an allowable expense.

- Using OHCS funds for bringing utilities to a site for the purpose of operating FSTS will require following OHCS guidance for the rehabilitation of property and the FSTS Pre-Approval Form **does not** provide approval of that work. Follow all the OHCS guidance for acquisition/rehabilitation/renovation/conversion identified below.

For information and instruction and a How To Guide on Building a Shelter Community, visit www.palletshelter.com.

(2) Acquisition, Rehabilitation, Renovation or Conversion Instructions

Reporting on all acquisition, rehabilitation, renovation, and conversion projects must be provided to OHCS in the form and form required and must be submitted by the due date identified by OHCS. A subgrantee who failure to provide required report is non-compliant with program rules and guidelines. Please read the requirements carefully to ensure compliance. Reports must be sent to hss.acq.rehab@hcs.oregon.gov.

Acquisition is acquiring property through purchase, donation, trade, or any other method. For Housing Stabilization Division (HSD)-funded programs, acquisition of land must also include a building structure to be used for the purpose of emergency/transitional shelter or transitional housing. Acquisition of bare land is not an eligible use of funds. For the purpose of HSD programs, the existing building structure in an acquisition project means a building that either will operate as an emergency/transitional shelter or transitional housing or that with rehabilitation, renovation or conversion activities will operate for the purpose of emergency/transitional shelter or transitional housing.

Conversion is the process of changing or causing to change from one form to another or changing the function of a piece of property from one use to another.

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

a) Restrictive Use Period

The Restrictive Use Period for the OHCS-funded acquisition, rehabilitation, conversion and/or renovation is dependent on use of funds and is 10 years for all acquisition. The Restrictive Use Period runs from December 31 of the year the first building in the Project is placed in service (PIS) or until December 31, [Year of PIS + # of years appropriate for use], whichever is later. The project owner must agree to annually certify compliance with this requirement and submit that certification to OHCS at

Rehabilitation and Renovation Minimum Period of Use		
Type of Renovation Activities	**Definition**	**Minimum Period of Use**
Minor Rehabilitation	The cost of the rehabilitation of an existing emergency shelter is 75% or less of the value of the building before rehabilitation*	3 Years
Major Rehabilitation	The cost of the rehabilitation of an existing emergency shelter exceeds 75% of the value of the building before rehabilitation*	10 Years
Minor Conversion	The cost of the conversion of a building to an emergency shelter is 75% or less of the value of the building after conversion*	3 Years
Major Conversion	The cost of the conversion of a building to an emergency shelter exceeds 75% of the value of the building after conversion*	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/transitional shelter or transitional housing or that with rehabilitation, renovation or conversion activities will operate for the purpose of emergency/transitional shelter or transitional housing on the site of the property.

b) Contracted Oversight

Architectural: All rehab, conversion or renovation concepts must be reviewed and approved by an architect of subgrantee's choosing. For any rehab, conversion, or 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.

General Contractor: For any construction costing more than $50,000 or involving three or more trade specialties, the subgrantee **must** hire a general contractor.

c) 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.

d) Use of HMIS

Except for Domestic Violence victims, subgrantee will be required to enter data into an approved HMIS system for all persons assisted in an OHCS-funded shelter or transitional housing unit. Domestic Violence providers must collect client data in a database comparable but separate from the subgrantee's HMIS database and must report client blind data to the subgrantee. Subgrantee must participate in OHCS's required data reporting process, complying with all information requests, and reporting deadlines.

e) Procurement Requirements

Subgrantees must follow procurement requirements as outlined in the subgrantee contract/agreement.

f) OHCS Anti-Displacement and Relocation Assistance Policy

OHCS-funded acquisition should not cause the involuntary displacement of tenants. OHCS encourages subgrantees to pursue projects that will not permanently displace tenants. If applicable, Subgrantee will provide OHCS, submitted at hss.acq.rehab@hcs.oregon.gov. with a description of the relocation plan and whether existing residents will have an opportunity to return to the facility, as well as any permanent relocation. Subgrantee's description shall include the kind of advance notice that will be given to affected tenants; and what funding the subgrantee will provide to assist persons being relocated. 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. 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.

g) OHCS Fiscal Monitoring

OHCS fiscal monitoring requirements for acquisition and/or rehab/construction projects are the same as fiscal monitoring of other costs incurred. Subgrantee must maintain a project file available for review during the monitor's visit or at the monitor's direct request.

h) Quarterly Progress Report

A standardized Quarterly Progress Report form must be submitted first, by the 10th day of the month following the month the project began and then quarterly thereafter, due by the 10th day the month following the quarter being reported.

Reporting must begin for the month following the date of the first expense of OHCS funds is incurred and must continue quarterly until the project can be reported "in use" (shelter) or "occupied" (transitional housing). During all quarters when the subgrantee will be requesting funds from OHCS, the Quarterly Progress Report must include detail of the project work completed during that quarter and the percentage of completion achieved to date until the project is complete and placed into service. The Quarterly Progress Report form is available on the OHCS HSS Dashboard. Submit report to OHCS at: hss.acq.rehab@hcs.oregon.gov.

i) First Year Report

At the end of the first calendar year the project was placed in service, subgrantee will be asked to provide OHCS with a year-end narrative report describing the project and how it is being used in the community. The First Year Report form is available on the OHCS HSS Dashboard. Submit report to OHCS at: hss.acq.rehab@hcs.oregon.gov. This report must be sent in the month of January prior to the due date and must not be sent earlier.

j) Annual Certificate of Continuing Program Compliance

A Certificate of Continuing Program Compliance will be required from the subgrantee for the previous year. Subgrantee will use the Certificate to confirm the operation of the project complies with the restrictive use requirements. The Certificate form is available on the OHCS HSS Dashboard. Submit Certificate to OHCS at: hss.acq.rehab@hcs.oregon.gov. This report must be sent in the month of January prior to the due date and must not be sent earlier.

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 submitted to OHCS by the 10th day of the month following the month the project began, or minimally before any land disturbance: .

l) Certificate of Occupancy

Subgrantee must submit a Certificate of Occupancy signed by their local jurisdiction upon completion of the project. The Certificate of Occupancy must be submitted to OHCS at:

m) Subgrantee's Responsibilities for Subrecipients

OHCS will only fund the acquisition, rehabilitation, renovation or conversion of property if that property will be owned by the subgrantee. OHCS will always allocate OHCS funds to the subgrantee, not the subrecipient. All requirements of the grant agreements, program guidelines apply and the subgrantee will be held responsible to ensure all requirements are met.

~~n) Repurposing the Property~~

~~Subgrantee cannot repurpose the use of the property before the end of the required restrictive use period. OHCS is exploring this pathway and will provide further guidance if developed.~~

~~o) Transferring Property Ownership~~

~~Within the Restrictive Use Period, the project owner 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 the transaction must be pre-approved by OHCS.~~

~~The Transfer of Property, in which OHCS funds were used for the property's acquisition, conversion, rehabilitation or renovation (acquisition/rehabilitation), can occur within the period of required restrictive use; however, the restrictive use must remain in effect for the length required by OHCS guidelines. Such transfer of property must receive prior approval by OHCS. Such transfer of property will not be approved prior to the project being placed into service and OHCS's receipt of the Certificate of Occupancy, the timely receipt of Quarterly Reports on the project's progress as identified in the Acquisition/Rehab guidance, a First Year Report, any required Environmental Review and at a minimum, 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;~~
- ~~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 the program's Operation Manual;~~
- ~~MOU must include the Subgrantee's continued monitoring as required by the OHCS' program guidelines for the OHCS funds used for the acquisition/rehabilitation of the property for the length of the required restrictive use period, which must include access to the property and the property records as required by OHCS program guidelines for the same duration;~~
- ~~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 records retention 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 and 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, 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.

(3) 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 final year of the restrictive use period. Subgrantee must follow all requirements of Sections G and H of this manual for the acquisition, conversion, rehabilitation, or renovation of property and must follow the reporting requirements identified below:

1) Read through all these materials to ensure you understand the requirements that apply to your project and your responsibilities.
2) Submit all required reports, reviews and certificates to OHCS at: , in form and format required by OHCS.
3) Before drawing your first request for funds, ensure that OHCS has received your first completed Quarterly Progress Report, due the 10th day following the first month the project began; AND by the 10th day of the quarter following each quarter thereafter until the project is placed into service, submit to OHCS a completed Quarterly Progress Report.
4) If required, ensure that the performance of an Environmental Review is complete and submitted to OHCS.
5) By January 5th following the end of the first calendar year that the project is placed in service, submit to OHCS a completed First Year Report. This report must be sent in the month of January prior to the due date and must not be sent earlier.
6) Upon completion of the project and prior to placing the project in service, submit to OHCS a completed Certificate of Occupancy.
7) By January 20th of each year after the project is placed into service and for the duration of the applicable restrictive use period, submit to OHCS a completed Annual Certificate of Continuing Program Compliance. This report must be sent in the month of January prior to the due date and must not be sent earlier.

~~(I)~~(H) ~~*Community Capacity*~~*Emergency Systems and Strategy ~~Building~~Strengthening*

EHAP GF **(~~and EHA-DRF~~)** funding can be used to support projects and activities that increase a subgrantee's service area's capacity to provide emergency housing and ~~homeless~~houseless services to those individuals and families struggling with houselessness. The specific focus of Emergency Systems and Strategy Strengthening (ESSS) is to enhance local houselessness provider capacity to design and implement strategies to build, rebuild and sustain an emergency housing system – especially in deprived communities and in towns, cities and regions suffering from economic decline, worklessness and benefits dependency. The goal is to create a broader capacity and expanded ability for the emergency housing system to meet the needs of those struggling with houselessness.

This is not meant to address disaster recovery efforts. ~~Community capacity building~~Emergency Systems and Strategy Strengthening is not the same as increasing a subgrantee~~/subrecipient~~'s capacity to deliver OHCS funds/programs, which are service provider investments (agency capacity building). ESSS are not funds to generally support staffing costs of the subgrantee, but must be for the purpose identified in this section. The flexibility of ESSS does not extend to a subgrantee's subrecipient.

~~The specific focus of Community Capacity Building (CCB) is to enhance local homelessness provider capacity to design and implement strategies to build, rebuild and sustain community capacity – especially in deprived communities and in towns, cities and regions suffering from economic decline, worklessness and benefits dependency. Supporting organizations with mentoring, finance, strategy building, and system analysis are a vital part of CCB.~~ Records of ~~CCB~~ ESSS activities must be kept in accordance with OHCS Records Requirements, inclusive of meeting records, outcomes, and evaluation records, along with any fiscal records associated with the project. Funds for ESSS must be drawn from the same named category in OPUS and are a part of a program allocation of funds.

a) ~~Community Capacity~~Emergency Systems and Strategy ~~Building~~Strengthening:

~~a)~~ Increases the range of funders[2] and potential contributors ~~at~~ through community planning and implementation tables and that ~~;~~

~~b)~~a) ~~E~~encourages all levels of government to participate; ~~and~~

b) Assists organizations ~~to~~ in developing networks to undertake joint activities and coordinate their services to achieve common goals and provide better service to ~~homeless~~houseless participants;

c) Enhances or more effectively uses skills, abilities and resources of houseless service providers in a joint effort, enabling them to better serve houseless households; and

~~c)~~d) Designed to increase access to services or increases available services to houseless an unstably housed Oregonians.~~.~~

~~**b) Objectives of Community Capacity Building are:**~~

[2] See example for Funders Table

~~a) To enhance, or more effectively utilize, skills and abilities and resources of homeless service providers;~~

~~b) Strengthen understandings and relationships amongst homeless service providers; and~~

~~c) Address issues of values, attitudes, motivations, and conditions to support homeless activities in a sustainable manner.~~

~~CCB~~ ESSS is not a space to simply share program information and available services with other providers which can be accomplished through marketing and outreach efforts. ~~CCB~~ ESSS projects are activities that a subgrantee would not be able to undertake with regular OHCS-funded programs and specifically designed to increase the community's ability to provide ~~homeless~~houseless services and emergency assistance. Costs associated with advertising and public relations designed solely to promote the subgrantee~~/subrecipient~~ organization and their activities are not allowable under ~~CCB~~ESSS.

OHCS-Funded ~~CCB~~ ESSS projects must be defined and receive **prior approval** in the subgrantee's Implementation Report before costs can be incurred. Such IR will require the following elements:

i. Provide specific outcomes or deliverables that are SMART (Specific, Measurable, Achievable, Relevant, and Time-Bound [project must have a beginning and end date);
ii. Identify specific partnerships needed to carry out the project (~~CCB~~ ESSS projects must have partnerships to be considered ~~CCB~~ ESSS otherwise it is a service provider investment. For example, supporting documentation may include a ~~—such as through an~~ Memorandum of Understanding~~OU~~, project charter, agreement or other document that identifies the partnership) and such documentation must be submitted with the IR;
iii. Increase the service area's capacity with the purpose of expanding the community's ability to meet the needs of its ~~homeless~~houseless or unstably housed population;
iv. Provide a method to evaluate the effectiveness of the project;
v. Have a specific budget that is identified and described in detail and must include leveraged resources (such as costs needed for materials, transportation, staff, procurement/service agreements, hardware/software purchases[3], and any leveraged resources) and such documentation must be submitted with the IR; and
vi. Identify what staff will be involved in the project (such as number of FTE, length of time FTE are needed, position types and staff names – this information will be needed to effectively monitor the ~~CCB~~ ESSS project).

~~c)~~b) Example of allowable activities include:

(a) **Regional ~~Homeless~~Houselessness Plan:** Sets out policy directions for addressing ~~homeless~~houselessness in the region and serve as a template for other sub-regional plans, including efforts by municipalities, neighborhoods and private foundations committed to a structured approach to addressing ~~homeless~~houselessness.

(b) **Engagement Strategies:** Adopting a membership structure to regional ~~homeless~~houselessness councils to be more inclusive, strategic and effective, providing

[3] See example for system mapping or systems analysis

for an open membership, a new decision-making body and opportunities for members to participate through Advisory Groups and other forums. Membership, which includes all levels of government, community foundations and agencies that provide a range of services to address ~~homeless~~houselessness in the region.

(c) **Community ~~Homeless~~Houseless Tables (CHTs):** Develop CHTs to help develop local strategies and promote communication and collaboration. CHTs have created the local councils on community ~~homeless~~houselessness to help develop local strategies to address ~~homeless~~houselessness

(d) **Funders Table:** Creating a Funders Table that includes all levels of government and private and philanthropic foundations that fund local ~~homeless~~houselessness initiatives and support the vision to end ~~homeless~~houselessness. The purpose of this Table is to create a collaborative forum for regional funders to play a leadership role in: (a) Promoting a common vision for funding priorities to end ~~homeless~~houselessness; (b) Maximize resources and efficiencies for programs and services to end ~~homeless~~houselessness; and (c) Advocate for policies and systems changes that promote cross-sector coordination and permanent solutions to ~~homeless~~houselessness.

(e) **Systems Analysis:** Collection and analysis of a comprehensive set of data elements that describe a community's ~~homeless~~houseless population, the system's ability to move people to permanent housing quickly, and the system's cost-efficiency. Qualitatively analyze a system by surveying community leaders, providers including executive directors and front-line staff, and people experiencing ~~homeless~~houselessness and involves reviewing planning and operation documents, and evaluation reports. Through training and consultation, guidance provided to the community in creating action plans to achieve identified priorities and, following a training and/or technical assistance, support implementation efforts.

(f) **~~Homeless~~Houseless Response System Assessment and Recommendations:** Work with CoCs to provide analysis and recommendations to the CoC Collaborative Applicant, CoC Governance Board and community stakeholders on implementation of best practices in crisis response systems, including reviewing core system components such as CoC Governance, Coordinated Entry, Outreach, ~~Homeless~~houselessness Prevention, Diversion, Emergency Shelter, Rapid Re-Housing, Permanent Supportive Housing and others, analyze data including System Performance Measures and key housing outcomes by program type, and develop recommendations on strategies, including the role of CoC governance and its critical role in coordinating this system, to address identified challenges to ensure ~~homeless~~houselessness is rare, brief, and one time.

(g) **Rapid Re-Housing Learning Collaborative:** Develop a RRH Learning Collaborative as an opportunity for ~~homeless~~houseless services organizations to make changes in the way they operate, while being supported by their peers and rapid re-housing experts. The goal of the Rapid Re-Housing Learning Collaborative is to increase the number of households being rapidly rehoused and shorten the amount of time households remain ~~homeless~~houseless. Learning Collaboratives last a year or more, involve three to five in-person meetings, and in-depth technical assistance for participating organizations.

(h) **Emergency Shelter Learning Collaborative:** Develop an ES Learning Collaborative as an opportunity for ~~homeless~~houseless services organizations to make changes in the way

they operate, while being supported by their peers and emergency shelter/~~homeless~~houseless crisis response experts. The goal of the Learning Collaborative is to support the implementation of a Housing First or other effective approach to shelter services, increase the number of households being permanently housed, and shorten the amount of time households remain ~~homeless~~houseless. Learning Collaboratives last a year or more, involve three to five in-person meetings, and in-depth technical assistance for participating organizations.

(i) **Diversion and Problem-Solving Strategies Training:** Strategies training that involves system leaders, providers, coordinated entry staff, HMIS staff, and key community stakeholders to improve the understanding of an effective system, and the role of effective diversion practice. The training focuses on the effective implementation of problem-solving as an intervention across the ~~homeless~~houseless response system. The training begins with an overview of the effective ~~homeless~~houseless response system, then focuses on the core components of an effective problem-solving approach and defines problem-solving, diversion, and rapid exit and how these interventions are distinguished from prevention. Last, the training focuses on various diversion and problem-solving strategies, including data collection and analysis; integration with coordinated entry; and effective practices.

(j) **System Mapping:** Development of a system map of existing housing and services throughout the region with specificity on updating the information regularly – this can include a software system for which a form of crowd sourcing could be utilized.

~~(J) *Data System Expenses*~~

~~**EHA (DRF/DRF VET), ERA** and **SHAP** funding can be used to support data system related costs necessary to collect and report shelter bed nights, participant services, participant demographic data, performance outcomes and other reporting requirements. Eligible data system expenses include:~~

~~(1) HMIS user licenses;~~

~~(2) Equipment upgrade for the purpose of HMIS needs;~~

~~(3) Network systems upgrade (it is recommended that systems be networked) for the purpose of HMIS needs; and~~

~~(4) HMIS training and technical assistance support for partner organizations to maximize effective use of HMIS system for data entry, reporting and program management. Such as:~~

~~a) staffing to conduct trainings related to HMIS;~~

~~b) develop and manage program specific workflows and on-boarding training related to HMIS;~~

~~c) develop and manage data quality plans related to HMIS; and~~

~~d) provide end user support, ad hoc reporting support and troubleshooting relate to HMIS.~~

~~(K) *Gift Cards*~~

~~Gift cards given to eligible clients for the purpose of purchasing items must be in support of the client's written housing goals and is allowable with EHA (DRF/DRF VET), ERA and SHAP~~

funds, provided that adequate documentation exists to support the purpose and the expense and there is an OHCS-approved Gift Card Policy with established policies and procedure in place to address the process.

Use of gift cards must be rare, for very specific housing related goals and only when other options are not available. There are multiple alternatives to using gift cards which are highly recommended:

- Partner[4] with bus or transportation services that bill for their eligible clients.
- Partner with stores for a voucher system. A voucher is a document which is worth a maximum dollar value, and which may be used only for specific items at a specific vendor. Vouchers are very similar to purchase orders. In advance, the organization establishes agreements with a vendor under which the vendor agrees to accept a "voucher" at the point of sale and then invoices the organization for the actual purchase. The voucher is created in multiple parts with one copy being sent to the vendor, one copy given to the individual making the purchase and at least one copy retained by the organization. The voucher must be uniquely numbered and must clearly detail the allowed item(s) and the maximum cost the purchaser is allowed to spend on the item(s). The vendor invoices for the actual amount of the purchase up to the maximum established cost listed on the voucher.
- Partner with clothing stores that will bill for clothing selected by eligible clients and the clothing can be picked up once the bill is paid (for example, Salem-Keizer Schools currently has this arrangement with Kohl's).
- Online purchases. Subgrantees can use a credit card to purchase the item through an online vendor and have the item shipped. Some online vendors (such as Walmart.com) also offer a same day pick up option for items currently available in local stores. Same day pick up allows an organization to make the purchase online and specify the name of an individual(s) authorized to pick the item up at their local store.
- Employee purchase. An employee goes to a store and purchases the needed items with either a company credit card or receives reimbursement by submitting detailed receipts for allowable costs.

1) Gift Card Requirements:

a) Subgrantee must have prior approval of a stand-alone gift card policy by OHCS **before incurring costs for gift cards**. The gift card policy must be prior-approved each biennium with the subgrantee's Implementation Report. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

b) Subrecipients of a subgrantee **must** follow the provision of the subgrantee's approved gift card policy and all OHCS requirements for the use of gift cards; however, subrecipients can create their own procedures for how they will implement the subgrantee's OHCS-approved policy (such as the position title of an approver, etc.).

c) Costs will be disallowed without a prior OHCS-approved Gift Card Policy.

[4] CCB potential for increasing partnerships

~~d) Gift cards cannot be used as a standard way of delivering program services allowable under other components of OHCS funds, such as rent assistance, deposits, hotel/motel costs, etc.~~

~~e) Gift cards cannot be used for events as a means of attracting applicants, but must be specific to clients receiving financial assistance and in support of a client's written housing goals.~~

~~f) Subgrantees must document in their Gift Card Policy the justification as to why they must use gifts cards rather than providing assistance through conventional means, such as partnerships with service providers, checks for goods/services to providers, or voucher options.~~

~~g) Subgrantee procurement policies must be followed when purchasing gift cards.~~

~~h) Gift cards must be purchased and issued to clients within the same grant period. For any gift cards that are not issued within the same grant period in which they were purchased, subgrantees must submit a negative request for funds for the grant period in which the gift cards were purchased totaling the amount of the unissued gift cards and other non-OHCS funds must be used for the cost of the gift cards.~~

~~i) Subgrantee must maintain complete record of gift card purchases and issuance and gift cards must be kept in a secure location.~~

~~j) Issuance of a gift card must be in the context of an action plan or goal designed to increase housing stability and such plan/goal clearly documents, in writing, how the purpose of the gift card is helping the client obtain or maintain housing stability.~~

~~k) Documentation will be reviewed during monitoring and costs will be disallowed without sufficient documentation.~~

~~l) The cost must be allocable, within program guidelines and must adhere to internal controls (OMB 200.403, 200.303) and must clearly meet the intent of ORS 458.650(1), showing a connection to housing stabilization.~~

~~m) Gift cards for the purchase of food must follow OHCS guidance for limitation.~~

~~n) Subgrantee must identify the dollar limitation for gift cards per client and the frequency limitation for a client's receipt of gift cards and such limitations must be reasonable as determined by OHCS.~~

~~o) Client must receive documentation that identifies the purpose and intent of the gift card and must acknowledge, by written, legible, wet signature, the same, and such documentation must be kept in the client's file.~~

~~2) Gift Card Policy must include the following:~~

~~a) Justification as to why the subgrantee must use gifts cards rather than providing assistance through conventional means, such as partnerships with service providers, checks for goods/services to providers, or voucher options (i.e., why are other options of providing assistance not available?);~~

~~b) If gift cards will be used for food purchases, policy must clearly identify the limitations as stated in this manual;~~

~~c) Identifies internal controls on how gift cards are purchased and issued to clients within the same grant period;~~

~~d) Identifies internal controls on how gift cards are securely maintained, who has access to gift cards, and how the issuance of gift cards is tracked;~~

~~e) Identifies, per client, dollar limitation for gift cards and frequency limitation for how often a client can receive a gift card. Additionally, policy must identify internal controls on how these limitations are tracked to ensure compliance with the limitation;~~

~~f) Requirement that issuance of gift card is in context to a client's action plan or goal designed to increase housing stability and that such plan is included in the client file; and~~

~~g) Written, legible, wet signature statement from client that identifies purpose and intent of gift card and acknowledging and agreeing to the receipt of the gift card under the intended purpose.~~

5. Financial Management

(A) *Fiscal Standards*

Subgrantees/subrecipients must follow fiscal standards identified in the HSS Program Standards Guidance.

~~(A)~~(B) *Administration*

Subgrantees are allowed to use up to fifteen percent (15%) of their total **EHAP GF/**~~(~~DRF~~/DRF VET),~~ **ERA** and **SHAP** allocation for administrative costs, including administrative costs for subrecipient organizations with whom the subgrantee contracts. There is an expectation that administrative funds will be shared with subrecipients (partners and culturally responsive organizations) commensurate to the services provided through the program by such subrecipients.

Allowable administrative costs, including indirect administration cost allocations, benefit the organization as a whole and cannot be attributed specifically to a particular program. All amounts billed to administration must be supported by actual costs. Administration funds may be used after the end of the expenditure period until the final report is due (August 30 of each fiscal year) in order to close out the grant (2 CFR 200.403(h)). If incurred, these costs must be liquidated prior to the due date of the final report(s) (Aug 30) and charged to the final budget period of the award. Closing out grants is defined as payroll costs incurred after the end of the expenditure period, such as:

1. costs associated with completing final reports;
2. submitting final requests for funds; and
3. closing the grant within the subgrantee's/subrecipient's organization.

This allowability only applies to administrative funds needed to close out the grant, such as payroll costs for fiscal staff. This DOES NOT apply to any street outreach, shelter/transitional housing facility operations, program delivery, financial assistance, or any other category of funding, but applies only to administrative funds and subgrantee/subrecipients must be able to identify in any audit/monitoring that costs were incurred after the end of the expenditure period and were for the sole purpose of closing out the grant. All program funds must be fully expended within the expenditure period of the grant.

There is no universal rule for classifying certain costs as either direct or indirect under every accounting system. A cost may be direct with respect to some specific service or function, but indirect with respect to the award. Therefore, it is essential that each item of cost incurred for the same purpose be treated consistently in like circumstances either as a direct or an indirect cost in order to avoid possible double-charging of awards and that this consistency is included in all grants received by the subgrantee, whether or not they originate from OHCS. Indirect costs must be in accordance with an organization's written cost allocation plan or Negotiated Indirect Cost Rate Agreement (NICRA) and must be consistently applied to all programs, whether OHCS-funded or not. Subgrantee/Subrecipients must have a written cost allocation plan or NICRA. Guidelines for determining direct and indirect costs charged to awards are provided in OMB 200.

Travel costs must be adequately documented and support business purposes (documentation is insufficient if verifying the reservation only and not the completed travel). Payment for travel expenses must be authorized in advance, in writing, unless the individual has previously been approved to travel by virtue of an approved description of job duties that include travel. Reimbursement of travel expenses does not count as wages or remuneration.

Record of travel expenditures must be kept, including purpose, mileage and payment. When reimbursing for meal, lodging and travel, subgrantees/subrecipients must use the U.S. General Services Administration per diem rates located at: https://www.gsa.gov/travel/plan-book/per-diem-rates or a travel rate that is established in the subgrantee's policies/procedures and applied consistently to all volunteers and employees, whether or not such travel is funded with OHCS funds, for actual and necessary expenses backed by receipts. In the case of volunteers, the cost of meals when there is no overnight stay and not associated with an official state-required business meeting is reportable as income. Any funds expended on the reimbursement of expenses for travel must be appropriately documented and cannot be provided through a cash or cash equivalent payment.

Allowable costs include, but are not limited to:

(1) Senior executive management personnel salaries and benefits (unless they are directly involved in program operations), administrative staff travel costs;

(2) Salaries, benefits and expenses for ~~G~~general services such as accounting (finance), budget development, personnel, contracting, gatekeeping, marketing, human resources, agency audit, agency insurance;

(3) Board and commission member expenses (excluding meals), limited to $~~30~~ 25 per day in which they are engaged in the performance of official duties. Members can also receive travel reimbursement. Payment of these expenses cannot be made through cash, gift cards, gas cards or other cash equivalent means (ORS 292.495, DAS OSPA Reference Manual);

(4) Organization-wide membership fees and dues specific to ~~homeless~~houseless systems and programs;

(5) General agency facilities costs (including those associated with executive positions), such as rent, depreciation expenses for building and equipment, and operation and maintenance (as part of the organization's direct or indirect cost allocation plan); and

(6) Equipment rental/purchase, insurance, utilities, and IT costs that are not program specific but relate to agency-wide administration.

Unallowable costs include, but are not limited to:

(1) Late fees assessed due to a subgrantee/subrecipient failure to pay in a timely manner.
(2) Subgrantee/subrecipient facility mortgage payments
(3) Lobbying

~~(B) *Advance Requests for Funds*~~

~~Subgrantee can request and be paid in advance, provided it maintains or demonstrates the willingness to maintain both written procedures that minimize the time elapsing between the transfer of funds and disbursement, and financial management systems that meet the standards for fund control and accountability. See the subgrantee's grant agreement/contract for all identified requirements and allowability.~~

~~Advance payments to a subgrantee must be limited to the **minimum amounts 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 payments must be as close as is administratively feasible to the actual disbursements by the subgrantee for direct program or project costs and the proportionate share of any allowable indirect costs.~~

~~**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, or your comment can advise to "see attached".** The comment and/or the attachment needs to provide enough detail to justify your request and demonstrate the impact to subgrantee's operations and cash flow. Below are some acceptable methods that can be used to justify an advance request:~~

~~(1) Wait list total, or expected demand, plus additional funds to serve participants over a specified period. Analysis must be provided on how any additional funds were calculated, expected number of households and amount per household.~~
~~(2) Amount needed to provide to one or more subrecipients, with an analysis of the calculated amount (projected volume or demand for subrecipient, number of households, etc.), while factoring in timelines for invoicing and processing.~~
~~(3) Funds to meet subgrantee's upcoming payroll.~~
~~(4) Participant intake completed in another system, or applications in process of approval.~~

~~OHCS is mindful of subgrantee's operational needs and cash flow as they work to deliver critical programs. If there are additional questions or if a subgrantee would like to talk through the operational and cash flow needs they are experiencing, they can contact Carol Wagner, Carol.Wagner@hcs.oregon.gov or by phone at 971-273-9235.~~

~~(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. Training can be provided by the Fiscal Grant Specialist at OHCS. A Zoom Replay of OPUS Fiscal Training can be found on the HSS Dashboard.~~

~~OHCS maintains an OPUS Manual and OPUS Help Desk. View the OPUS User Manual from the landing page, under the Help tab, after logging into OPUS. 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 Funding 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 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 returned to the subgrantee with instructions to provide additional information. Subgrantee are required to **frequently and regularly** submit AGR/RFFs to appropriately expend their funds within their identified spending targets. An AGR/RFF can be denied/voided if documentation is insufficient, if unallowable costs are included or if submitted after the grant period has closed.~~

~~(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.~~

~~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 can be required as needed for specific funding categories. All Implementation Report Amendments require OHCS approval by submitting an Implementation Report Amendment Request through the appropriate Smartsheet form.~~

~~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 days of such amendment for OHCS' approval. by submitting an Implementation Report Amendment Request through the appropriate Smartsheet form.~~

~~(F)~~(C) *Funds Spend Down*

Subgrantees/subrecipients must follow fiscal standards identified in the HSS Program Standards Guidance

Subgrantees are expected to fully ~~obligate or~~ expend grant funds during ~~each funding cycle~~the grant's expenditure period. ~~in accordance with OHCS policy and~~ Subgrantees must meet spending targets identified in their Implementation Report spenddown plan (Standard or Time-Bound Expenditure Plan (TBEP)), ~~if~~ as applicable. OHCS will review subgrantee's grant spending in accordance with subgrantee's grant agreement/contract and OHCS ~~policy~~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.

EHA GF and **SHAP** expenditures shall be managed by subgrantee so that services are available throughout the intended service delivery period. EHA DRF/VET and ERA may be expended as needed and are not intended to be available through the service delivery period.

~~Subgrantee must fully expend funds or have filed a final Agency Grant Status (AGS)/Financial Status Report (FSR) for a previous fiscal period to roll funds, if allowable, and prior to OHCS approving funds in a current fiscal period.~~

~~Any spending below the minimum standard spending target or the time-bound expenditure plan is subject to rescission of grant funds. Any amount of funding greater than 10% of a funding source's total allocation or a combined total of $100,000 that is subject to rescission will trigger Subgrantee Board notification. See Standard Terms and Condition of subgrantee's grant agreement/contract for more information.~~

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

~~(G) *Funds Rollover*~~

~~**EHA** General Fund, **ERA** and **SHAP** funds can be rolled mid-biennium; however, they cannot be rolled between biennia and must be drawn from OPUS for allowable expenditures in the spending period within 60 days following the end of the fiscal period when the final AGS/FSR is due, according to subgrantee's grant agreement/contract requirements. The AGS/FSR is the mechanism for which a subgrantee will request an allowable rollover. Subgrantees are required to submit AGS/FSRs within 60 days following the end of each fiscal year.~~

~~**EHA DRF** and EHA VET DRF funds can both be rolled at mid-biennium and at the end of the biennium. The final AGS/FSR must be submitted within 60 days of the end of each fiscal period.~~

~~(H) *Internal Controls for Fraud*~~

~~As stated in the subgrantee's OHCS agreement/contract, subgrantees 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). Subgrantees must establish and maintain clear procedures for 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 must establish and maintain clear procedures for preventing, detecting and dealing with employee fraud. All incidents of fraud must be reported to OHCS. Subgrantees are responsible for repayment of funds which were provided to applicants and participants that do not meet program eligibility.~~

~~(I)~~(D) *Match*

EHAP GF ~~funds~~ can be used to meet match requirements of federal programs ~~public and private moneys available from other sources for the production of housing~~ for services and financial assistance to persons with low or very low income to address houselessness or housing instability. Using OHCS funds as a match is not the same as supplementing another program with OHCS funds Follow the guidance in this manual when requesting to use OHCS funds for supplementing other programs.

~~(J)~~(E) *Supplementing Existing Funds/Programs*

EHAP GF~~(DRF/DRF VET)~~**~~, ERA~~** and **SHAP** funds can be used to supplement existing OHCS funds or to support existing OHCS programs or HUD-funded Continuum of Care projects/programs ~~or establish new programs~~with the same intent and mission to address the needs of low or very low income houseless or unstably housed individuals and/or families and with eligibility criteria that is in alignment with Oregon Administrative Rules 813.046, ~~053,~~and 240 and Oregon Revised Statute 458.650. ERA funds cannot be used to supplement any other programs.

Use of EHAP GF and SHAP funds for supplementing another program requires **prior approval** through the subgrantee's funding application/Implementation Report. Supplementing a program with OHCS funds is not the same as using OHCS program funding as a match requirement to federally-funded programs.

EHAP GF~~(DRF/DRF VET), ERA~~ and SHAP can be used in a flexible manner to absorb costs from other programs where there are mutually allowable costs insofar as the subgrantee's cost allocation policy allows for this type of flexibility and the subgrantee/subrecipient outlines the circumstances in which they will charge other program costs to EHAP GF~~(DRF/DRF VET)~~, ~~ERA~~ and SHAP. When using SHAP to supplement other programs, the supplemented program **must** be designed to serve literally houseless households.

~~Costs can be born 100% by EHA (DRF/DRF VET), ERA and SHAP in order to supplement the other program **consistent with the intention** of EHA (DRF/DRF VET), ERA and SHAP to serve low-income households who are experiencing housing instability and homelessness and in EHA DRF VET programs must include a veteran member of the household, in ERA, programs must include an elderly member of the household and in SHAP programs, households must be literally homeless.~~ EHAP GF/SHAP cannot be used to supplement another program's activities that require prior approval by OHCS without first obtaining prior approval for the activity (e.g., rehabilitation/renovation of real property, equipment/vehicle purchase, ESSS, etc.).

EHAP GF~~(DRF/DRF VET), ERA~~ and SHAP must not be used to replace costs from another program, meaning they must be used in a manner that supplements and supports those other program operations.

Supplement means EHAP GF~~(DRF/DRF VET), ERA~~ and SHAP funds are used to increase the available services and funding for a particular program by incurring certain costs that can be allocable to other programs. Supplementing and supporting funds is allowed. Whenever a cost is being supplemented, it must be thoroughly documented that ~~the~~ such costs are allowable under the EHAP GF~~(DRF/DRF VET), ERA~~ and SHAP program.

Replacement means utilizing EHAP (DRF~~/DRF VET~~)~~, ERA~~ and SHAP funds to completely eliminate or supplant the use of funds from another program. An example of this would be to use EHAP (DRF~~/DRF VET~~)~~, ERA~~ or SHAP funds to take over all the costs of a previously established grant, thus eliminating the need for the other program to bear those costs. Replacement of funds **is not allowable**. EHAP GF~~(DRF/DRF VET)~~~~, ERA~~ and SHAP must always be used in a manner that "builds upon" another grant and does not supplant or take over the work of an entirely different grant.

Subgrantees~~Grantees~~ must document their rationale for when and how costs will be used to supplement the costs of other programs through a reasonable basis within their cost allocation plan and such allowable use of funds must be prior approved through the subgrantee's funding application.

~~(K) *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.~~

~~Fixed assets with a value greater than $5,000, includes computer equipment, electronic equipment, photography equipment, hand tools and other items and are subject to **pre-approval** by OHCS. Title to all equipment as defined in 2 CFR Part 200, purchased in whole or part with OHCS funds shall rest with the subgrantee. Disposal of any item having an original cost of more than $5,000 or those purchases which have a current per-unit, fair market value of $5,000 or more requires prior OHCS consent before disposal. 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 program 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 purchasing must comply with subgrantee's policies and procedures and the subgrantee's grant agreement/contract.~~

6. Data, Submission and Reporting Requirements

~~6.~~ Subgrantees/subrecipients must follow the HSS Program Standards Guidance related to data, submission and reporting requirements.

(A) *Data Entry*

~~Subgrantees and their subrecipients are required to enter reliable, valid, and accurate **EHA (DRF/DRF VET), ERA** and **SHAP** related participantand service data into the Homeless Management Information System (HMIS) being operated in their geographic Continuum of Care (CoC). 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 their CoC's HMIS Data Quality Plan.~~

~~HUD-defined Victim Service Providers (VSPs) must enter information into a comparable database that meets HUD HMIS standards.~~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, depending on local CoC HMIS policies. It is highly recommended for project types such as Emergency Shelter and Coordinated Entry that even more stringent data timeliness standards are applied.~~

~~(C) *Data Entry Requirements for Emergency and Transitional Shelters*~~

~~Emergency or transitional shelters, or hotel/motel vouchers are required to report participants who are sheltered overnight. Overnight date-in and date-out must be entered to be able to determine who and how many people were served by a shelter or shelter type for any given night. This allows reporting on bed nights and daily shelter utilization in addition to the client-level information for those staying in shelters. Using ShelterPoint for new projects is required and shifting to ShelterPoint for existing projects. Facility, congregate-based programs, must be 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. Each allowable service must be represented with a Service Transaction. Same day services will have the same Service Start and End Date. Service Transactions for Homelessness Prevention and Rapid Re-Housing costs, including all payments, arrearages, deposits, fees, landlord engagement and client non-categorical services, must include a HMIS Fund Source and Amount. An HMIS entry/exit and Service Transaction is required for both services only and day access shelter types~~

~~(E) *Required Data Elements*~~

~~Universal, program specific, and OHCS-required Data Elements must be collected in HMIS and are specific to program and project type. Refer to the Data Collection Requirement by Program and Project Type document that can be found on the HSS dashboard for applicable data elements specific to EHA (EHA-DRF/DRF-VET), ERA and SHAP.~~

~~(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 required client-level data into a comparable database that is comparable to and complies with all HUD HMIS requirements.~~

~~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)~~(B) *Submissions/Reporting Requirements*

~~It is critical and subgrantees must 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 or after the deadline will be considered by OHCS to be late and out of compliance with requirements.**~~

~~At the discretion of OHCS, other reports can be required when deemed necessary by OHCS and subgrantees are subject to such requirement.~~Program reporting is a program delivery expense.

~~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.~~

~~Failure to provide required data or reports may result in a non-monetary finding in the Monitoring Report.~~ ~~Subgrantees must enter complete, accurate, timely data and must monitor and confirm the quality of their data on a monthly basis.~~

~~**System Query Data:**~~
~~Subgrantees must directly submit or automate the export of disaggregated HMIS participant, program and service transaction data twenty (20) 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 as the HMIS annual report.~~

~~**Aggregated Quarterly Reports:**~~
~~Subgrantees must directly submit aggregated reports using the report provided in the HMIS reporting tool, SAP Business Objects, or the provided template, twenty (20) days following the end of each quarter.~~

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

~~**Program Delivery Annual Report:**~~
~~A narrative annual report must be submitted, in form and format required by OHCS, by the 60th day following the end of the fiscal year providing detail, including, but not limited to subrecipient budgets, program services, performance, outcomes, successes, and challenges.~~

~~**Fiscal:**~~

~~The AGR/FSR is due to OHCS by the 60th day following the end of the fiscal year (see Funds Rollover section) and must be submitted within OPUS within this timeline.~~

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

~~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.~~

~~Failure to provide required data or reports may result in a non-monetary finding in the Monitoring Report.~~

7. Records Requirements

~~7.~~ Subgrantees/subrecipients must follow the HSS Program Standards Guidance related to records requirements

(A) *Case Files*

~~Documentation of participant eligibility and services received must be maintained in 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.~~

A participant services or housing plan is required for those participants **receiving more than one time only** services (as identified in this manual) and must be in the case file. Existing assessments and active case plans with other providers can be used and included in the participant file.

Drop-in or mass shelter facilities that provide bed nights and no case management must maintain sign-in attendance documentation that includes shelter resident self-certification of their ~~homeless~~houseless status. All other shelter provisions, including issuance of hotel/motel vouchers as a part of shelter strategy, require that participant eligibility documentation be maintained in the participant file.

~~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. Sample forms are available on the OHCS website.~~

~~(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 under **EHA** (DRF/DRF VET)**, ERA** and **SHAP** 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. 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 **EHA** (DRF/DRF VET)**, ERA** and **SHAP** funding, or until the conclusion of any audit, controversy or litigation arising out of, or relating to, **EHA** (DRF/DRF VET)**, ERA** and **SHAP**.~~

(Remainder of page left blank intentionally)

8. Applicable Rules and Regulations

All the following as can be amended from time to time:

1. ORS 456.515 through 456.725 (OHCS): https://www.oregonlegislature.gov/bills_laws

~~2. ORS 458.505 through 458.545 (Community Services): https://www.oregonlegislature.gov/bills_laws~~

~~3.~~2. ORS 458.600 through 458.650 (Oregon Housing Fund): https://www.oregonlegislature.gov/bills_laws

~~4.~~3. ORS 458.375: Elderly Rental Assistance Program Rental housing assistance for very-low-income elderly persons

~~5. ORS 458.377: Elderly Rental Assistance Fund~~

~~6.~~ OAR 166-300 (Retention Schedule): https://secure.sos.state.or.us/oard/ruleSearch.action

~~7.~~4. OAR 813-005 (General): https://secure.sos.state.or.us/oard/ruleSearch.action

~~8.~~5. OAR 813-046 (EHAP): https://secure.sos.state.or.us/oard/ruleSearch.action

~~9.~~6. OAR 813-053 (ERA): https://secure.sos.state.or.us/oard/ruleSearch.action

~~10.~~7. OAR 813-240 (SHAP): https://secure.sos.state.or.us/oard/ruleSearch.action

~~11.~~8. HMIS Data Standards Manual: https://www.hudexchange.info/resource/3824/hmis-data-dictionary/

~~12.~~9. Limited English Proficiency federal interagency website can be found at: http://www.lep.gov/ and guidance and additional materials can be found at: https://www.hud.gov/program_offices/fair_housing_equal_opp/limited_english_proficiency_0

~~13.~~10. **This manual** as guidelines for EHAP, EHAP DRF, ~~EHA-DRF-VET,~~ ERA and SHAP ~~are amended from time to time along with all other references made within this manual. All references made in this manual are understood to be as written, and as amended from time to time~~identified in the relative Oregon Administrative Rule (OAR).

~~14.~~11. **ORS** cited are amended from time to time and can be found at: https://www.oregonlegislature.gov/bills_laws/Pages/ORS.aspx

~~15.~~12. **OARs** cited are amended from time to time and can be found at: https://secure.sos.state.or.us/oard/ruleSearch.action

~~16.~~13. **CFRs** cited are amended from time to time and can be found at: http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=%2Findex.tpl

~~17.~~14. **OMBs** cited are amended from time to time and can be found at: https://www.whitehouse.gov/omb/information-for-agencies/circulars

9. Definitions

~~A. **Acquisition** means action taken to acquire a building for the purpose of emergency shelter or transitional housing. This does not include the acquisition of bare land.~~

~~B. **Chronically homeless** means a homeless individual with a disability as defined in section 401(9) of the McKinney-Vento Assistance Act (42 U.S.C. 11360(9)), who: (a) Lives in a place not meant for human habitation, a safe haven, or in an emergency shelter, and has been homeless and living as described for at least 12 months or on at least 4 separate occasions in the last 3 years, as long as the combined occasions equal at least 12 months and each break in homelessness separating the occasions included at least 7 consecutive nights of not living as described; (b) an individual who has been residing in an institutional care facility for less, including jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all of the criteria of this definition before entering that facility; or (c) A family with an adult head of household (or, if there is no adult in the family, a minor head of household) who meets all of the criteria of this definition, including a family whose composition has fluctuated while the head of household has been homeless.~~

~~C.~~A. **Client** means a household who has received an assessment of need, has been entered into an OHCS-funded program (intake), entered in HMIS and who is receiving financial assistance. ~~A client is someone who has developed a client services/housing plan and is not receiving one-time only assistance~~Once a household receives financial assistance, they are considered a client.

B. **Clothing** unless for the purpose of fleeing domestic violence in which clothing could not be taken at the time, means a specified article or articles of clothing, shoes, boots, hats, shirts, slacks, skirts, or outerwear for an employee and required by the employer to perform the functions of the job or provide a distinctive and easily identifiable appearance in performing his or her job, and is not covered by a uniform allowance.

~~D.~~C. **Code of Conduct Agreements** can be required by any type of shelter facility. A Code of Conduct Agreement can require that participants adhere to the shelter facility's rules and expectations of behavior and may or may not be required to be signed by the participant. Code of Conduct Agreements are not the same as Occupancy/Lease/Rental Agreements.

D. **Culturally Responsive Organization** means an entity that, as determined by OHCS that:

(1) Comprehensively addresses power relationships throughout the organization by methods that include addressing conflicts and dynamics of inclusion and exclusion;

(2) Has relationships with and is responsive to communities that the organization serves, including communities of color;

(3) Hires, promotes, trains and supports staff who are culturally and linguistically diverse in ways that reflect the communities that the organization serves, including communities of color;

(4) Provides culturally responsive service; and

(5) With respect to paragraphs (1) to (4) above, has adopted governance structures, policies, and cultural norms to hold its leadership and staff accountable and to continue improvements.

E. **Culturally Responsive Service** means services that:

(1) Are adapted to maximize the respect of and relevance to the beliefs, practices, culture and linguistic needs of the diverse client populations and communities being served, including clients and communities of color;

(2) Have the capacity to respond to the issues of diverse communities; and

(3) Ensures competent language access and incorporates diverse cultural approaches, strengths, perspectives, experiences, frames of reference, values, norms and performance styles of clients and communities to make services and programs more welcoming, accessible, appropriate, and effective for all eligible and intended recipients.

F. **Culturally Specific Organization** means an entity that provides services to a cultural community and the entity has the following characteristics:

(1) Majority of members and/or clients are from a particular community of color;

(2) Organizational environment is culturally focused, and the community being served recognizes it as a culturally specific entity that provides culturally and linguistically responsive services;

(3) Majority of staff are from the community being served, and the majority of the leadership (defined to collectively include board members and management positions) are from the community being served;

(4) The entity has a track record of successful community engagement and involvement with the community being served; and

(5) The community being served recognizes the entity as advancing the best interests of the community and engaging in policy advocacy on behalf of the community being served.

~~E.~~G. **Domestic Violence**: This definition includes domestic violence, dating violence, sexual assault, stalking, attempting to cause, or intentionally, knowingly or recklessly causing or placing another in fear of imminent serious physical injury or emotional, mental or verbal abuse, and using coercive or controlling behavior. This does not include other criminal acts such as violence perpetrated by a stranger, neighbor, acquaintance or friend, unless those persons are family members, intimate partners or household members. ~~(Note: This definitional aligns with TANF rules and regulations)~~

~~F. **Emergency Shelter** means a facility whose primary purpose is to provide temporary shelter to homeless households or specific populations of the homeless and which do not require occupants to sign leases or occupancy agreements. Emergency shelters types can include, but are not limited to:~~

- ~~**Low Barrier Shelters:** Shelters with limited entry requirements that enable people, who otherwise are not willing or able to access shelter services, to be off the streets. Low barrier~~

shelters must not expect residents to abstain from using alcohol or other drugs, or from carrying on with street activities while living on-site, so long as they do not engage in these activities in common areas of the house and are respectful of other tenants and staff. Low barrier shelters can allow pets, allow couples to stay together, and can provide secure storage space for personal item. Low barrier shelters are a state priority and should be implemented whenever feasible.

- **High Barrier Shelters:** Shelters where residents must meet specific entry requirements such as passing a sobriety/drug or alcohol test, criminal background check, allow belongings to be searched, have a specific level of income, participate in program activities, etc.
- **No-Barrier Shelter:** shelters where residents are not required to meet any specific entry requirements.
- **Abstinence-Based or Dry Shelter:** Shelters where residents are not allowed to drink alcohol or use other drugs while in tenancy. Residents are expected to be "clean" before moving in and actively working on their recovery while living there and can be discharged from the program if they refuse treatment for a relapse.
- **Wet Shelters:** Shelters where residents are not expected to abstain from using alcohol and other drugs, and where entering a rehabilitation program is not a requirement. Residents have access to recovery services and get to decide if and when they use these services.
- **Damp Shelters:** Shelters where residents do not need to be "clean" when entering the program but are expected to be actively working on recovery from substance use problems.
- **Day Shelters:** Temporary daytime accommodations and services for individuals and families who meet the definition of literally homeless as described under Participant Eligibility and are sleeping on the streets, lack a fixed, regular and adequate nighttime shelter and/or are living in an emergency shelter.
- **Transitional Shelters:** Emergency shelter projects with a primary purpose to provide temporary or transitional shelter and essential services to all eligible participants in general and/or for specific populations of the homeless. Some transitional shelter programs have a comprehensive service focus and participants can stay for a period of time based on participant need. Transitional shelters are different from transitional housing, as they do not require an occupancy/rental/lease agreement or rent payment obligation. Transitional shelters can require a code of conduct agreement.
- **Mass Shelters:** High volume, high turnover emergency shelters where multiple individuals and/or family households sleep.
- **Hotel/Motel Vouchers** used as emergency shelter strategy in those areas and times when no emergency shelter is available.

H. **Vehicular Shelters:** Vehicular shelters provide participants with a place to park their vehicle that is secure and free from ticketing, where they have access to garbage and sanitation services, onsite management that ensures the safety of participants, site cleanliness and adherence to site rules. Participants in vehicular shelters are provided access to participant services.

~~G.~~I. **HMIS** means Homeless Management Information System. Victim Service Providers must use an HMIS Comparable Database.

~~H.~~J. **Occupancy/Lease/Rental Agreements** are used for temporary or permanent housing, which includes Transitional Housing. Occupancy/Lease/Rental Agreements are not the same as a Code of Conduct Agreement.

~~I.~~K. **Participant** means a household who may or may not be a client, but is receiving OHCS-funded services (such as case management).

~~J.~~L. **Priority Population** means persons that the subgrantee/subrecipient has determined as having the greatest need and will receive services first (such as veterans and ~~homeless~~houseless families with children). (~~For example, for the purposes of HSP, TANF participants are a priority as required by the federal funds.~~OHCS-required priority populations must take precedence over any subgrantee/subrecipient priority population~~)~~

~~K.~~M. **Rehabilitation or Rehab** means action taken to return an emergency shelter or transitional housing property to a useful state by means of repair, modification, or alteration. Bringing a property to the point where it is usable, safe, comfortable, hygienic, etc., but not necessarily bringing it back to its previous state or improving the property.

~~L.~~N. **Renovation** means the process carried out to upgrade an existing structure for the use as an emergency shelter or transitional housing and to improve performance by either altering the scope of structure, providing additional facilities or improving existing facilities. Improving the property.

~~M.~~O. **Repair and Maintenance** means actions taken to keep a building at a certain level of integrity, or to restore a structure to such a condition that it can be effectively used for its designated purpose. Actions that make improvements that will raise the building to a higher level of integrity or allow the building to be used for a new activity are not considered repair or maintenance. Bringing a property back to its original condition or taking action to keep a property at its current condition.

~~N.~~P. **Stand-Alone Policy/Procedure** means a written policy/procedure that includes all the requirements for such a policy/procedure and is either its own separate document or it is included in a larger document, such as a policy and procedures handbook, that can easily be separated from the larger document for the purpose of approval and review by OHCS.

~~O.~~Q. **Subrecipient** means entities that, by contract with the subgrantee agency, provide assistance payments/services and ~~may~~ receive funding directly from the subgrantee agency. Through its agreements with subgrantee agency, subrecipients must comply with all requirements for the program. Subrecipients include a subgrantee's subcontractors, contractors, vendor, subrecipients and any subcontractors, contractors, vendors or subrecipients of a subcontractor, contractor, vendor or subrecipient. Subrecipients are those organizations that receive OHCS funds from the Subgrantee or Subgrantee's subecipient.

~~P.~~R. **Support Network:** Examples include family, friends and faith-based or other social networks.

~~Q.~~S. **Target Population** means persons a subgrantee/subrecipient wishes to reach out to who are under-represented in their service population, but delivery of funds cannot be limited to only the target population.

~~R.~~A. ~~**Warming/Cooling Centers** are a short-term, drop-in and/or overnight facility that operates when temperatures or a combination of precipitation, wind chill, wind and temperature become dangerously inclement. Their paramount purpose is the prevention of death and injury from exposure to the elements.~~

~~S.~~T. **Wet Signature** means any signature affixed to a hard copy with a pen or other writing device. An electronic signature does not meet the requirements of a wet signature.

~~10. 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	• 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	• new landscaping throughout an area • construction of new walkways, driveways or parking areas, or replacement thereof
Building Exterior	• 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	• cleaning masonry or stripping painted surfaces by sandblasting, acid wash, or high pressure washing • applying new exterior siding
Roof	• fixing leaks • application of waterproof coating to a flat roof • replacement of deteriorated flashing • in-kind replacement of loose or missing shingles or tiles	• complete replacement of roof with new shingles, tiles, roll roofing, membrane, or new metal roof • installation of solar panels
Windows and Doors	• 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	• replacement of windows • replacement of exterior doors • adding storm windows or storm doors
Interior Walls and Ceilings	• patching or mending cracked plaster • patching or fixing holes or cracks in drywall • replacing stained ceiling tiles • painting or wallpapering	• installation of new drywall or paneling • installation of new acoustical ceiling • installation of dropped ceilings
Flooring	• cleaning floors • stripping wooden floors and resealing • installation or replacement of carpeting or vinyl flooring*	• 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	• in-kind replacement of broken stair treads or balusters • inspection and servicing of elevators	• rebuilding stair or constructing new stair • installation of new access ramp • elevator replacement
Kitchen	• replacement of stoves, refrigerators, and microwaves* • replacing cabinet hardware*	• complete or substantial kitchen remodel
Bathroom/Laundry	• 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	• complete or substantial bathroom remodel
HVAC	• 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 *	• installation of new furnace or heat distribution system • installation of central air conditioning
Electrical/Lighting	• ~~changing light bulbs~~ • replacing malfunctioning light fixture, electrical switch or outlet*	• ~~major rewiring of building~~ • installation of new electrical service • replacing or moving electrical panels
Plumbing	• fixing plumbing leaks* • repairing damage from frozen pipes* • repairing water or sewer connection within existing utility trench alignment • replacing malfunctioning water heater*	• installation of new plumbing system • new water or sewer connection
Security	• 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	• installation of permanent security bollards • installation of new security alarm system
Life Safety	• servicing smoke, fire and CO2 detectors • installation of smoke, fire and CO2 detectors	• making substantial physical changes to a building to comply with fire and life safety codes • installing fire suppression system
Pest Infestation	• 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.

AMEND: 813-053-0020

RULE SUMMARY: Amend rule to align with statutory references and purpose.

CHANGES TO RULE:

813-053-0020
Administration ¶

(1) OHCS may contract with subgrantees to provide eligible ERA services (see OAR 813-053-0040) in such manner as to provide holistic coverage statewide without duplication or overlap of services. ~~In a service area where a Community Action Agency (CAA) exists, the CAA has the conditional right of first refusal to serve as the subgrantee for the given service area.~~¶
(2) OHCS will allocate ERA funds to all subgrantees through a formula established by OHCS prior to the allocation process. OHCS reserves the right to modify such formula at any time in its sole discretion.¶
(3) A subgrantee may e~~stablis~~nter into agreements or collaborate with subrecipients that meet the requirements of ORS 458.~~505(4~~610(6) to provide eligible ERA services in the subgrantee's service area.¶
(4) Subgrantees shall, at a minimum, provide ERA services to eligible applicants or households that meet ERA requirements. Whenever appropriate, subgrantees may assist eligible households in accessing other services designed to stabilize housing.¶
(5) Subgrantee representatives must attend and participate in ERA-related training made available or conducted by OHCS, when required.¶
(6) A designated portion of ERA funds are reserved for subgrantees and their subrecipients to use for administrative costs. Subgrantees and their subrecipients may expend up to a determined amount as authorized by OHCS and outlined in the funding agreement.
Statutory/Other Authority: ORS 458.375
Statutes/Other Implemented: ORS 458.~~505~~610, 458.620, 458.650

AMEND: 813-053-0030

RULE SUMMARY: Amend rule to align with statutory references and purpose.

CHANGES TO RULE:

813-053-0030
Applicant Eligibility ¶

(1) ERA services shall be made available to very low income elderly households that are homeless or unstably housed.¶
(2) A household member's duration of Oregon residency or immigrant status shall not be considered as ~~an~~part of the eligibility criteri~~on~~a.¶
(3) Specific requirements and documentation to provide proof of eligibility for ERA services are detailed in the ~~ERA~~SHF Manual.
Statutory/Other Authority: ORS 458.375
Statutes/Other Implemented: ~~ORS 458.505,~~ 458.620, 458.650

AMEND: 813-053-0040

RULE SUMMARY: Amend rule to align with statutory references, purposes and current uses.

CHANGES TO RULE:

813-053-0040
Use of Funds ¶

(1) Use of ERA funding must be in compliance with ERA requirements for eligible households.¶
(2) To the extent of available funding, eligible ERA services include~~, but are not limited to:¶~~
~~(a) Supportive in-home services;¶~~
~~(b) Transitional housing;¶~~
~~(c) Homeless prevention and rapid re-housing;¶~~
~~(d) Case management and housing stabilization services; and¶~~
~~(e) Data collection.¶~~
~~(3) Program service exclusions are provided for in the ERA Manual.¶~~
~~(4) ERA funds may be used to supplement existing funds or to support existing programs or establish new programs. Subgrantees shall not use ERA funds, granted or otherwise awarded, to replace funds currently being received from other sources, available or reasonably expected to be available to the subgrantee~~ prevention of homelessness.¶
(3) Program service exclusions are provided for in the SHF Manual.
Statutory/Other Authority: ORS 458.375
Statutes/Other Implemented: ORS~~458.505,~~ 458.620, 458.650, 458.610

AMEND: 813-053-0050

RULE SUMMARY: Amends rule to align with statutory references, purposes and current requirements.

CHANGES TO RULE:

813-053-0050
Application for Funding; Funding Agreement ¶

(1) Prior to providing any ERA services using OHCS funding, subgrantees must submit biennially an application for funding to OHCS. A funding agreement must be approved by OHCS in writing before being operative.¶
(2) Applications for funding must meet all requirements of form and content as established by OHCS. At a minimum, an application must include a subgrantee's proposed activities for eligible households, anticipated expenditures, and any other information as OHCS may require specific to ERA funding. Subgrantees must adhere to OHCS requirements and deadlines for submitting an application. An application is subject to approval, with or without modifications, or disapproval by OHCS.¶
(3) ~~In cases where a Community Action Agency (CAA) has the conditional right of first refusal for antipoverty program administration, and the CAA cannot meet the requirements listed in subsection (2) above, OHCS, in its sole discretion, may allow other eligible organizations to submit an application for funding with respect to that service area.¶~~
~~(4) OHCS will evaluate all~~OHCS will not approve any application~~s~~ for funding for ERA unless it meets sufficiency requirements. Sufficiency is based on the quantity, thoroughness and quality of performance that is satisfactory to OHCS. This includes, but is not limited to, providing relevant information necessary for OHCS to assess the subgrantee's compliance with all ERA requirements and any other standards, goals, and requirements established by OHCS.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ORS 458.~~505~~610, 458.620, 458.650

AMEND: 813-053-0060

RULE SUMMARY: Amends rule to update statutory reference.

CHANGES TO RULE:

813-053-0060
Recordkeeping and Compliance Monitoring ¶

(1) Subgrantees and their subrecipients must maintain accurate financial records satisfactory to OHCS and consistent with ERA requirements, which document the receipt and disbursement of all ERA funds by OHCS. Subgrantees must have an accounting system in place satisfactory to OHCS, and implement an approved Homeless Management Information System (HMIS) database for data and fiscal entry.¶
(2) Subgrantees and their subrecipients must maintain other ERA records satisfactory to OHCS and consistent with ERA requirements, which include, but are not limited to, documentation of household eligibility, receipt of allowable ERA services, termination of services and the basis for same, housing status, administrative actions, contracts with subrecipients, review of subrecipient performance, action taken with respect to deficiency notices, and any administrative review proceedings. Such records must be satisfactory to OHCS in substance and format.¶
(3) Subgrantees must provide OHCS with all required reports, data, and financial statements by submission deadlines and satisfactory to OHCS in form and substance as identified in the ERA requirements and as requested by OHCS.¶
(4) To ensure proper compliance and monitoring of ERA, subgrantees and their subrecipients must:¶
(a) Furnish representatives of OHCS, the Oregon Secretary of State's Office, the federal government, and their duly authorized representatives access to and permit copying of all electronic and hardcopy books, accounts, documents, and records and allow reasonable access to the project and other property pertaining to ERA, at any such representative's request.¶
(b) Cooperate fully in any inspections or other monitoring actions taken by OHCS, the Oregon Secretary of State's Office, the federal government, and their duly authorized representatives.¶
(c) Retain and keep accessible all ERA records and data according to ERA requirements and as requested by OHCS.¶
(5) OHCS will conduct reviews, audits, and other compliance monitoring as it deems appropriate with respect to each subgrantee and its subrecipients to verify compliance with the ERA requirements. Subgrantees and their subrecipients must cooperate fully with OHCS in its compliance monitoring activities.¶
(6) Subgrantees must require by contract and monitor their subrecipients' compliance with all ERA requirements including, but not limited to, recordkeeping and retention of records and OHCS compliance monitoring and enforcement.
Statutory/Other Authority: ORS 458.375
Statutes/Other Implemented: ORS 458.~~505~~610, 458.620, 458.650

AMEND: 813-053-0070

RULE SUMMARY: Amends rules to align with statutory references and current remedies.

CHANGES TO RULE:

813-053-0070
Remedies
(1) OHCS reserves the right to identify deficiencies in the performance of any subgrantee or their subrecipients discovered during prorgram operations or compliance monitoring activities and take remedial action upon such subgrantees, including, but not limited to, modifying funding amount, reducing or withholding payment, suspending or recouping payment s or both, requiring a corrective action or additional activities necessary to satisfy its obligations or meet performance standards, initiation of an action or proceeding for damages, specific performance, or declaratory or injunctive relief, exercise of its right of recovery of overpayments, declaring subgrantee ineligible for the receipt of future awards from OHCS, criminal action for misstatements or fraud, misfeasance, claims under the Oregon False Claims Act, or other culpable behavior, investigation, audit, and/or sanction by other governmental bodies, and terminating its funding agreement with a subgrantee and requiring repayment of ERA funding.¶
(2) To remedy any identified deficiencies, OHCS:¶
(a) Mustay issue a deficiency notice notifying a subgrantee of deficiencies identified through the monitoring process and provide documentation for the basis of such determination and the specific deficiency or deficiencies that must be corrected;¶
(b) Mustay require the subgrantee to correct any deficiencies in a manner and time frame satisfactory to OHCS;¶
(c) May offer training and technical assistance related to such deficiencies to the subgrantee; and¶
(d) May, at its discretion, offer the subgrantee assistance in the development of a corrective action plan. If a corrective action plan is allowed, OHCS must review the plan and issue a decision of approval or disapproval to the subgrantee.¶
(3) OHCS must provide adequate notice to a subgrantee of remedial action that will terminate or reduce a subgrantee's eligibility for ERA funding. OHCS must provide the subgrantee an initial opportunity to appeal to the director of the Housing Stabilization Division of OHCS, whose decision may be deferred to the director of OHCS.¶
(4) For appeals unable to be resolved internally, OHCS adopts the procedures detailed in ORS Chapter 183 for contested cases.¶
(5) Issuance of a deficiency notice will not constitute a waiver of other remedies available to OHCS or preclude OHCS from exercising such other remedies available to it under the ERA requirements, at law or otherwise.
Statutory/Other Authority: ORS 458.375
Statutes/Other Implemented: ORS 458.505610, 458.620, 458.650

AMEND: 813-053-0080

RULE SUMMARY: Amends rule to align with statutory references and current practice.

CHANGES TO RULE:

813-053-0080
Challenge of Subgrantee Action ¶

(1) Any household aggrieved by a subgrantee administering or providing ERA services may challenge the subgrantee's action by entering the subgrantee's administrative review process (see OAR 813-053-0090). Any household who received either an unsatisfactory determination or refusal of a review by the subgrantee may submit a written request to OHCS within 30 days of receiving the notice of review determination or refusal by the subgrantee to provide such administrative review.¶
(2) OHCS may accept or deny a request to conduct a subgrantee administrative review, in whole or in part, at its sole discretion. An OHCS review will be in the manner determined appropriate by OHCS and may include, but is not limited to, review of provided information.¶
(3) If OHCS accepts the review request, the requesting household, the subgrantee, and any relevant subrecipients will produce all information required by OHCS, including requested affidavits or testimony.¶
(4) Upon accepting the review request, OHCS may make a determination on such review request and require such remedial action as OHCS determines, in its sole discretion, to be appropriate.~~¶~~
~~(5) OHCS adopts the procedures detailed in ORS Chapter 183 for contested cases.~~
Statutory/Other Authority: ORS 458.375
Statutes/Other Implemented: ORS 458.~~505~~610, 458.620, 458.650

AMEND: 813-053-0090

RULE SUMMARY: Amends title, statutory references and aligns with current practice.

CHANGES TO RULE:

813-053-0090
~~Administrative~~ Review by Subgrantee ¶

(1) Subgrantees must establish in writing a process satisfactory to OHCS that enables all potentially eligible households, having received ERA services or not, to contest a determination by the subgrantee or its subrecipients that either denies, limits, terminates, or modifies ERA services.¶
(2) An aggrieved household may request ~~an administrative review or fair hearing~~formal review of a subgrantee's or its subrecipients' ~~contested~~ action (as described in subsection (1) above). The subgrantee must allow a minimum of 30 days, from the time of ~~contested action~~the requested review or the aggrieved household's discovery of such action, for which an aggrieved household ~~may~~ requests a review ~~or hearing~~. The ultimate determination of an aggrieved household's discovery period is reserved to OHCS, in its sole discretion.¶
(3) A household remaining aggrieved after such review ~~or hearing of a contested action may request administrative~~may request further review of the subgrantee by OHCS (see OAR 813-053-0080).¶
(4) The subgrantee must inform OHCS and the aggrieved party in writing of any final ~~administrative~~ review determination made by the subgrantee, and the basis for same, within 10 days of such final determination.¶
(5) The subgrantee must comply with OHCS requests for all supporting documentation related to the grievance when a household exercises their right for an administrative review of the subgrantee or subrecipient's decision (as described in subsection (3) above).
Statutory/Other Authority: ORS 458.375
Statutes/Other Implemented: ORS 458.~~505, ORS~~610, 458.620, ~~ORS~~ 458.650

AMEND: 813-145-0000

RULE SUMMARY: Amend rule to align with statutory references and purpose.

CHANGES TO RULE:

813-145-0000
Purpose and Objectives ¶

The purpose of OAR chapter 813, division 145 of the administrative rules is to implement the Emergency Solutions Grant (ESG) program. Funding for ESG comes from federal funds authorized by the McKinney-Vento Homeless Act, as established in 24 CFR 576. ~~Oregon Housing and Community Services (OHCS) is designated as the state agency responsible for administering state and federal antipoverty programs in Oregon.~~ The purpose of ESG is to fund local homeless programs that assist households, who are homeless or at risk of homelessness, to attain housing stability
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 24 CFR 576~~, ORS 458.505~~

AMEND: 813-145-0010

RULE SUMMARY: Amend rule to align with statutory references and current definitions.

CHANGES TO RULE:

813-145-0010
Definitions ¶

Terms used throughout this division (OAR 813-145) may be defined in Oregon Revised Statute (ORS) or in the OHCS General Definitions (OAR 813-005-0005). Terms used within this division observe those definitions, except as defined below:¶
(1) "At risk of homelessness" is defined in 24 CFR 576.2.¶
(2) "ESG" means the Emergency Solutions Grant program administered by OHCS pursuant to this division and other applicable law.¶
(3) "ESG Manual" or "Program manual" means the Emergency Solutions Grant Operations Manual, as ~~describ~~referenced in OAR 813-145-0015.¶
(4) "ESG requirements" means these administrative rules; all funding agreement terms and conditions; OHCS directives (including deficiency notices); the ESG Manual requirements; and applicable state, local, and federal laws and requirements.¶
(5) "ESG services" means services as defined in OAR 813-145-0030 and the ESG Manual, which are eligible activities with ESG funding.¶
(6) "Homeless" ~~means an individual, family or household that lacks a fixed, regular, and/or adequate nighttime residence in accordance with department categorical definitions. Categorical definitions are contained in the program manual~~is defined in 24 CFR 576.2.¶
(7) "Homeless Management Information System" or "HMIS" is defined in 24 CFR 576.2.¶
(8) "Household" means an individual living alone, a family with or without children or a group of individuals who are living together as one economic unit.¶
(9) "Household annual income" ~~means the total household income from all sources before taxes. Specific sources and deductions are outlined in~~is defined in 24 CFR 5.609.¶
(10) "Subgrantee" means person, entity, or party that enters into a contract, loan agreement, or grant agreement directly with OHCS to receive funds to administer the ESG Program.¶
(11) "Subrecipient" means organization as defined in ORS 458.610(6) that works with, collaborates with, or enters into a direct agreement with the subgrantee to provide services under the ESG ~~Manual~~Program.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 24 CFR 576, ~~ORS 458.505~~24 CFR 5.609

AMEND: 813-145-0015

RULE SUMMARY: Amend rule to update manual guidance.

CHANGES TO RULE:

813-145-0015
Manuals
Effective on July 1, 202~~3~~5, the Emergency Solutions Grant Program Operations Manual (ESG Manual) with the requirements and standards therein, is incorporated into and adopted as part of division 813-145-0015 of the department's administrative rules, 813-145-0000 to 813-145-0080. The ESG Manual, dated July 1, 202~~0~~3, previously incorporated into and adopted as part of these administrative rules remains in effect until July 1, 202~~3~~5, on which date it is repealed. The ESG Manual may be accessed online at the OHCS website.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 24 CFR 576~~, ORS 458.505~~

RULE ATTACHMENTS MAY NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.

Emergency Solutions Grant (ESG)
July 1, ~~2023~~2025

Emergency Solutions Grant Program Operations Manual

Contacts

Oregon Housing and Community Services
Homeless Services Section
(503) 986-2000

Published date: July 1, ~~2023~~2025

Table of Contents

Contacts 1
1. General Program Overview 9
A. Purpose and Introduction to the Program 9
B. HSS Program Standards 10
C. Program Minimum Written Standards 10
2. ESG Categories: Eligible Expenses per Category 11
A. Administration 11
a. Category Funding Limit and Sharing Requirements 11
b. Allowable Costs 11
c. Direct and Indirect Administration Accounting Practices 12
d. Travel Cost Policy 12
e. Unallowable Costs 13
B. Street Outreach Activities 13
a. General Categorical Overview 13
b. Applicant and Participant Eligibility Categories 13
c. Allowable Costs and Activities: Essential Services 14
d. Allowable Costs and Activities: Services for Special Populations 15
C. Emergency Shelter Activities 16
a. General Categorical Overview 16
b. Applicant and Participant Eligibility Categories 16
c. Allowable Costs and Activities: Shelter Operations 16
d. Allowable Costs and Activities: Shelter Services 17
e. Allowable Costs and Activities: Rehabilitation, Conversion, and Renovation 20
i. Checklist of Steps to Follow 22
ii. Assistance Required under the Uniform Relocation Assistance 23
f. Essential Services Comparison between Outreach and Shelter 24
D. HMIS 24
a. Allowable Costs and Activities 24
b. Travel Cost Policy 25
E. Rapid Re-Housing 26
a. General Categorical Overview 26
b. Applicant and Participant Eligibility Categories 26
c. Allowable Costs and Activities: Housing Relocation and Stabilization Services 26
d. Allowable Costs and Activities: Short-Term and Medium-Term Rental Assistance 27
F. Homelessness Prevention 27
a. General Categorical Overview 27
b. Applicant and Participant Eligibility Categories 27
c. Allowable Costs and Activities: Housing Relocation and Stabilization Services 28
d. Allowable Costs and Activities: Short-Term and Medium-Term Rental Assistance 28

Draft Edits Only

G. General Ineligible Expenses 28
3. Determining Applicant Homeless Category for Program Services 29
A. General Overview 29
B. Category 1: At-Risk of Homelessness 30
C. Category 2: Homeless 31
a. Category 2a: Literally Homeless 31
b. Category 2b: Imminent Risk of Homelessness 31
c. Category 2c: Homeless Under Other Federal Statutes 31
D. Category 2: Domestic Violence Survivor 32
4. Rapid Re-Housing and Homelessness Prevention Services 32
A. General Overview 32
B. Housing Relocation and Stabilization Services 33
a. Eligible Costs and Services 33
b. Housing Stability Case Management 34
c. Refund of Security and Utility Deposits 35
d. Ineligible Services 35
C. Short-Term and Medium-Term Rental Assistance 35
a. Tenant-Based Rental Assistance 36
b. Project-Based Rental Assistance 36
c. General Rental Assistance Requirements and Restrictions 37
d. Rental Restrictions: Rent Reasonableness and Fair Market Rent 40
i. Rent Reasonableness Determination 40
ii. Fair Market Rent (FMR) Requirements 41
iii. Rent Calculation Requirements 41
e. Protection for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking Requirements 42
i. Violence Against Women Act (VAWA) Notification of Occupancy Rights 43
ii. Violence Against Women Act (VAWA) Emergency Transfer Plan 43
5. Summary of Program Minimum Written Standards 48
A. General Overview 48
B. Evaluating Eligibility for Assistance under the ESG Program 49
a. Initial Evaluation 49
b. Re-Evaluation 50
c. Household Composition 51
d. Income Determination and Requirements 51
1. Income Eligibility 51
2. Sources of Income Types 51
3. Calculating Annual Income 56
e. Eligibility Documentation and Recordkeeping 56
C. Targeting and Providing Street Outreach Activities 57
D. Admission, Diversion, Referral, and Discharge by Emergency Shelters 57
a. Local Governmental Approval 57
b. Admission 58
c. Diversion from Shelter 58
d. Essential Services and Referral 58
e. Length of Stay and Discharge 58

Draft Plans Only

f. Safety and Accommodations for Special Populations 58
1. Accommodating Families ... 59
2. Non-Discrimination and Limited English Proficiency ... 60
3. Reasonable Accommodations ... 60
4. Domestic Violence ... 60
E. Assessing, Prioritizing, and Reassessing Needs for Essential Services Related to Emergency Shelter ... 60
F. Coordination Among Homeless Assistance Providers, Mainstream Service Providers and Housing Providers ... 61
G. Determining and Prioritizing Eligibility for Homelessness Prevention and Rapid Re-Housing Assistance ... 62
a. Determining Eligibility 62
b. Prioritization: Prevention 62
c. Prioritization: Rapid Re-Housing 62
H. Determining Participants' Share of Rent and Utilities ... 62
I. Determining Duration and Amount of Rental Assistance Provided to Participant 63
J. Determining Type, Amount, and Duration of Housing Stabilization and Relocation Services Provided to Participants ... 63
6. Shelter and Housing Standards ... 63
A. General Overview ... 63
B. Lead-Based Paint Requirements ... 64
C. Occupancy Standards ... 65
D. Minimum Habitability Standards: Emergency Shelter ... 65
E. Minimum Habitability Standards: Permanent Housing ... 66
F. Environmental Review ... 66
G. Solid Waste Disposal Act ... 67
7. Required Policies ... 67
A. General Overview ... 67
B. Fair Housing ... 68
a. Affirmative Outreach 68
8. Data Entry, Reporting, and Recordkeeping ... 83
A. Data Submission and Reporting Requirements ... 137
B. Recordkeeping ... 138
a. Client File Documentation 138
b. Electronic Files 140
c. Available Forms 141
d. Records of Domestic Violence Survivors 144
9. Financial Management ... 145
A. Program Match ... 147
a. Sources of Match 147
b. Match Waiver 149
c. Reporting Requirements 149
B. Funds Disbursement ... 150
a. Rollover of Funds 152
10. Acronyms and Definitions ... 156
A. Acronym List ... 156

Draft Edits Only

B. Definitions 156
Appendix 1: Applicable Rules and Regulations..... 161
~~**Contacts ..... 1**~~
~~**Program Summary ..... 5**~~
~~**1. General Program Requirements ..... 5**~~
~~A. Program Written Standards ..... 5~~
~~1) Evaluating Eligibility for Assistance ..... 5~~
~~2) Targeting and Providing Essential Services Related to Street Outreach..... 6~~
~~3) Emergency Shelter Operations..... 6~~
~~4) Assessing, Prioritizing and Reassessing Needs for Essential Services Related to Emergency Shelter 8~~
~~5) Coordination Among Homeless Assistance Providers, Mainstream Service Providers and Housing Providers ..... 9~~
~~6) Determining and Prioritizing Eligibility for Homeless Prevention and Rapid Re-housing Assistance 9~~
~~7) Determining Client's Share of Rent and Utility Costs..... 10~~
~~8) Determining Duration and Amount of Rental Assistance Provided to Client .. 10~~
~~9) Determining Type, Amount, and Duration of Housing Stabilization and/or Relocation Services Provided to Client ..... 11~~
~~B. Emergency Transfer Plan..... 12~~
~~C. Continuum of Care Coordination ..... 15~~
~~D. Training ..... 16~~
~~E. Duplication of Benefits ..... 17~~
~~**2. Applicant Eligibility ..... 17**~~
~~A. Assessment..... 17~~
~~B. Household Composition ..... 17~~
~~C. Categorical Homeless Definitions and Criteria..... 18~~
~~D. Criteria for At Risk of Homelessness Qualification..... 19~~
~~E. Criteria for Chronically Homeless Qualification ..... 20~~
~~F. Income Determination and Requirements ..... 20~~
~~1) Income Eligibility ..... 20~~
~~2) Calculating Gross Annual Income..... 21~~
~~G. Eligibility Documentation and Recordkeeping..... 21~~
~~**3. Allowable Program Service Components and Activities..... 23**~~
~~A. Service Components and Homeless Eligibility ..... 23~~
~~B. Street Outreach ..... 24~~
~~1) Essential Services..... 24~~
~~2) Services for Special Populations..... 26~~
~~C. Emergency Shelter..... 26~~
~~1) Shelter Operations ..... 26~~
~~2) Essential Services..... 27~~
~~3) Shelter Facility Rehabilitation, Conversion and Renovation ..... 30~~
~~4) Assistance Required under "URA" ..... 32~~
~~D. Essential Services Comparison between Outreach and Shelter ..... 32~~
~~E. Homelessness Prevention and Rapid Re-housing..... 33~~

Draft Edits Only

1) Homelessness Prevention and Rapid Re-housing Comparison 33
2) Housing Relocation and Stabilization Financial Assistance 34
3) Housing Relocation and Stabilization Services 35
4) Short- and Medium-Term Rental Assistance 35
5) Rental Agreement and Lease 37
6) Rent Reasonableness Determination 38
7) Fair Market Rent (FMR) Requirement 38
8) Calculating Gross Rent 39
9) Eligibility Re-certification 40
10) Housing Stability Case Management 40
F. HMIS / Data Collection Costs 41
G. Ineligible Activities and Costs 41
4. Housing and Facility Standards 42
A. Occupancy Standards 42
B. Habitability Standards 42
1) Permanent Housing 42
2) Shelters 43
C. Lead-Based Paint Requirements 43
D. Environmental Review 44
5. Client Confidentiality 45
A. General Requirements 45
B. Victims of Domestic Violence 46
C. Privacy Notification 46
6. Grievance and Conflict of Interest Policies 47
A. Grievance and Appeals Process 47
B. Conflict of Interest 48
1) Organizational 48
2) Individual 49
7. Fair Housing 50
A. Affirmative Outreach 50
B. Nondiscrimination and Equal Access 50
C. Limited English Proficiency 52
8. Data Requirements 53
A. Data Entry 53
B. Data Timeliness 53
C. Data Entry Requirements for Emergency and Transitional Shelters 53
D. Data Entry Requirement for Other Program Components 53
E. Required Data Elements 53
F. Comparable Database 54
9. Submissions/Reporting Requirements 54
10. Recordkeeping 55
A. Client File Documentation 55
B. Electronic Files 56
C. Records Access 56
D. Records Retention 57

Draft Edits Only

E. Available Forms 57
11. Financial Management 57
A. Administration 57
B. Advance Requests for Funds 58
C. Program Match 59
D. Funds Disbursement 60
1) Use of OPUS 60
2) Request for Funding Documentation 60
3) Budget Change Requests and Implementation Report Amendments 61
4) Funds Spend Down 61
5) Funds Rollover 62
6) Internal Controls for Fraud 62
E. Procurement 62
12. Monitoring 63
A. Process 63
B. Subrecipient Monitoring 63
13. Acronyms and Definitions 65
A. Acronym List 65
B. Definitions 65
Appendix 1: Applicable Rules and Regulations 70

(End###

Draft Edits Only

NOTE: If a statute, rule, contract or guidance does not expressly prohibit an activity or expense, it does not mean that the activity or expense is allowable. Statutes, rules, contracts and guidance are meant to express how funds are intended to be used.

Contact OHCS for prior approval before using any OHCS funds for an activity or expense if it is not addressed in statute, rule, contract or guidance. Failure to do so may result in the disallowance of an activity or expense and may result in remedies afforded in contract. It is an incorrect assumption to believe that because language does not say you cannot do something, that it must mean you can. OHCS provides guidance around what is disallowed from frequently asked questions; however, this does not mean to encompass everything that is disallowed.

Contact OHCS for any questions on how to expend OHCS funds if what you want to do is not covered by statute, rule, contract or guidance prior to the use of funds

NOTE: Guidance in this manual is specific to the programs identified in this manual. Unless, specifically stated, any other guidance from other manuals produced by OHCS does not apply to this program and are not comparable or transferable.

~~Purpose Program Summary~~

~~The purpose of this manual is to provide clarity and guidance to subgrantees administering the Emergency Solutions Grant, a federally funded program designed to assist people who are experiencing homelessness or are at risk of experiencing homelessness.~~

~~This manual will provide a brief introduction to the Program,~~

~~Program Summary~~

~~– authorized – that is~~

- ~~The Program~~**~~Street Outreach:~~** ~~The costs for providing essential services related to reaching out to unsheltered people experiencing homelessness, including those least likely to request assistance (24 CFR 576.101(a)).~~
- **~~Emergency Shelter:~~** ~~The costs of providing essential services to people experiencing homelessness in emergency shelters, renovating buildings to be used as emergency shelters, and operating emergency shelters (24 576.102(a)).~~**~~Rapid Re-Housing:~~** ~~The costs of moving people experiencing homelessness as quickly as possible into permanent housing, providing up to 24 months of rental assistance, and in helping people experiencing homeless to achieve stability in that housing (24 CFR 576.104).~~

~~1.~~ ~~: The costs of providing relocation and stabilization services to prevent people currently at risk of homelessness from falling into homelessness (24 CFR 576.103).: The costs of collecting and contributing data to (HMIS) (24 CFR 576.107).In additional, the ESG Program allows for recipients,~~

Draft Edits

~~subgrantees, and subrecipients to allocate funds toThe Emergency Solutions Grant (ESG) provides federal funds to assist individuals and families to quickly regain stability in permanent housing after experiencing a housing crisis or homelessness. ESG funds are available for five program components: street outreach, emergency shelter, homelessness prevention, rapid re-housing assistance, and data collection through the Homeless Management Information System; as well as administrative activities. The ESG program is authorized by subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 – 11378).~~

1. General Program Overview~~General Program Requirements~~

A. Purpose and Introduction to the Program

The Emergency Solutions Grant Program (ESGP) is a federally funded program – authorized by subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 – 11378) – that is designed to assist individuals and families to regain stability in permanent housing after experiencing a housing crisis or homelessness. This program primarily serves individuals experiencing unsheltered homelessness and those considered at-risk of homelessness.

The ESG Program funds five program components:

- **Street Outreach:** The costs for providing essential services related to reaching out to unsheltered people experiencing homelessness, including those least likely to request assistance (24 CFR 576.101(a)).
- **Emergency Shelter:** The costs of providing essential services to people experiencing homelessness in emergency shelters, renovating buildings to be used as emergency shelters, and operating emergency shelters (24 576.102(a)).
- **Rapid Re-Housing:** The costs of moving people experiencing homelessness as quickly as possible into permanent housing, providing up to 24 months of rental assistance, and in helping people experiencing homeless to achieve stability in that housing (24 CFR 576.104).
- **Homelessness Prevention:** The costs of providing relocation and stabilization services to prevent people currently at risk of homelessness from falling into homelessness (24 CFR 576.103).
- **Data Collection:** The costs of collecting and contributing data to the Homeless Management Information System (HMIS) (24 CFR 576.107).

In additional, the ESG Program allows for recipients, subgrantees, and subrecipients to allocate funds to administrative activities.

The purpose of this manual is to provide guidance and clarity to subgrantees on the administration and usage of the Emergency Solutions Grant Program. This manual also outlines required policies, written standards, reporting and record-keeping requirements, and evaluation criteria for the effectiveness of the Program.

Draft Edits Only

~~Its overall process for making subawards;7's centralized or coordinated assessment system.~~

B. HSS Program Standards

C. Subgrantee/subrecipients **must** adhere to all program standards as identified in the Homeless Services Section (HSS) Program Standards Guidance. **Failure to adhere to HSS Program Standards will result in audit findings and may put subgrantee/subrecipient funding at risk**. The HSS Program Standards Guidance includes requirements related to policies and procedures, along with general requirements for financial management of HSS grants, data requirements and records requirements. HSS Program Standards apply to ESG and align across HSS programs. It is **critical** that subgrantee/subrecipients understand their responsibilities in ensuring that they are following all program and funding requirements. Inclusion of the HSS Program Standards Guidance ensures that subgrantee/subrecipients and OHCS has a central location for the consistency of program standards across multiple programs. Find the HSS Program Standards Guidance on the HSS Dashboard or OHCS website.

D. Program Minimum Written Standards

Subgrantees and subrecipients are required to comply with the Oregon Housing and Community Services (OHCS) minimum standards outlined in this manual for providing ESG assistance (24 CFR 576.400(e)). In some cases, subgrantees may be required to develop their own written standards, policies, and procedures – which must be reviewed and approved by OHCS Program Analysts – prior to receiving funding. Subgrantees must consistently apply all minimum written standards for providing ESG assistance (24 CFR 576.400(e)(2)(i)(B)).

Below is a list of required minimum written standards for each programmatic category. Before using funds for a specific ESG programmatic category, OHCS must approve all standards, policies, and procedures.

- Rapid Re-Housing
- Homelessness Prevention
- Shelter
- Street Outreach
- Data Collection

Specific requirements related to the minimum written standards can be found within this manual in Section 5: Program Minimum Written Standards on page 46.

~~Subgrantees and : Understanding the Difference~~~~For the purposes of this manual, "subgrantees" generally refers to entities that receive funding directly from Oregon Housing and Community Services (OHCS) to administer or carry out activities under the Emergency Solutions Grant (ESG). For the purposes of this operations manual,~~

~~Subgrantees may choose to directly administer the program, or they may choose to identify subrecipients in their service area to carry out program activities. icalendar Master Grant~~

Draft Rules Only

~~Further, a requirement to follow OHCS rules and guidelines must be written into the subrecipient contract or grant agreement.,all relevant federal and state regulations,~~

2. ESG Categories: Eligible Expenses per Category

The following section will outline allowabilities within each programmatic category of the Emergency Solutions Grant: Street Outreach, Emergency Shelter, HMIS, Rapid Re-Housing, and Homelessness Prevention. This section will also outline requirements for the administration category.

A. Administration

a. Category Funding Limit and Sharing Requirements

Subgrantees are allowed to use a portion of their total ESG allocation for administrative costs, including administrative costs for subrecipient organization with whom the subgrantee contracts. OHCS identifies the maximum allowable admin funding at the start of each program year.

If subgrantees partner or otherwise subaward all or parts of the ESG Program with subrecipients, subgrantees must share administrative funds with those subrecipients commensurate to the services provided through the program by subrecipients.

b. Allowable Costs

Allowable administrative costs, including indirect cost allocations, benefit the organization as a whole and cannot be attributed specifically to a particular program. All amounts billed to administration must be supported by actual costs. Allowable costs include, but are not limited to, the following (24 CFR 576.108(a)):

- Overall program management, coordination, monitoring, and evaluation.
- Salaries, wages, and related costs of the subgrantee's or subrecipient's staff engaged in program administration.
    - Please note: In charging costs to this category, OHCS requires subgrantees and their subrecipients to include the entire salary, wages and related costs allocable to the program of each whose primary responsibilities with regard to the program involve program administration assignments.
- Preparing program budgets and schedules, and amendments to those budgets and schedules.
- Developing systems for assuring compliance with program requirements.
- Developing agreements with subrecipients and contractors to carry out program activities.
- Monitoring program activities for progress and compliance with program requirements.

Draft Edits Only

- Preparing reports and other documents directly related to the program for submission to OHCS and to HUD.
- Coordinating the resolution of audit and monitoring findings.
- Evaluating program results against stated objectives.
- Managing or supervising people whose primary responsibilities with regard to the program.
- Travel costs incurred for monitoring subrecipients.
- Administrative services performed under third-party contracts or agreements, including general legal services, accounting services, and audit services.
- Other costs for goods and services required for administering the program, including rental or purchase of equipment, insurance, utilities, office supplies, and rental and maintenance – but not purchase – of office space.
- Training costs related to ESG requirements.
- Costs of carrying out environmental review responsibilities.

c. Direct and Indirect Administration Accounting Practices

No universal rule exists for classifying certain costs as either direct or indirect under every accounting system. A cost may be direct with respect to some specific service or function, but indirect with respect to the award. Therefore, each item of cost incurred for the same purpose must be treated consistently in similar and identical circumstances either as a direct or an indirect cost to avoid possible double charging of awards. This consistency must be included in all grants received by the subgrantee, regardless of whether they originate from OHCS. Indirect costs must be in accordance with an organization's written cost allocation plan or Negotiated Indirect Cost Rate Agreement (NICRA) and must be consistently applied to all programs. Guidelines for determining direct and indirect costs charged to awards are provided in OMB 200.

Administrative costs must be charged to grant cost centers based on either a cost allocation plan or through use of an approved indirect cost rate in accordance with 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (also known as the "Super Circular").

d. Travel Cost Policy

Travel costs may be eligible admin expenditures, provided that the cost is adequately documented and support business purposes. Documentation that verifies the reservation only and not the completed travel is insufficient. Payment for travel expenses must be authorized in advance, in writing, unless the individual has previously been approved to travel by virtue of an approved description of job duties that include travel. Reimbursement of travel expenses does not count as wages or remuneration.

Draft Edits Only

Subgrantees must keep record of travel expenditures, which includes purpose, mileage, and payment. When reimbursing for meals, lodging, or travel, subgrantees and subrecipients must use one of the following rates:

- The U.S. General Services Administration per diem rates; or
- The travel rate as established in the subgrantee's policies and applied consistently to all volunteers and employees for actual and necessary expenses backed by receipts.

In the case of volunteers, the cost of meals without accompanying overnight stay and no official state business meeting is reportable as income. Any funds expended on the reimbursement of expenses for travel must be appropriately documented and cannot be provided through a cash or cash equivalent payment.

e. Unallowable Costs

Unallowable costs include, but are not limited to, the following expenses:

1. Late fees assessed due to a subgrantee or a subrecipient's failure to pay in a timely manner.
2. Subgrantee/subrecipient facility mortgage payments
3. Lobbying

B. Street Outreach Activities

a. General Categorical Overview

Subgrantees may use ESG funds on street outreach activities, which is service delivery for the specific purpose of reaching out to unsheltered homeless people; connecting them with emergency shelter, housing, or critical services; and providing urgent, non-facility-based care (24 CFR 576.101(a)).

NOTE: subgrantees must administer street outreach activities in accordance with relevant Program Minimum Written Standards. Please see Section 5: Program Minimum Written Standards on page 46. for specific requirements.

b. Applicant and Participant Eligibility Categories

Subgrantees may use street outreach fund to service families and individuals who are considered to be "unsheltered homeless" (24 CFR 576.101(a)). To be considered unsheltered homeless individuals and families, they must meet the criteria under Category 2a: Literally Homeless found in Section 3: Determining Applicant Homeless Category for Program Services on page 28 of this manual, with the following exception: The family or individual must be living in a primary nighttime residence that is a public or private place not designed for or ordinarily used for as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground).

Draft Edits Only

In addition, subgrantees may use street outreach funds to provide urgent, nonfacility-based care to unsheltered homeless people who are unable or unwilling to access emergency shelter, housing, or an appropriate health facility (24 CFR 576.101(a)).

c. Allowable Costs and Activities: Essential Services

Eligible costs and requirements for essential services consist of the following:

Engagement Services (24 CFR 576.101(a)(1)):

Engagement Services are activities to locate, identify, and build relationships with unsheltered homeless people to offer immediate support, intervention, and connections with homeless assistance programs and/or mainstream social services and other housing programs. Eligible costs include:

- Conducting an initial assessment of applicant needs and eligibility;
- Providing crisis counseling;
- Addressing urgent physical needs, such as providing meals, blankets, clothes, or toiletries;
- Actively connecting and providing information and referrals to needed services; **and**
- Cell phone costs of outreach workers.

Case Management (24 CFR 576.101(a)(2)):

Case Management is activities to assess housing and service needs and arrange, coordinate and/or monitor the delivery of individualized services. Eligible costs include:

- Assessment and intake including using coordinated entry;
- Conducting initial evaluations including verifying and documenting eligibility;
- Counseling;
- Developing/securing/coordinating services;
- Helping obtain Federal, State, and local benefits;
- Monitoring and evaluating program participant progress;
- Providing information and referrals to other providers; **and**
- Developing an individualized housing stabilization plan that leads to the attainment of stable permanent housing.

Emergency Health (24 CFR 576.101(a)(3)):

Emergency health services are eligible activities to the extent that other appropriate services and treatment are unavailable or inaccessible within the community. An example of customary emergency health services is outpatient treatment of urgent medical conditions by licensed medical professionals in community-based settings (e.g.; streets, parks, and campgrounds) to those eligible participants unwilling or unable to access emergency shelter or an appropriate healthcare facility. Eligible costs include:

Draft Edits Only

- Assessing health problems and developing treatment plans;
- Assistance in understanding health needs;
- Providing directly or assisting to obtain appropriate emergency medical treatment; **and**
- Providing medication and follow-up services.

Emergency Mental Health (24 CFR 576.101(a)(4)):

Emergency mental health services are eligible activities to the extent that other appropriate services and treatment are unavailable or inaccessible within the community; i.e.; outpatient treatment of urgent mental health conditions by licensed professionals in community-based setting (e.g.; streets, parks, and campgrounds) to those eligible participants unable or unwilling to access emergency shelter or an appropriate health care facility. Eligible costs include:

- Crisis intervention;
- Prescription of psychotropic medications;
- Explanation about the use and management of medications; **and**
- Combinations of therapeutic approaches to address multiple problems.

Transportation (24 CFR 576.101(a)(5)):

Travel expenses incurred by outreach workers, social workers, medical professionals, or other service agency employees during the provision of allowable street outreach services are eligible costs. They include:

- Transporting unsheltered people to emergency shelters or other service facilities;
- Public transportation for participants;
- Mileage allowance for outreach workers using their own vehicles to visit program participants;
- Purchasing or leasing a vehicle for use in conducting outreach activities, including the cost of gas, insurance, taxes, and maintenance for the vehicle; **and**
- Costs of staff to accompany or assist program participants to use public transportation.

d. Allowable Costs and Activities: Services for Special Populations

Services for special populations are essential services that have been tailored to address the special needs of homeless youths, victims of domestic violence, dating violence, sexual assault, or stalking, including services offered by rape crisis centers, domestic violence shelters, and persons living with HIV/AIDS (24 CFR 576.101(a)(6)). Eligible costs include:

- Engagement
- Case Management
- Emergency Health Services
- Emergency Mental Health Services
- Transportation.

Draft Edits Only

C. Emergency Shelter Activities

a. General Categorical Overview

Subgrantees may use ESG funds on emergency shelter activities, which is the costs of the following (24 CFR 576.102(a)):

1. Providing essential services to families and individuals who are experiencing homelessness and reside in emergency shelters;

2. Renovating buildings to be used as emergency shelter; and

3. Operating emergency shelters.

Emergency shelter means any appropriate facility that has the primary use of providing temporary or transitional shelter for the homeless in general or for specific populations of the homeless and the use of which does not require occupants to sign leases or occupancy agreements.

NOTE: subgrantees must administer emergency shelter activities in accordance with relevant Program Minimum Written Standards. Please see Section 5: Program Minimum Written Standards on page 46. for specific requirements.

b. Applicant and Participant Eligibility Categories

Subgrantees may provide emergency shelter service to individuals and families residing in emergency shelters (24 CFR 576.102(a)(1)). The Emergency Solutions Grant Program generally does not requires applicants to meet any specific income requirements or categorical definition of homelessness.

c. Allowable Costs and Activities: Shelter Operations

Shelter operations are costs to operate and maintain emergency shelters and provide other emergency lodging when appropriate. Eligible Costs include:

- Maintenance (minor or routine repairs);
- Rent;
- Security;
- Fuel;
- Equipment;
- Insurance;
- Utilities;
- Food;
- Furnishings;
- Supplies necessary for the operation of the emergency shelters; **and**

Draft Edits Only

- Hotel/Motel voucher, only for families and individuals when no emergency shelter is available.

d. Allowable Costs and Activities: Shelter Services

Emergency shelter essential services are services to individuals and families in emergency shelters. Eligible uses for funds within the Emergency Shelter Essential Services category include:

Case Management

Case Management activities assess, arrange, coordinate, and monitor individualized services developed for program participants. Eligible costs include:

- Using coordinated entry;
- Conducting initial evaluations including, verifying and documenting eligibility;
- Counseling;
- Developing, securing and coordinating services and obtaining Federal, State, and local benefits;
- Monitoring and evaluating program participant progress;
- Providing information and referrals to other providers;
- Providing ongoing risk assessment and safety planning with victims of domestic violence, dating violence, sexual assault, and stalking; **and**
- Developing an individualized housing and service plan, including planning a path to permanent housing stability.

Childcare Costs

The cost of childcare is eligible if the child is under the age of 13, or a child(ren) with disabilities under the age of 18. The childcare center must be licensed by the jurisdiction in which it operates. Eligible costs include:

- Childcare costs;
- Providing meals and snacks; **and**
- Comprehensive and coordinated sets of appropriate developmental activities.

Education

Education is instruction or training to enhance participants' ability to obtain and maintain housing, consumer education, health education, substance abuse prevention, literacy, ESL, GED preparation and various life skills. Eligible costs include:

- Screening, assessment, and testing;
- Individual/group instruction;
- Tutoring;
- Books, supplies, and instructional materials;
- Counseling; **and**
- Referral to community resources.

Employment Assistance and Job Training

Draft Edits Only

Job Assistance services help participants to secure employment and placement in job training programs. Eligible costs include:

- Classroom, online, and/or computer instruction;
- On the job instruction;
- Job finding and skill building;
- Reasonable stipends to program participants in employment assistance and job training programs;
- Books and instruction materials;
- Employment screening; assessment or testing;
- Structured job seeking support;
- Special training and tutoring; including literacy training and pre-vocational training;
- Counseling or job coaching; **and**
- Referral to community resources.

Outpatient Health

Outpatient Health Services are eligible activities to the extent that other appropriate services and treatment are unavailable or inaccessible within the community. Eligible costs include:

- Assessing health problems and developing treatment plans;
- Assistance in understanding health needs;
- Providing directly or assisting to obtain appropriate medical treatment, preventive medical care, health maintenance services, including emergency medical services;
- Providing medication and follow-up services; **and**
- Providing preventive and non-cosmetic dental care.

Legal services

Legal advice and representation are eligible activities to the extent that other appropriate services and treatment are unavailable or inaccessible within the community. This would include necessary legal services regarding matters that interfere with the program participant's ability to obtain permanent housing or will likely result in the program participant losing the permanent housing in which the program participant currently resides. Legal issues would include child support, guardianship, paternity, emancipation, legal separation, orders of protection and other civil remedies for victims of domestic violence, dating violence, sexual assault, and stalking, appeal of veterans and public benefit claim denials, and resolution of outstanding criminal warrants. Eligible costs include:

- Hourly fees for legal advice and representation by licensed attorneys and certain other fees-for-service;
- Client intake, preparation of cases for trial, provision of legal advice, representation at hearings, and counseling; **and**
- Filing fees and other necessary court costs.

Draft Edits Only

Legal services to address immigration, citizenship, and mortgage issues including retainer fee arrangements, and contingency fee arrangement are **not** eligible costs.

Life Skills Training

Life Skills Training teaches critical life management skills that may never have been learned or have been lost during the course of physical or mental illness, domestic violence, substance use, and homelessness. Allowable services must be necessary to assist the program participant to function independently in the community. They include:

- Budgeting resources;
- Managing money;
- Managing a household;
- Resolving conflict;
- Shopping for food and needed items;
- Improving nutrition;
- Using public transportation; **and**
- Parenting.

Mental Health Services

Mental Health Services are eligible activities to the extent that other appropriate services and treatment are unavailable or inaccessible within the community. Services are direct outpatient treatment of mental health conditions by licensed professionals. Eligible costs include:

- Crisis intervention;
- Individual, household, or group therapy sessions;
- Prescription of psychotropic medications and explanation about the use and management of medications; **and**
- Combinations of therapeutic approaches to address multiple problems.

Substance Abuse Treatment

Substance Abuse Treatment is an eligible activity to the extent that other appropriate services and treatment are unavailable or inaccessible within the community. Services must be provided by licensed or certified professionals, and be designed to prevent, reduce, eliminate, or deter relapse of substance abuse or addictive behaviors. Inpatient detoxification and other inpatient drug or alcohol treatment are not eligible costs. Eligible costs include:

- Client intake and assessment;
- Outpatient treatment for up to 30 days;
- Group and individual counseling; **and**
- Drug testing.

Transportation

Costs of travel by program participants to and from medical care, employment, childcare or other facilities that provide eligible essential services are eligible. Staff travel costs

Draft Edits Only

incurred to support provision of essential services are also allowable. Eligible costs include:

- Public transportation for participants;
- Mileage allowance for service workers using their own vehicles to visit program participants; **and**
- Purchasing or leasing a vehicle used for transport of participants and/or staff serving participants, including the cost of gas, insurance, taxes, and maintenance for purchased or leased vehicles.

Services for Special Populations

Services for Special Populations means otherwise eligible essential services that are tailored to address the special needs of homeless youth, victims of domestic violence, dating violence, sexual assault, or stalking, including services offered by rape crisis centers, domestic violence shelters and other organizations with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking. Also eligible are services provided to persons living with HIV/AIDS in emergency shelters. Eligible costs include:

- Case management;
- Childcare;
- Education services;
- Employment assistance and job training;
- Outpatient Health services;
- Legal services;
- Life Skills training;
- Mental health services;
- Substance abuse treatment services; **and**
- Transportation.

e. Allowable Costs and Activities: Rehabilitation, Conversion, and Renovation

For costs of rehabilitation, conversion, or renovation to be eligible for payment with ESG funds, the building must be used for an emergency shelter for homeless families and individuals.

Additionally, subgrantees must comply with the requirements set forth in Section 6: Shelter and Housing Standards on page 62 of this manual.

Refer to subgrantee's master grant agreement for additional information on procurement requirements. Subgrantees and subrecipients must also comply with HSS Program Standards Guidance and the reporting requirements for rehabilitation, conversion, or

Draft Edits Only

renovation projects ~~located on OHCS's Acquisition/Rehabilitation Guidance document on the HSS Dashboard~~which can be submitted through the HSS Dashboard.

Subgrantee must notify OHCS and receive approval of the intent to use OHCS funds to renovate or rehabilitate property prior to using funds for this purpose.

To notify OHCS, Subgrantee must complete ~~the Acquisition, Rehabilitation, Renovation or Conversion of Real Estate Prior Notification/Approval Form~~online form located on the HSS Dashboard. OHCS will not approve any subgrantees' use of funds for such purposes prior to receiving and approving the request.

A government entity or private non-profit organization must own the emergency shelter building before and after the renovation or rehabilitation. Buildings renovated with ESG funds as a shelter for homeless individuals and families are required to function as a shelter for a minimum period, depending on the type of renovation and the value of the building. See the table below:

Eligible Costs include:

- Labor;
- Materials;
- Tools; **and**
- Other costs for renovation, including soft costs.

Rehabilitation and Renovation Minimum Period of Use		
	Use Requirement	**Determining Criteria**
Major Rehabilitation	10 years	Rehab costs exceed 75% of the value* of the building before rehabilitation.
Conversion	10 years	Conversion costs exceed 75% of the value* of the building after conversion.
Renovation, including rehab and conversion costs that do not meet 10 Year criteria.	3 years	Renovation costs are 75% or less of the value* of the building before renovation.

* 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.

ESG funds shall not be used for rehabilitation or renovation of structures that will be used for inherently religious activities. Sanctuaries, chapels, or other rooms used as a principal place of worship are ineligible for funded improvements paid by ESG.

Draft Edits Only

ESG funds can pay for rehabilitation of structures only to the extent that those structures are used for conducting eligible activities under the ESG program. Where a structure is used for both eligible and religious activities, the amount of ESG funds used must not exceed the cost of those portions of the rehabilitation that are attributable to eligible activities in accordance with the cost accounting requirements applicable to ESG funds.

i. 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.

   Submit the Certificate of Continuing Program Compliance for each year of the restricted use period. Submit the form located on the HSS Dashboard.~~File review is the basis for OHCS monitoring. Subgrantee must keep a complete file of all project requirements for 6 years following the final year of the restrictive use period. Subgrantee must follow all reporting requirements:~~

   - ~~Read through 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~~

Draft Edits Only

~~your agency at-risk in future funding opportunities.~~

- ~~Submit Notification/Approval form to OHCS **prior to** the expenditure of any funds, located on the HSS Dashboard.~~
- ~~Submit all required reports , in form and format required by OHCS.~~
- ~~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.~~
- ~~If required, ensure that the performance of an Environmental Review is complete and keep on file for monitoring purposes.~~
- ~~Retain Certificate of Occupancy/Final Inspection on file for monitoring purposes.~~
- ~~Once project is complete, submit a Placed Into Service Report. Submit the form located on the HSS Dashboard.~~
- ~~A Certificate of Continuing Program Compliance is required 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 complete in the month of April, the Certificate of Compliance will be required to be submitted every April following the date the project was placed into service. Submit the form located on the OHCS HSS Dashboard.~~

ii. Assistance Required under the Uniform Relocation Assistance

Subgrantee and subrecipient must ensure they have taken all reasonable steps to minimize the displacement of persons or commercial entities as a result of a project assisted with ESG funds. No tenant occupant of housing that is converted into an emergency shelter shall be required to relocate temporarily for a project assisted with ESG or be required to move to another unit in the same building/complex. When a tenant is required to move because of a project assisted with ESG under conditions that trigger the Uniform Relocation Assistance (URA) and Real Property Acquisition Policies Act (42 U.S.C. 4601-4655), the tenant should be treated as permanently displaced and offered relocation assistance and payments consistent with the Act.

Any person who disagrees with subgrantee's and subrecipient's determination concerning whether the person qualifies as a displaced person or the amount of relocation assistance offered, can file a written appeal of that determination with subgrantee and subrecipient under 49 CFR 24.10. A low-income person who disagrees with the determination can submit a written request for review of that determination to the nearest HUD field office.

Draft Edits Only

Subgrantee and subrecipient must keep records documenting compliance with the displacement, relocation, and acquisition requirements of the ESG program. See 24 CFR 576.408.

f. Essential Services Comparison between Outreach and Shelter

Services through the street outreach component are not the same as services provided through emergency shelter systems. The chart below compares appropriate services for each component.

Comparison of Essential Services	
Street Outreach (Unsheltered Homeless persons)	**Emergency Shelter Services (Sheltered Homeless persons)**
Engagement	----
Case Management	Case Management
----	Childcare
----	Education Services
----	Employment Assistance/Training
Emergency Health Care	Outpatient Health Services
----	Legal Services
----	Life Skills Training
Emergency Mental Health Care	Mental Health Services
Services for Special Populations	Services for Special Populations
----	Substance Abuse Treatment
Transportation	Transportation

D. HMIS

a. Allowable Costs and Activities

Subgrantees may use ESG funds to pay for the costs of contributing data to the HMIS designated by the Continuum of Care for the area (24 CFR 576.107(a)(1). Specifically, HUD has identified the following as eligible costs under the HMIS component of the Emergency Solutions Grant (24 CFR 576.107(a)(1)(i)—(x)):

- Purchasing or leasing computer hardware;
- Purchasing software or software licenses;
- Purchasing or leasing equipment, including telephones, fax machines, and furniture;
- Obtaining technical support;
- Leasing office space;

Draft Edition

- Paying charges for electricity, gas, water, phone service, and high-speed data transmission necessary to operate or contribute data to the HMIS;
- Paying salaries for operating HMIS, including:
  - Completing data entry;
  - Monitoring and reviewing data quality;
  - Completing data analysis;
  - Reporting to the HMIS Lead;
  - Training staff on using the HMIS or comparable database; and
  - Implementing and complying with HMIS requirements;
- Costs of staff to travel to and attend HUD-sponsored and HUD-approved training on HMIS and programs authorized by Title IV of the McKinney-Vento Homeless Assistance Act;
- Paying staff travel costs to conduct intake; and
- Paying participation fees charged by the HMIS Lead.

If the subgrantee or subrecipient is a Victim Services Provider (VSP) or a legal services provider, it can use ESG funds to establish and operate a comparable database that collects client-level data over time (i.e., longitudinal data) and generates unduplicated aggregate reports based on the data. Information entered in a comparable database must not be entered directly into or provided to an HMIS (24 CFR 576.107(a)(3).

PLEASE NOTE: Activities funded under this section must comply with HUD's standards on participation, data collection, and reporting under a local HMIS (24 CFR 576.107(b)).

b. Travel Cost Policy

Travel costs may be an eligible HMIS/data collection expenditure, provided that the cost is adequately documented and support business purposes. Documentation that verifies the reservation only and not the completed travel is insufficient. Payment for travel expenses must be authorized in advance, in writing, unless the individual has previously been approved to travel by virtue of an approved description of job duties that include travel. Reimbursement of travel expenses does not count as wages or remuneration.

Subgrantees must keep record of travel expenditures, which includes purpose, mileage, and payment. When reimbursing for meals, lodging, or travel, subgrantees and subrecipients must use one of the following rates:

- The U.S. General Services Administration per diem rates; or
- The travel rate as established in the subgrantee's policies and applied consistently to all volunteers and employees for actual and necessary expenses backed by receipts.

Draft Rates Only

In the case of volunteers, the cost of meals without accompanying overnight stay and no official state business meeting is reportable as income. Any funds expended on the reimbursement of expenses for travel must be appropriately documented and cannot be provided through a cash or cash equivalent payment.

E. Rapid Re-Housing

a. General Categorical Overview

Subgrantees may use ESG funds on rapid re-housing activities – which includes housing relocation and stabilization services, and short- and medium-term rental assistance – on unhoused individuals and families to move them as quickly as possible into permanent housing and achieve stability in that housing (24 CFR 576.104).

NOTE: subgrantees must administer rapid re-housing activities in accordance with relevant Program Minimum Written Standards. Please see Section 5: Program Minimum Written Standards on page 46 for specific requirements.

b. Applicant and Participant Eligibility Categories

Subgrantees may use rapid re-housing funds to service families and individuals who meet the criteria under Category 2a: Literally Homeless found in Section 3: Determining Applicant Homeless Category for Program Services on page 28 of this manual.

Individuals and families who meet Category 3: Domestic Violence Survivors, are also eligible for services, provided that they live in an emergency shelter or other place as described in Category 2a: Literally Homeless. See Section 3: Determining Applicant Homeless Category on page 28 for more information.

c. Allowable Costs and Activities: Housing Relocation and Stabilization Services

The Emergency Solutions Grant Program's rapid re-housing category may be used to pay for Housing Relocation and Stabilization Services as outlined under Section 4B: Housing Relocation and Stabilization Services on page 31 in this manual (24 CFR 576.105). Individuals and families must meet the rapid re-housing applicant and participant eligibility criteria in order to receive services under rapid re-housing.

NOTE: Applicants not eligible for these services under Rapid Re-Housing may still be eligible for relocation and stabilization services under Homelessness Prevention. Please see Section 2F: Homelessness Prevention on page 26 for more information on applicant eligibility.

Draft Edits Only

d. Allowable Costs and Activities: Short-Term and Medium-Term Rental Assistance

The Emergency Solutions Grant Program's rapid re-housing category may be used to pay for short-term and medium-term rental assistance as outlined under Section 4C: Short-Term and Medium-Term Rental Assistance on page 34 in this manual (24 CFR 576.105). Individuals and families must meet the rapid re-housing applicant and participant eligibility criteria in order to receive services under rapid re-housing.

NOTE: Applicants not eligible for these services under Rapid Re-Housing may still be eligible for relocation and stabilization services under Homelessness Prevention. Please see Section 2F: Homelessness Prevention on page 26 for more information on applicant eligibility.

F. Homelessness Prevention

a. General Categorical Overview

Subgrantees may use ESG funds on homelessness prevention activities – which includes housing relocation and stabilization services, and short- and medium-term rental assistance – necessary to prevent an individual or family from moving into the following (24 CFR 576.103):

- An emergency shelter;
- A primary nighttime residence not designed for or ordinarily used as a regular sleeping accommodation for human habitation; or
- A supervised shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels/motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals).

NOTE: subgrantees must administer homelessness prevention activities in accordance with relevant Program Minimum Written Standards. Please see Section 5: Program Minimum Written Standards on page 46 for specific requirements.

b. Applicant and Participant Eligibility Categories

Subgrantees may use rapid re-housing funds to service families and individuals who fall within the following categories:

- Category 1: At-Risk of Homelessness
- Category 2b: Imminent Risk of Homeless
- Category 2c: Homeless Under Other Federal Statutes, or
- Category 3: Domestic Violence Survivor.

Draft Edits Only

In addition, individual and families qualifying for services and who fall under Categories 2b – 2c and Category 3 must also have an annual income below 30 percent of the area median income. Descriptions of each category can be found in Section 3: Determining Applicant Homeless Category for Program Services on page 28 of this manual.

c. Allowable Costs and Activities: Housing Relocation and Stabilization Services

The Emergency Solutions Grant Program's homelessness prevention category may be used to pay for Housing Relocation and Stabilization Services as outlined under Section 4B: Housing Relocation and Stabilization Services on page 31 in this manual (24 CFR 576.105). Individuals and families must meet the homelessness prevention applicant and participant eligibility in order to receive services under homelessness prevention.

NOTE: Applicants not eligible for these services under homelessness prevention may still be eligible for relocation and stabilization services under rapid re-housing. Please see Section 2E: Rapid Re-Housing on page XX for more information on applicant eligibility.

d. Allowable Costs and Activities: Short-Term and Medium-Term Rental Assistance

The Emergency Solutions Grant Program's homelessness prevention category may be used to pay for short-term and medium-term rental assistance as outlined under Section 4C: Short-Term and Medium-Term Rental Assistance titled on page 34 in this manual (24 CFR 576.105). Individuals and families must meet the homelessness prevention applicant and participant eligibility criteria in order to receive services under homelessness prevention.

NOTE: Applicants not eligible for these services under homelessness prevention may still be eligible for short-term and medium-term rental assistance under rapid re-housing. Please see Section 2E: Rapid Re-Housing on page 24 for more information on applicant eligibility.

G. General Ineligible Expenses

OHCS has identified the following expenses to be ineligible under the Emergency Solutions Grant Program:~~Ineligible activities that cannot be funded with ESG include, but are not exclusive to:~~

- replacement of existing mainstream resources;
- payments made directly to program participants through cash or gift cards;
- purchase of gift cards for any purpose;
- payments on a mortgage or land contract, rent to own, or lease to purchase;
- duplicative payments or payments for duplicative services ~~payment of rent~~ for eligible individuals or families who are being assisted ~~for the same period of time and for the same cost types being assisted through any~~with other federal, state, or local ~~housing~~

Draft Edits Only

subsidyfunds; program - financial assistance, such as payment of security deposits, is allowed if that cost is not eligible under the other subsidy program;

- payment of pet deposits or pet care;
- payments on credit card bills or other consumer debt, including child support or garnishments;

provision of cash assistance;

purchase of gifts cards for participants for any purpose;

- payment of costs of discharge planning programs in mainstream institutions such as hospitals, nursing homes, jails, or prisons; **and**
- payment for religious activities (**Note:** While organizations that are rReligious or faith-based organization are eligible to receive ESG funds, but religious activities must be conducted separately, in time and location, from ESG-funded activities and participation must be voluntary for program participants).

NOTE: The intent of this manual is to provide clarity and guidance to subgrantees administering the Emergency Solutions Grant Program. However, it does not contemplate every scenario in which funds may be used, nor would it be practical to do so.

To ensure ESG funds may reimburse an expense not addressed in statute, rule, guidance, or the master grant agreement, contact OHCS directly. Without written approval, OHCS may disallow an activity or expense for reimbursement and may result in remedies afforded in the master grant agreement.

3. Determining Applicant Homeless Category for Program Services

A. General Overview

An applicant's eligibility for services funded under the Emergency Solutions Grant Program generally depends on whether they meet the Program's categorical definition of either "homeless," "at-risk of homelessness," or whether they are fleeing or attempting to flee domestic violence. Each programmatic category outlined in Section 2: ESG Categories: Eligible Expenses per Program Category states which category an applicant must meet in order to receive services. This section of the ESG Program manual will further outline and define the following categories:

- Category 1: At-Risk of Homelessness
- Category 2: Homeless
- Category 3: Domestic Violence Survivors

Draft Edits Only

B. Category 1: At-Risk of Homelessness

Subgrantees or their subrecipients must verify that applicants for program services for at-risk individuals or families meet the following criteria to be considered at risk of homelessness (24 CFR 576.2 "At risk of homelessness"):

- Have an annual income at or below 30 percent of area median household income for the area; **and**
- Do not have sufficient resources or support networks immediately available to prevent them from moving to an emergency shelter or another place defined in Category 2: homeless in this manual; **and**
- Meet one of the following conditions:
    - Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for assistance;
    - Is living in the home of another because of economic hardship;
    - Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;
    - Lives in a hotel or motel and the cost is not paid for by charitable organizations or by Federal, State, or local government programs for low-income individuals;
    - Lives in an SRO or efficiency apartment unit in which there reside more than two people or lives in a larger housing unit in which there reside more than 1.5 people per room;
    - Is exiting a publicly funded institution or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); **or**
    - Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in OHCS's approved Consolidated Plan.

In addition, a youth may be considered "at risk of homelessness" if they meet one of the following (24 CFR 576.2 "At risk of homelessness"):

- Qualify as "homeless" under section 387(3) of the Runaway and Homeless Youth Act (42 U.S.C. 5732a(3)), section 637(11) of the Head Start Act (42 U.S.C. 9832(11)), section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), section 330(h)(5)(A) of the Public Health Service Act (42 U.S.C. 254b(h)(5)(A))m section 3(m) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(m)), or section 17(b)(15) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(15)); **or**
- Qualify as "homeless" under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), and the parent(s) or guardian(s) of that child or youth if living with her or him.

Draft Edits Only

C. Category 2: Homeless

Subgrantees or their subrecipients must verify that applicants for program services for individuals or families meet the Program's criteria to be considered homeless. Please note that OHCS has identified three levels of homelessness for the purposes of this program: Literally homeless, imminent risk of homelessness, and homeless under other federal statutes (24 CFR 576.2 "Homelessness").

a. Category 2a: Literally Homeless

An individual or ~~household~~family is considered literally homeless if they lack a fixed, regular, and adequate nighttime residence, meaning:

- Living in a primary nighttime residence that is a public or private place not designed for or ordinarily used ~~for~~ as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground~~)~~; **or**
- Living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals); **or**
- Exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that~~e~~ institution.

b. Category 2b: Imminent Risk of Homelessness

An individual or ~~household~~family is considered to be imminently at risk of homelessness if they will imminently lose their primary nighttime residence, provided that:

- The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance; **and**
- No subsequent residence has been identified; **and**
- The ~~household~~individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing.

c. Category 2c: Homeless Under Other Federal Statutes

An individual or household is considered homeless if they are an unaccompanied youth under 25 years of age, or famil~~y~~ies with children and youth, who do not otherwise qualify as ~~literally~~ homeless ~~or imminent risk of homelessness~~under this definition, but who:

- Are defined as homeless under Section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)) or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a); **and**

Draft Edits Only

- Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance; **and**
- Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; **and**
- Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment.

D. Category 2: Domestic Violence Survivor

Certain programmatic categories explicitly provide assistance to individuals and families fleeing, or attempting to flee, domestic violence. A household falls under this category if they ~~meet the following criteria~~are any individual or family who:

- ~~Are~~Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence; **and**
- Has no other residence; **and**
- Lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, to obtain other permanent housing.

4. Rapid Re-Housing and Homelessness Prevention Services

A. General Overview

Both the rapid re-housing and homelessness prevention programmatic categories can provide the following assistance:

- Housing Relocation and Stabilization Services
- Short-Term and Medium-Term Rental Assistance

While eligibility for assistance differs by programmatic category, the services provided are identical. This section of the manual will further outline and define eligible expenses Housing Relocation and Stabilization Services and Short-Term and Medium-Term Rental Assistance. For eligibility requirements, see Sections 2E: Rapid Re-Housing on page 24 and 2F: Homelessness Prevention on page 26 of this manual.

Draft Edits Only

B. Housing Relocation and Stabilization Services

a. Eligible Costs and Services

The Emergency Solutions Grant Program's Rapid Re-housing and Homelessness Prevention categories may be used to pay property owners, utility companies, and other third parties for the following costs (24 CFR 576.105(a)):

- **Rental application fee** charged by the landlord to all applicants;
- **Security deposit**, equal to or not more than two months' rent;
- **Last month's rent**, paid to landlord at the time security deposit and first month's rent are paid. The amount must not exceed one month's rent and is included in calculating the program participant's total rental assistance, which cannot exceed 24 months during any three-year period;
- **Utility deposit** (gas, electric, water, sewer) required by the utility company for all customers;
- **Utility payment** can be for up to 24 months per program participant, per service, including up to 6 months of utility payments in arrears, per service. A partial payment of a utility bill counts as one month. This assistance may only be provided if the program participant or a member of the same household has an account in his or her name with a utility company or proof of responsibility to make utility payments. Eligible utility services are gas, electric, water, and sewage. No program participant shall receive more than 24 months of utility assistance within any three-year period.
- **Moving costs**, including truck rental, hiring a moving company, and temporary storage fees. Storage fees can be up to three month's rent, providing costs are not incurred until after program participation begins and before move-in. Moving costs cannot include arrearage temporary storage fees;

In addition to what is outlined above, the ESG Program can pay for the following services (24 CFR 576.105(b)):

- **Housing Search and Placement** as necessary to assist program participants in locating, obtaining, and retaining suitable permanent housing, including the following:
  - assessment of client housing barriers, needs, and preferences;
  - Development of an action plan for locating housing;
  - Housing search;
  - Outreach to and negotiation with owners;
  - Assistance with submitting rental applications and understanding leases;
  - Assessment of housing for compliance with ESG requirements for habitability, lead-based paint, and ren reasonableness;
  - Assistance with obtaining utilities and making moving arrangements; and
  - Tenant counseling.
- **Housing Stability Case Management**

Draft Edits Only

- **Mediation** services to prevent the tenant from losing their housing including mediation between tenant and landlord, household members, neighbors or others impacting the tenant's housing stability;
- **Legal Services** pertaining to certain legal matters as identified in 24 CFR 576.102(a)(1)(vi) that are necessary to resolve in order for program participant to obtain or maintain stable housing; **and**
- **Credit Repair** including credit counseling, household budgeting, money management, obtaining credit reports and resolving credit related barriers to housing stability.

NOTE: Housing counseling for renters is an eligible activity under the ESG program. However, housing counseling must be provided by a HUD-certified Housing Counselor who works for an agency approved to participate in HUD's Housing Counseling program. Housing counseling is defined as independent, expert advice to address the consumer's housing barriers and to help achieve their housing goals, including homeownership. The content and process of housing counseling must meet the standards of the HUD Housing Counseling Program. Additional information can be found at www.hudexchange.info/programs/housing-counseling/. Services to program participants such as rental housing information, placement and referral services, or landlord recruitment and/or support, do not constitute housing counseling and may be carried out by subgrantee's staff.

b. Housing Stability Case Management

ESG funds may be used to pay the cost of assessing, arranging, coordinating, and monitoring the delivery of individualized housing stabilization services to a program participant already in permanent housing (not to exceed 24 months) or to assist a program participant to overcome immediate barriers to obtaining housing (not to exceed 30 days).

While providing homelessness prevention or rapid re-housing assistance to a program participant, the recipient or subrecipient must

(a) Require the program participant to meet with a case manager not less than once per month to assist the program participant in ensuring long-term housing stability; and

(b) Develop a plan to assist the program participant to retain permanent housing after the ESG assistance ends, taking into account all relevant considerations, such as the program participant's current or expected income and expenses; other public or private assistance for which the program participant will be eligibility and likely to receive; and the relative affordability of available housing in the area. Plans are required to be client driven, using input and goal setting by the client.

Case management includes the following services:

- Using a coordinated entry process (upon the CoC's development or approval of this system);
- Conducting initial evaluation, including verification and documentation of eligibility;

Draft Rules Only

- Developing, securing and coordinating services;
- Obtaining federal, state, and local benefits;
- Monitoring and evaluating participant's progress in the program;
- Developing an individualized, client driven housing stability service plan; **and**
- Conducting re-evaluations of participant's eligibility and types and amounts of assistance needed.

c. Refund of Security and Utility Deposits

OHCS recommends that subgrantees and subrecipients develop a written policy regarding to whom the landlord and utility companies will refund security and utility deposit payments. Regardless of whether the subgrantee develops a written policy, they must be consistent on their refund practice. Any deposit funds returned to subgrantee is program income and must be documented as match (See Section 9C: Program Match on page 83). Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that, in its determination, does not meet basic principles or requirements of such a policy.

d. Ineligible Services

Subgrantees may not provide financial assistance to a program participant who is receiving the same type of assistance through other public sources or to a program participant who has been provided with replacement housing payments under the URA, during the period covered by the URA payments. Financial assistance refers to: rental application fees, security deposits and eligible fees, last month's rent, utility deposits and arrearages, utility payments and moving costs.

C. Short-Term and Medium-Term Rental Assistance

Subgrantees may use ESG funds to provide up to 24 months of rental assistance to eligible participants during any three-year period (24 CFR 576.106(a)). Rental assistance can include payment of rent arrearages for tenant, short-term assistance, medium-term assistance, providing project-based housing, or any combination of this assistance (24 CFR 576.106(a)).

- ***Short-Term Assistance*** is assistance for up to three months of rent (24 CFR 576.106(a)(1));
- ***Medium-Term Assistance*** is assistance for more than three months, but no more than 24 months, of rent (24 CFR 576.106(a)(2);
- ***Payment of Rent Arrearages*** is a one-time payment of up to six months of rent in arrears, including any late fees, so long as such payment is necessary for the participant to obtain permanent housing and maintain stability in that housing (24 CFR 576.106(a)(3)).
- ***Lease Break Fee.*** If a program participant receiving short- or medium-term rental assistance meets the conditions for an emergency transfer under 24 CFR 5.2005(e), ESG funds can be used to pay amounts owed for breaking a lease to allow for an emergency transfer. These costs are not subject to the 24-month limit on rental assistance.

Draft Edits Only

Any limits on rental assistance apply to the total assistance an individual receives, either as an individual or as part of a family (24 CFR 576.106(j)).

Rental Assistance can be either tenant-based or project-based (24 CFR 576.106(a)(4)). The following sections will go into greater detail on the requirements for both types of rental assistance.

a. Tenant-Based Rental Assistance

Tenant-based rental assistance generally allows program participants to select a housing unit in which to live and may move to another unit or building and continue to receive rental assistance, provided that the participant continues to meet program requirements (24 CFR 576.106(h)(1)). However, subgrantees and subrecipients may require program participants to live within a particular area for the period in which the rental assistance is provided (24 CFR 576.106(h)(2)).

Subgrantees and subrecipients must terminate the rental assistance agreement with the property owner and may not provide further rental assistance payments under that agreement under the following circumstances (24 CFR 576.106(h)(3)):

- The program participant moves out of the housing unit for which the program participant has a lease;
- The lease terminates and is not renewed;
- The program participant becomes ineligible to receive ESG rental assistance.

NOTE: Under Rapid Re-housing, a subgrantee and subrecipient can provide tenant-based rental assistance to a program participant that chooses a unit in which the subgrantee and subrecipient has an ownership interest. However, the subgrantee and subrecipient cannot exclusively direct a program participant to a unit it owns, nor can it carry out the initial evaluation to determine eligibility for the assistance - another agency must make that determination. The participant's file must include documentation that the program participant had a choice of other units.

b. Project-Based Rental Assistance

If the subgrantee or subrecipient identifies a permanent housing unit that meets ESG requirements and becomes available before they can identify an eligible program participant, the subgrantee or subrecipient may enter into a rental assistance agreement with owner to reserve and subsidize the unit (24 CFR 576.106(i)). This type of rental assistance is called project-based rental assistance. If a subgrantee or subrecipient wants to pursue project-based rental assistance, it must adhere to the following requirements:

- The rental assistance agreement may cover one or more permanent housing units in the same building. However, only program participants may occupy the assisted units (24 CFR 576.106(i)(1)).

Draft Edits Only

- **Exception (24 CFR 576.106(i)(4)):** If the program participant occupying an assisted unit is determined ineligible or reaches their maximum amount of rental assistance, the individual or family may remain in that unit as permitted under the lease. The subgrantee or subrecipient, however, must suspend or terminate the rental assistance payments for the unit. If suspended and payment does not resume (i.e., if the family does not regain eligibility), the subgrantee or subrecipient may transfer the rental assistance agreement to another available unit in the same building, provided that it also meets all ESG requirements.

- The subgrantee or subrecipient may pay up to 100 percent of first month's rent, provided that a program participant signs a lease and moves into the unit before the end of the month for which the first month's rent is paid. The rent paid before a program participant moves into the unit must not exceed the rent to be charged under the program participant's lease and must be included when determining that program participant's total rental assistance (24 CFR 576.106(i)(2)).

- The recipient or subrecipient may make monthly rental assistance payments only for each whole or partial month an assisted unit is leased to a program participant. When a program participant moves out of an assisted unit, the recipient or subrecipient may pay the next month's rent, i.e., the first month's rent for a new program participant (24 CFR 576.106(i)(3)).

  - The rental assistance agreement must have an initial term of one year. When a new program participant moves into an assisted unit, the term of the rental assistance agreement may be extended to cover the initial term of the program participant's lease. If the program participant's lease is renewed, the rental assistance agreement may be renewed or extended, as needed, up to the maximum number of months for which the program participant remains eligible (24 CFR 576.106(i)(5)).

Waiver for Project-Based Rental Assistance: A subgrantee and subrecipient must receive a HUD approved waiver to provide project-based assistance for a unit where the subgrantee and subrecipient has ownership interest. A waiver is also required to provide Homelessness Prevention rent assistance to a participant residing in a unit owned by the subgrantee and subrecipient. The waiver is necessary because the rental agreement must be between the subgrantee or subrecipient and housing owner and it is not possible for the subgrantee or subrecipient to create such an agreement with itself. Waiver requests must be submitted to OHCS for review and submission to HUD.

c. General Rental Assistance Requirements and Restrictions

Regardless of whether the assistance is project-based or tenant-based, subgrantees and subrecipients must adhere to the following requirements and restrictions when providing either assistance under rapid re-housing or homelessness prevention:

Draft Edits Only

- **Rental Caps and Conditions (24 CFR 576.106(b)):** Subgrantees and subrecipients may not terminate or otherwise end or reduce a participant's rental assistance subsidy as long as they remain eligible and have adequate funding. Further, subgrantees and subrecipients may not set a maximum number of times that a participant can receive rental assistance, nor can they require program participants to share in the costs of rent.
    - If ESG funding limitations or restrictions require subgrantees to reduce or otherwise terminate a participant's rental assistance subsidy, subgrantee must find other resources available to keep participant housed. If no other funding is available, subgrantee must add individual or family to their waitlist.
- **Use with Other Subsidies (24 CFR 576.106(c)**): Except for a one-time payment of rental arrears on the tenant's portion of the rental payment, rental assistance cannot be provided to a program participant who is receiving tenant-based rental assistance, or living in a housing unit receiving project-based rental assistance or operating assistance, through other public sources. Rental assistance may not be provided to a program participant who has been provided with replacement housing payments under the URA during the period of time covered by the URA payments.
- **Fair Market Rent (24 576.106(d)):** Rental assistance cannot be provided unless the rent does not exceed Fair Market Rent as established by HUD. Please see Section (4)(C)(d)(ii) Fair Market Rent Requirements on page 36 for more details on Fair Market Rent.
- **Rental Assistance Agreement (24 CFR 576.106(e)):** The subgrantee or subrecipient may make rental assistance payments only to property owners with rental assistance agreements with them. The rental assistance agreement must set forth the terms under which rental assistance will be provided, including the following requirements:
    - During the term of the agreement, the property owner must give the subgrantee or subrecipient a copy of any notice to the program participant to vacate the housing unit or any complaint used under State or local law to commence an eviction action against the program participant.
    - Each rental assistance agreement must include all Protections for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking. Please see Section 4Ce: Protection for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking on page 41 for more information on the requirements for these protections.
    - Payment due date, grace period, and late payment penalty requirements will be the same as documented in the program participant's lease;

Draft For Review Only

- The agreement must state whether the rental assistance is tenant-based or project-based;
- The amount to be paid by the subgrantee and subrecipient for payment of rent arrears, number of months covered, any other terms and conditions of the payment, and certification the program participant is eligible, and landlord has provided sufficient evidence of the rent arrears and that payment of such arrears is necessary for the participant to obtain permanent housing and maintain stability in that housing.

- **Late Payments (24 CFR 576.106(f)):** The subgrantee or subrecipient must make timely payments to each owner in accordance with the rental assistance agreement. The rental assistance agreement must contain the same payment due date, grace period, and late payment penalty requirements as the program participant's lease. The subgrantee or subrecipient is solely responsible for paying late payment penalties that it incurs with non-ESG funds.
- **Lease (24 CFR 576.106(g)):** Each program participant receiving rental assistance must have a legally binding, written lease for the rental unit, unless the assistance is solely for rental arrears.
  - Please note that the rental assistance agreement is a separate document from the lease.
  - The lease must be between the property owner and the program participant.
  - Where the assistance is solely for rental arrears, a verbal agreement may be accepted in place of a written lease, if the agreement gives the program participant an enforceable leasehold interest under state law and the agreement and rent owed are sufficiently documented by the owner's financial records, rent ledgers, or canceled checks.
  - Each lease must include a lease provision or incorporate a lease addendum that includes protections for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking. Please see Section 4Ce: Protection for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking on page 41 for more information on the requirements for these protections.
- **Uniform Relocation Assistance (URA) Payments:** Except for a one-time payment of rental arrears, rental assistance cannot be provided to a program participant who is receiving tenant-based rental assistance or living in a housing unit receiving project-based rental assistance or operating assistance, through other public sources. Rental assistance may not be provided to a program participant who has received replacement housing payments under the URA during the period covered by the URA payments.

Draft Edits Only

d. Rental Restrictions: Rent Reasonableness and Fair Market Rent

As mentioned in Section 4Cf: General Rental Assistance Requirements and Restrictions on page 36, the ESG Program cannot pay for rental assistance unless the rent does not exceed the Fair Market Rent established by HUD and complies with HUD's standards of rent reasonableness (24 CFR 576.106(d)(1)). Additionally, HUD has specified how subgrantees and subrecipients should calculate rent for the purposes of this program (24 CFR 576.106(d)(2)).

The calculated gross rent (rent plus appropriate utility allowance) must:

1) be no greater than the Fair Market Rent set by HUD; and

2) fit within the limitations resulting from a rent reasonableness analysis.

If the gross rent for the unit exceeds either the rent reasonableness standard or FMR, the subgrantee and subrecipient is prohibited from using ESG funds for any portion of the rent, even if the household is willing and/or able to pay the difference (24 CFR 576.106(d)).

NOTE: Fair Market Rent and rent reasonableness requirements do not apply when a program participant receives only financial assistance or services. This includes rental application fees, security deposits, utility payments/deposits/arrearages, moving costs, housing search and placement, housing stability case management, landlord-tenant mediation, legal services, and credit repair.

This section will go into greater detail rent reasonableness, fair market rent and the requirements for calculating rent.

i. Rent Reasonableness Determination

Subgrantee and subrecipient must determine whether the gross rent of a particular unit is a reasonable rent in comparison to rent for other comparable unassisted units.

To make this determination, subgrantee must consider the following (24 CFR 982.507(b)):

1) the location, quality, size, unit type, and age of the contract unit; and

2) any amenities, housing services, maintenance, and utilities to be provided by the owner in accordance with the lease.

The unit's gross rent must be comparable to the rent reasonableness rent for the unit to be considered for rental assistance.

Subgrantees and subrecipients must make this determination at the following times:

- Prior to the initial execution of the lease agreement (24 CFR 982.507(a)(1));

Draft Edits Only

- Prior to any rent increases (24 CFR 982.507(a)(2)(i));
- If the published Fair Market Rent decreases by 10 percent 60 days before the contract anniversary (24 CFR 982.507(a)(2)(ii));
- If directed by HUD (24 CFR 982.507(a)(2)(iii); or
- If directed by OHCS.

OHCS has created a Rent Reasonableness and FMR Certification Form for subgrantees and subrecipients to use to conduct the rent reasonableness review for potential housing units. This form is available on OHCS's website under Forms & Manuals. While this form may help to compare the selected units, subgrantees and subrecipients must ultimately determine how to select units to compare, using the criteria mentioned above. For example, subgrantees and subrecipients may compile a list of comparable rents by using a market study of rents charged for units of different sizes or by reviewing advertisements for comparable rental units.

To learn how public housing authorities establish rent reasonableness for the Housing Choice Voucher program, review the Rent Reasonableness chapter of the HUD Housing Choice Voucher Program Guidebook. The link to the Guidebook is also in the appendices of this manual.

The Rent Reasonableness review completed for each unit must be documented in the client case file.

ii. Fair Market Rent (FMR) Requirements

HUD establishes Fair Market Rents (FMRs) to determine rent ceilings for HUD-funded rental assistance programs and publishes the FMR schedule annually (24 CFR 888.202).

As mentioned in Section 4Cf: General Rental Assistance Requirements and Restrictions on page 36, gross rent for units in which ESG provides rental assistance must be the same or less than the FMR for that location. If subgrantee's and subrecipient's service area includes more than one county, subgrantee and subrecipient must use the appropriate FMR for the county in which the assisted rental unit is located.

Subgrantees and subrecipients must copy and place the applicable FMR data in the client file to document the FMR for that participant's unit size and geographic area.

iii. Rent Calculation Requirements

When calculating gross rent for the purposes of this Program, the rent shall equal the sum of the total monthly rent for the unit, any fees required for occupancy under

Draft Edition Only

the lease (other than late fees and pet fees) and, if the tenant pay separately for utilities, the monthly allowance for utilities (excluding telephone), as established by the public housing authority for the area in which the housing is located (24 CFR 576.106(d)(2)).

Utility Allowance: The utility allowance is a projection of the cost of utilities the client will pay monthly while renting their unit. The local public housing authority maintains a utility allowance chart which considers the number of bedrooms and types of utilities in a unit (e.g.; gas and/or electric, water, sewer, and trash). Any utilities included in the rent payment must not also be included in the utility allowance calculation. Telephone, cable or satellite television service, and internet service are not counted as utility costs.

Gross Rent Calculation:

total contract rent amount of the unit

+

allowable* fees required for occupancy under the lease

+

, monthly utility allowance established by local public housing authority

=

Gross Rent Amount

***excludes late fees and pet fees**

Example:
A case manager wants to rapidly re-house a parent and child and has identified a two-bedroom unit at a rent of $1,200 per month, not including utilities. The utility allowance for that size and type of unit is $150. Therefore, the gross rent is $1,350. A check of three similar units in the neighborhood reveals that the reasonable rent is $1,400 for that area of the city. However, the FMR for the jurisdiction is $1,300. This means the household cannot be assisted with ESG rental assistance in this unit because the gross rent exceeds the FMR.

Once a housing unit is determined to meet the FMR and rent reasonableness requirements, program funds can be used to pay for the actual utility costs. The utility allowance calculation is only used to determine whether the unit meets the FMR standard.

e. Protection for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking Requirements

As mentioned, the ESG Program requires each program participant to have a legally binding, written lease for the rental unit that contains protections for victims of domestic violence, dating violence, sexual assault, or stalking (24 CFR 576.106(g)). In addition, rental assistance agreements between subgrantees/subrecipients and property owners must contain protections for victims of domestic violence, dating violence, sexual assault,

Draft Edits Only

or stalking (24 CFR 576.106(e)). This section will go into greater detail on what must be included to fulfill this requirement.

i. Violence Against Women Act (VAWA) Notification of Occupancy Rights

In relevant part, the Violence Against Women Act (VAWA) protects victims of domestic violence, dating violence, sexual assault, or stalking who are applying for, or are the beneficiaries of, assistance under certain HUD Programs, including the Emergency Solutions Grant Program (24 CFR 5.2001 and 24 CFR 576.409(a)).

Subgrantees may not deny or terminate assistance or eviction solely because an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking (24 CFR 576.409(a)).

Notification of Occupancy Rights: To comply with VAWA regulations, subgrantees must provide HUD-5380 Notice of Occupancy Rights Form and HUD-5382 Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking to each ESG rental assistance applicant and ESG rental assistance program participant at each of the following times (24 CFR 576.409(c)):

- When the applicant or participant is denied ESG rental assistance;
- When the applicant or participant is denied project-based rental assistance;
- When the applicant or participant begins receiving ESG rental assistance;
- When the applicant or participant is notified of termination of ESG rental assistance; and
- When a program participant receives notification of eviction.

ii. Violence Against Women Act (VAWA) Emergency Transfer Plan

NOTE: For the purposes of this section, the following definitions apply (24 CFR 5.2005(e)(1)):

1) ***Internal emergency transfer*** refers to an emergency relocation of a tenant to another unit where the tenant would not be categorized as a new applicant; that is, the tenant may reside in the new unit without having to undergo an application process.

2) ***External emergency transfer*** refers to an emergency relocation of a tenant to another unit where the tenant would be categorized as a new applicant; that is the tenant must undergo an application process in order to reside in the new unit.

Draft Edits Only

3) ***Safe unit*** refers to a unit that the victim of domestic violence, dating violence, sexual assault, or stalking believes is safe.

In accordance with the Violence Against Women Act (VAWA), subgrantees that administer ESG rental assistance must develop an Emergency Transfer Plan (ETP) (24 CFR 576.409(d) and 24 CFR 5.2005(e)). Per 24 CFR 5.2005(e)(2), this plan must allow survivor tenants to transfer to another available and safe unit assisted under covered housing program if they expressly request the transfer and:

- Tenant reasonably believes that they are threatened with imminent harm from further violence if they remain; **or**
- In the case of a tenant who is a victim of sexual assault, either the tenant reasonably believes they threatened with imminent harm from further violence if they remains within their currently-occupied dwelling unit, or the sexual assault occurred on the premises within 90 calendar days before the date of the request for transfer.

Subgrantees' Emergency Transfer Plans must model their Emergency Transfer Plan after HUD-5381 Model Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and contain the following elements and requirements (24 CFR 5.2005(e)):

1. **Prioritization Requirements:** The ETP must detail the measure of any priority given to tenants who qualify for an emergency transfer under VAWA protection (24 CFR 5.2005(e)(3)).

    a. **Project-Based Rental Assistance Participants:** Participants living in units receiving project-based rental assistance who qualify for an emergency transfer must have priority. If a safe unit is not immediately available for an internal emergency transfer, that participant shall have priority over all other applicants for tenant-based rental assistance, utility assistance, and units for which project-based rental assistance is provided (24 CFR 576.409)(d)(3)(i)).

    b. Tenant-Based Rental Assistance Participants: For participants receiving tenant-based rental assistance who qualify for an emergency transfer, the required policies must specify what will happen with respect to non-transferring family members(s), if the family separates in order to effect an emergency transfer (24 CFR 576.409)(d)(3)(i)).

2. **Lease Bifurcation (to fork or legally divide) Requirements (24 CFR 576.409(e) and 24 CFR 5.2009(a)):**

    a. Per 24 CFR 5.2009(a)(1), covered housing providers may bifurcate a lease, or remove a household member from a lease in order to evict,

Draft Edits Only

remove, terminate occupancy rights, or terminate assistance to such member who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual:

(i) without regard to whether the household member is a signatory to the lease, and

(ii) without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant.

b. If the household separates due to a lease bifurcation, or if the covered housing provider removes a household member from a lease in order to evict, remove, terminate occupancy rights, or terminate assistance to such member engaging in criminal activity directly related to domestic violence, dating violence, stalking, or sexual assault, the remaining tenants may remain in the unit and continue to receive tenant-based rental assistance and utility assistance (24 CFR 576.409(e)(1) and 24 CFR 5.2009(a)(1)).

c. If the household receives project-based rental assistance, the members not evicted or removed can remain in the assisted unit without interruption to the rental assistance or utility assistance provided for that unit (24 CFR 576.409(e)(2)).

3. Confidentiality: The ETP must incorporate strict confidentiality measures to ensure that the covered housing provider does not disclose the location of the dwelling unit of the tenant to a person who committed or threatened to commit an act of domestic violence, dating violence, sexual assault, or stalking against the tenant (24 CFR 5.2005(e)(4)).

4. Internal Transfer Plan:

a. The ETP must allow a tenant to make an internal emergency transfer under VAWA when a safe unit is immediately available (24 CFR 5.2005(e)(5)); and

b. The ETP must describe policies for assisting a tenant in making an internal emergency transfer under VAWA when a safe unit is not immediately available ((24 CFR 5.2005(e)(6)).

5. External Transfer Plan: The ETP must describe reasonable efforts the covered housing provider will take to assist a tenant who wishes to make an external emergency transfer when a safe unit is not immediately available. (24 CFR 5.2005(e)(7)) These policies must include:

a. Arrangements, including memoranda of understanding, with other covered housing providers to facilitate moves (24 CFR 5.2005(e)(7)(i)); and

b. Outreach activities to organizations that assist or provide resources to victims of domestic violence, dating violence, sexual assault, or stalking (24 CFR 5.2005(e)(7)(ii)).

6. Nothing may preclude a tenant from seeking an internal emergency transfer and an external emergency transfer concurrently if a safe unit is not immediately available (24 CFR 5.2005(e)(8)).

7. Per 24 CFR 5.2005(e)(9), where applicable, the ETP must describe policies for a tenant to move quickly with their assistance if they:

a. Have tenant-based rental assistance;

b. Are a victim of domestic violence, dating violence, sexual assault, or stalking;

c. Expressly requests to transfer to another unit; and one of the following:

(i) Tenant reasonably believes that they are threatened with imminent harm from further violence if they remain; **or**

(ii) Tenant is a victim of sexual assault that occurred on premises within 90 days before the request.

8. The ETP may require documentation from a tenant seeking an emergency transfer (24 CFR 5.2005(e)(10)), provided that:

1. The tenant's submission of a written request to the covered housing provider, where the tenant certifies that they meet the following criteria shall be sufficient documentation (24 CFR 5.2005(e)(10)(i)):

a. Tenant reasonably believes that they are threatened with imminent harm from further violence if they remain; **or**

b. In the case of a tenant who is a victim of sexual assault, either the tenant reasonably believes they threatened with imminent harm from further violence if they remains within their currently-occupied dwelling unit, or the sexual assault occurred on the premises within 90 calendar days before the date of the request for transfer.

2. The covered housing provider may, at its discretion, ask an individual seeking an emergency transfer to document the occurrence of domestic violence, dating violence, sexual assault, or stalking, in accordance with 24 CFR 5.2007, for which the individual is seeking the emergency transfer, if the individual

has not already provided documentation of that occurrence (24 CFR 5.2005(e)(10)(ii)); and

3. No other documentation is required to qualify the tenant for an emergency transfer (24 CFR 5.2005(e)(10)(iii)).

9. The covered housing provider must make its ETP available upon request and, when feasible, must make its plan publicly available (24 CFR 5.2005(e)(11)).

10. The covered housing provider must keep a record of all emergency transfers requested under its ETP, and the outcomes of such requests, and retain these records for a period of three years, or for a period of time as specified in program regulations. ETP requests and outcomes of such requests must be reported to HUD annually (24 CFR 5.2005(e)(12)).

11. Nothing in this Emergency Transfer Plan shall be construed to supersede any eligibility or other occupancy requirements that may apply under a covered housing program (24 CFR 5.2005(e)(13)).

NOTE: For complete description of definitions and requirements that apply to the VAWA Final Rule, refer to the additional information provided in the Appendix.

In addition to the requirements listed above, HUD encourages housing providers to be familiar with and establish relationships with organizations that assist survivors of domestic violence, particularly those that offer help in locating safe housing for victims of domestic violence. Also, VAWA requires each housing provider to develop and issue an ETP that works with other housing providers in their area.

Emergency Transfer Plan Responsibilities

The following table provides a guide clarifying if the subgrantee or housing provider has primary responsibility

COVERED HOUSING PROVIDER RESPONSIBILITIES		
	Subgrantee	Housing Owner
Lease bifurcation §5.2009 (a)		X
Victim status documentation; confidentiality §5.2007	X	X
Emergency transfer plan §5.2005(e)	X	
Actual and imminent threat exception §5.2005 (d) (3), (4)		X
Exception of violations not premised on DV; higher standard §5.2005 (d) (2)	PJ	X

Draft Edits

Court order exception §5.2005 (d) (1)		X

5. Summary of Program Minimum Written Standards

A. General Overview

Subgrantees and subrecipients are required to comply with the Oregon Housing and Community Services (OHCS) minimum standards outlined in this manual for providing ESG assistance (24 CFR 576.400(e)). In some cases, subgrantees may be required to develop their own written standards, policies, and procedures – which must be reviewed and approved by OHCS Program Analysts – prior to receiving funding. Subgrantees must consistently apply all minimum written standards for providing ESG assistance (24 CFR 576.400(e)(2)(i)(B)). This section serves to outline and clarify the required minimum standards for this Program.

Below is a list of required minimum written standards for each programmatic category. Subgrantees only need to provide standards that are relevant for the categorical activities they wish to fund with the ESG Program. For example, a subgrantee that allocates 100 percent of ESG funds to Rapid Re-Housing would not need to submit written standards that apply only to emergency shelter.

Please note that OHCS can neither approve a subgrantee's ESG budget nor provide ESG funding until the agency receives and approve the relevant standards, policies, and procedures. In addition, OHCS generally cannot reimburse subgrantees for expenses incurred prior to receiving and approving the relevant standards, policies, and procedures (I.e., no "back-dating").

Written Standards, Policies, and Procedures	ESG Category Requiring the Policy	Citation
Evaluating Eligibility for Assistance under ESG Program	Street Outreach, Emergency Shelter, Rapid Re-Housing, Homelessness Prevention	24 CFR 576.400(e)(3)(i)
Targeting and Providing Essential Services Related to Street Outreach	Street Outreach	24 CFR 576.400(e)(3)(ii)
Admission, Diversion, Referral, and Discharge by Emergency Shelters	Emergency Shelter	24 CFR 576.400(e)(3)(iii)
Assessing, Prioritizing, and Reassessing Needs for Essential Services Related to Emergency Shelter	Emergency Shelter	24 CFR 576.400(e)(3)(iv)
Coordination Among Emergency Shelter Providers, Essential Services Providers,	Street Outreach, Emergency Shelter, Rapid Re-Housing, Homelessness Prevention	24 CFR 576.400(e)(3)(v)

Last Edits Only

Homelessness Prevention, Rapid Re-Housing Assistance Providers, Other Homeless Assistance Providers, and Mainstream Service and Housing Providers		
Determining and Prioritizing Eligibility for Homelessness Prevention Assistance and Rapid Re-Housing Assistance	Rapid Re-Housing, Homelessness Prevention	24 CFR 576.400(e)(3)(vi)
Determining Participant's Share of Rent and Utilities	Rapid Re-Housing, Homelessness Prevention	24 CFR 576.400(e)(3)(vii)
Determining Duration and Amount of Rental Assistance	Rapid Re-Housing, Homelessness Prevention	24 CFR 576.400(e)(3)(viii)
Determining Type, Amount, and Duration of Housing Stabilization and Relocation Assistance	Rapid Re-Housing, Homelessness Prevention	24 CFR 576.400(e)(3)(ix)

B. Evaluating Eligibility for Assistance under the ESG Program

When funding ESG activities that require subgrantees to evaluating eligibility for assistance, subgrantees and their subrecipients must adopt the following eligibility process and criteria:

a. Initial Evaluation

When using ESG funds to provide client-level services, subgrantees evaluate applicants through a two-step process to determine eligibility:

1. Initial Screening: The first step includes an initial screening to determine whether the applicant could reasonably meet one of HUD's categorical definitions of "homeless" or "at risk of homelessness." Please see in Section 3: Determining Applicant Homeless Category for Program Services on page 28 of this manual for the various categories eligible for ESG assistance.

NOTE: The screening process may be conducted via phone call, in person, or through a virtual video call.

2. Comprehensive Assessment: If the subgrantee or subrecipient determines that applicant could reasonably meet one of HUD's categorical definitions of "homeless" or "at risk of homelessness," then the subgrantee or subrecipient will conduct a more comprehensive assessment in person or through a virtual video call to verify applicants' housing status and determine the ESG service components that best addresses their housing need. This assessment must be

Draft Edits Only

conducted in a way that aligns with the local Continuum of Care's coordinated assessment system (24 CFR 576.400(d)).

At the end of this assessment, subgrantees or their subrecipients must be able to determine the amount and type of assistance the individual or family needs to regain stability in permanent housing (24 CFR 576.401(a)).

NOTE: While subgrantees and subrecipients must evaluate applicants through this two-step verification process, they may conduct both the initial screening and comprehensive assessment in one sitting, provided that:

- the subgrantee or subrecipient can determine, verify, and document income eligibility for the program; and
- doing such process would align with the local Continuum of Care's coordinated assessment system.

b. Re-Evaluation

Subgrantees must re-evaluate the program participant's eligibility and need at the following rates (24 CFR 576.401(b)(1)):

- Homelessness Prevention: Quarterly.
- Rapid Re-Housing: Annually.

Minimally, each re-evaluation of eligibility must verify the following (24 CFR 576.401(b)(1)):

- The client household does not have an annual income that exceeds thirty (30) percent of HUD-determined area median family income;
- The household continues to lack sufficient resources and support networks needed to retain housing without ESG assistance.

Meeting the definition of homelessness is not a requirement of re-evaluation for continued receipt of homelessness prevention and rapid re-housing assistance.

Neither subgrantees nor their subrecipients may require participants to notify them ahead of their re-evaluation regarding changes in income or other circumstances that would affect the program participant's need for assistance under the ESG Program (24 CFR 576.401(b)(2)). However, if the subgrantee or subrecipient becomes aware of a change in a client's circumstances anyway, the subgrantee or subrecipient must immediately re-evaluate the program participant's eligibility and make any necessary changes to their amount and type of assistance (24 CFR 576.401(b)(2)).

Draft Edits Only

c. Household Composition

For the purposes of determining the household composition for applicants, the household composition includes an individual living alone, a family with or without children, or a group of individuals who are living together as one economic unit. Children in shared custody agreements are part of the household composition if they reside within the household at least 50 percent of the time within a calendar year.

d. Income Determination and Requirements

1. Income Eligibility

Applicants must meet the income eligibility relevant to program category from which they will receive assistance. Subgrantees verify that the applicants meet income eligibility, as defined per program category in Section 2: ESG Categories: Eligible Expenses Per Category of this manual.

2. Sources of Income Types

When determining an applicant's annual income, the ESG Program requires subgrantee to use the standards for calculating annual income under 24 CFR 5.609 (24 CFR 576.401(c)). This section will outline in greater detail how to calculate annual income.

Annual Income is the gross amount received from all sources by each member of the household composition who is 18 years of age of older – unless specifically excluded in this manual – plus the unearned amounts by or on behalf of each dependent under the age of 18 years (24 CFR 5.609(a)(1)).

Assets as Income (24 CFR 5.609 (a)(2))

Income also includes the household composition's net assets if it exceeds an amount as determined by HUD's Annual Inflationary Adjustments and Passbook Rate. HUD adjusts the threshold for calculating assets each year for inflation, so subgrantees must review the HUD website annually to determine the amount of assets to include as annual income.

When the subgrantee or subrecipient cannot determine the household composition's earnings on assets in excess of HUD's inflation-adjusted asset threshold, then the subgrantee must multiply the assets by HUD's passbook rate, which is an average rate at which assets generate income if invested in a typical way. HUD determines the passbook rate annually and publishes it on their Annual Inflationary Adjustments and Passbook Rate.

Draft Plans Only

Income-producing assets include: bank accounts; life insurance policies; lump sum additions (legal settlement, refund, etc.); personal property held as investments; retirement/pension funds; trusts; assets disposed of for less than fair market value; and stocks, bonds or mutual funds.

Exclusion from Income

Subgrantees must exclude the following when determining a household composition's income (24 CFR 5.609(b)):

- Assets or earnings from assets when the net assets total or are less than an amount as determined by HUD's Annual Inflationary Adjustments and Passbook Rate.
- The following types of trust distributions:
    - For an irrevocable trust or a revocable trust outside the control of the household composition excluded from the definition of net assets:
        - Distributions of the principal or corpus of the trust; and
        - Distributions of income from the trust when the distributions are used to pay the costs of health and medical care expenses for a minor.
    - For a revocable trust under the control of the family or household, any distributions from the trust; except that any actual income earned by the trust, regardless of whether it is distributed, shall be considered income to the family at the time it is received by the trust.
    - Earned income of those under the age of 18;
    - Payments received for foster care;
    - Insurance payments or settlements for personal or property losses (payments through health insurance, motor vehicle insurance, and workers' compensation);
    - Amounts received for the cost of health and medical care of expenses for any family member;
    - Any amounts recovered in any civil action or settlement based on a claim of malpractice, negligence, or other breach of duty owed to a family member arising out of law, that resulted in a member of the family becoming disabled;
    - Income of a live-in aide, foster child, or foster adult;

Draft Edits Only

- Any assistance that section 479B of the Higher Education Act of 1965, as amended (20 U.S.C. 1087uu), requires be excluded from a family's income;
- Student financial assistance for higher education institutions, including the cost of housing for students who are not considered to be the head of household or spouse;
  - NOTE: Student financial assistance does not include work study, a teaching fellowship, or gifts of any kind.
- Income and distributions from any Coverdell education savings account under section 530 of the Internal Revenue Code of 1986 or any qualified tuition program under section 529 of such Code; and income earned by government contributions to, and distributions from, "baby bond" accounts created, authorized, or funded by Federal, State, or local government.
- The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.
- Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
- Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (e.g., special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;
- Amounts received under a resident service stipend not to exceed $200 per month. A resident service stipend is a modest amount received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development.
- Incremental earnings and benefits resulting to any family member from participation in training programs funded by HUD or in qualifying Federal, State, Tribal, or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff.

Draft Edits Only

- Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era.
- Earned income of dependent full-time students in excess of the amount of the deduction for a dependent in § 5.611.
- Adoption assistance payments for a child in excess of the amount of the deduction for a dependent in § 5.611.
- Deferred periodic amounts from Supplemental Security Income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts, or any deferred Department of Veterans Affairs disability benefits that are received in a lump sum amount or in prospective monthly amounts.
- Payments related to aid and attendance under 38 U.S.C. 1521 to veterans in need of regular aid and attendance.
- Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit.
- Payments made by or authorized by a State Medicaid agency (including through a managed care entity) or other State or Federal agency to a family to enable a family member who has a disability to reside in the family's assisted unit. Authorized payments may include payments to a member of the assisted family through the State Medicaid agency (including through a managed care entity) or other State or Federal agency for caregiving services the family member provides to enable a family member who has a disability to reside in the family's assisted unit.
- Loan proceeds (the net amount disbursed by a lender to or on behalf of a borrower, under the terms of a loan agreement) received by the family or a third party (e.g., proceeds received by the family from a private loan to enable attendance at an educational institution or to finance the purchase of a car).
- Payments received by Tribal members as a result of claims relating to the mismanagement of assets held in trust by the United States, to the extent such payments are also excluded from gross income under the Internal Revenue Code or other Federal law.

Draft Rules Only

- Amounts that HUD is required by Federal statute to exclude from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in paragraph (b) of this section apply. HUD will publish a notice in the Federal Register to identify the benefits that qualify for this exclusion. Updates will be published when necessary.
- Replacement housing "gap" payments made in accordance with 49 CFR part 24 that offset increased out of pocket costs of displaced persons that move from one federally subsidized housing unit to another Federally subsidized housing unit. Such replacement housing "gap" payments are not excluded from annual income if the increased cost of rent and utilities is subsequently reduced or eliminated, and the displaced person retains or continues to receive the replacement housing "gap" payments.
- Nonrecurring income, which is income that will not be repeated in the coming year based on information provided by the family. Income received as an independent contractor, day laborer, or seasonal worker is not excluded from income under this paragraph, even if the source, date, or amount of the income varies.
- Civil rights settlements or judgments, including settlements or judgments for back pay.
- Income received from any account under a retirement plan recognized as such by the Internal Revenue Service, including individual retirement arrangements (IRAs), employer retirement plans, and retirement plans for self-employed individuals; except that any distribution of periodic payments from such accounts shall be income at the time they are received by the family.
- Income earned on amounts placed in a family's Family Self Sufficiency Account.
- Gross income a family member receives through self-employment or operation of a business; except that the following shall be considered income to a family member:
- Net income from the operation of a business or profession. Expenditures for business expansion or amortization of

Draft Edits Only

capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations; and

- Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family.

3. Calculating Annual Income

Subgrantees must estimate the income of the family for the upcoming 12-month period. Income must be based on documents received in accordance with Section 5e: Eligibility Documentation and Recordkeeping on Page 55 of this manual.

To calculate the annual income, use one of the following methods:

Converting Hourly Rate to Annual Income

Annual Income = ((Amount Earned Per Hour X Average Number of Hours Worked Per Week) X 52 week) + Other Sources of Income – Income Exclusions

Converting Biweekly Rate to Annual Income

Annual Income = ((Average Biweekly Earnings) X 26 week) + Other Sources of Income – Income Exclusions

Converting Monthly Rate to Annual Income

Annual Income = ((Average Monthly Earnings) X 12 months) + Other Sources of Income – Income Exclusions

e. Eligibility Documentation and Recordkeeping

Subgrantees and subrecipient must document eligibility determinations and establish written intake procedures in accordance with Section 7F: Eligibility Documentation and Recordkeeping on page 74 of this manual.

Draft Edits Only

C. Targeting and Providing Street Outreach Activities

When funding ESG activities that require subgrantees to target and provide street outreach activities, subgrantees and their subrecipients must adopt the following policy and written standards:

To complete Street Outreach activities, subgrantees and subrecipients must identify those eligible for street outreach assistance under the Emergency Solutions Grant. To the extent that is possible, subgrantees and subrecipients should give preference to populations most vulnerable to being harmed by living in unsafe and unprotected places, including but not limited to:

- victims of domestic and other forms of violence,
- youth,
- families with children,
- people living with disabilities,
- elderly
- other high-risk groups specific to subgrantees' local context.

Engagement activities must include an initial assessment of need and eligibility to prioritize the most beneficial type and source of assistance, with safety and health being the highest priority. The ESG Program can fund emergency health services, including mental health services, only to the documented extent that other funds are inaccessible or unavailable within the service area (24 CFR 576.101(a)(3)(ii) and 24 CFR 576.101(a)(4)(ii)).

Based on need and assessment, street outreach can pay for the costs of connecting eligible individuals and families to essential services beyond emergency health and other crisis intervention assistance that include case management, transportation, and housing stabilization (24 CFR 576.101(a)(1)). Whenever feasible, subgrantees must prioritize rapid re-housing over the provision or referral to emergency shelter or transitional housing.

D. Admission, Diversion, Referral, and Discharge by Emergency Shelters

Subgrantees must adopt the following written standards and policies if they fund ESG activities that require them to adopt standard for the admission, diversion, referral, and discharge by Emergency Shelters:

a. Local Governmental Approval

Per 24 CFR 576.202(a)(2), private nonprofit organizations who receive ESG funds directly from OHCS must submit to OHCS a certification of approval from their local government(s) if they use ESG funds for emergency shelter activities. This certification expires at the end of each biennium, so subgrantees must submit renewed approval to OHCS during the biennial funding application. Subgrantees must use the ESG Local Government Approval Form located on OHCS's website under Forms & Manuals.

Draft Page Only

Subgrantees whose jurisdiction spans multiple counties must submit this certification for each county in which they plan to use ESG funds for emergency shelter activities.

b. Admission

Subgrantees and subrecipients must have standardized screening and intake criteria in writing for determining eligibility for admission to emergency shelter. The criteria must comply with Fair Housing Law and cannot force involuntary family separation by denying family admission based on the age of a child under the age of 18. The admission process requires an initial assessment to determine the homeless status of the applicant based on the Program's definition of homeless (24 CFR 576.2 "Homeless") and meeting other subgrantee and subrecipient determined eligibility criteria. The assessment process and tools must meet the service area's Continuum of Care coordinated entry requirements (24 CFR 576.400(d)) once developed; however, victim service providers may choose not to use their local CoC's coordinated or centralized assessment system.

c. Diversion from Shelter

Based on screening results, subgrantees (or the subrecipient administering the program) must divert individuals and families to the most stable housing available whenever possible, including supportive or subsidized permanent housing using the Housing First or Rapid Re-housing service models.

d. Essential Services and Referral

Emergency shelter participants and persons receiving hotel/motel vouchers must have access to essential services through direct service delivery by the subgrantee and subrecipient. The subgrantee or subrecipient may supplement essential services for participants by offering information and referrals to other service providers. Please see Section 2Cd: Allowable Costs and Activities: Shelter Services on page 15 for a comprehensive list of essential shelter services.

e. Length of Stay and Discharge

Subgrantees (or the subrecipient administering the program) must make available essential services and shelter for participants for at least the period during which the ESG funds are provided (24 CFR 576.101(b)). If subgrantees impose limits on participants' stays, they must identify such limitations in writing in the subgrantees' and subrecipients' policies and procedures governing emergency shelter or shelter operations. Further, these policies are subject to OHCS approval.

f. Safety and Accommodations for Special Populations

Subgrantees and subrecipients must have policies in place to provide safeguards for special populations, or populations with the highest barriers to housing and are likely to

Draft Edits Only

experience homelessness the longest (24 CFR 576.400(e)(3)(iii). The Emergency Solutions Grant regulations has identified the following special populations (24 CFR 576.101(a)(6)):

- Homeless Youth;
- People living with HIV/AIDS;
- Domestic Violence Survivors.

Subgrantees may identify additional populations with unique housing needs or needing safety and accommodations within their policies.

In addition, OHCS requires subgrantees to adopt the following accommodations:

1. Accommodating Families

If an ESG-assisted shelter has private rooms in which a family can stay together, then the family must be able to stay in a room together if they choose. Regardless, subgrantees and subrecipients must treat all families within shelters the same. For example:

- If the standard practice is to put down mats in a conference room for everyone who is considered "overflow" (beyond the capacity of the shelter beds), then it can shelter a family together in that space.

- If the standard practice is to place a family in its own room, it would be acceptable to leave a bed empty to accommodate the family (e.g., a family of four could stay in a unit with 5 beds, and the fifth bed could be open). In this example, OHCS would not expect the subgrantee to fill the 5th bed with an individual outside of the family, so long as the subgrantee or subrecipient documented the reasons for having open beds.

NOTE: Under HUD's definition (24 CFR 5.403 "Family"), family includes, but is not limited to, the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:

- A single person, who may be:
  - An elderly person, displaced person, disabled person, near-elderly person, or any other single person;
  - An otherwise eligible youth who has attained at least 18 years of age and not more than 24 years of age and who has left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act (42 U.S.C. 675(5)(H)), and is homeless or at risk of becoming homeless at age 16 or older; or
- A group of people residing together, and such group includes but is not limited to:

Draft Edits Only

- A family with or without children (a child who is temporarily away from the house because of placement in foster care is considered a member of the family);
- An elderly family;
- A near-elderly family;
- A disabled family; and
- The remaining members of a tenant family.

2. Non-Discrimination and Limited English Proficiency

Subgrantees and subrecipients are required to comply with all state and federal statutes relating to nondiscrimination as identified in Section 7: Required Policies on page 65 of this manual.

3. Reasonable Accommodations

Reasonable accommodations for those with disabilities must be available to ensure they have an equal opportunity to utilize the shelter and receive essential services. Greater levels of accessibility may be required for some shelters in compliance with The Americans with Disabilities Act.

4. Domestic Violence

Domestic violence victims and other persons in need of victim services must have access to a safe setting and have their identity protected. Subgrantees must adhere to the record retention requirements in Section 8Hf: Records of Domestic Violence Survivors on page 81 and adhere to the following shelter policies and procedures:

- Prohibit disclosing personally identifying victim information to any third party without consent of the victim;
- Ensure victim consent is reasonably time-limited, written and specific as to whom information will be shared;
- Adhere to data collection practices in accordance with Section 8F: Comparable Database on page 77 of this manual; **and**
- Include confidentiality policies and procedures that require staff to refrain from discussing client information in public and ensure client records are secure and only accessible to authorized staff.

E. Assessing, Prioritizing, and Reassessing Needs for Essential Services Related to Emergency Shelter

Subgrantees must have policies and procedures for assessing, prioritizing, and reassuring individuals' and families' needs for essential services related to emergency shelter (24 CFR 576.400(e)(3)(iv)). These policies and procedures must apply to all eligible recipients of

Draft Edits Only

essential shelter services, and, when developed, must align and comply with local services area(s) Continuum of Care assessment and prioritization requirements (24 CFR 576.400(d)).

F. Coordination Among Homeless Assistance Providers, Mainstream Service Providers and Housing Providers

OHCS, subgrantees, and subrecipients must coordinate and integrate, to the extent practicable, the following (24 CFR 576.400(b)-(c) and 24 CFR 576.400(e)(3)(v)):

- ESG-funded activities with other programs targeted to people experiencing homelessness within their service area; and
- ESG-funded activities with mainstream housing, health, social services, employment, education, and youth programs.

This coordination and integration include, but is not limited to, the following programs:

- Shelter Plus Care Program
- Supportive Housing Program
- Section 8 Moderate Rehabilitation Program for SRO Program for Homeless Individuals
- Veterans Affairs Supportive Housing
- Education for Homeless Children and Youth Grants for State and Local Activities
- Grants for the Benefit of Homeless Individuals
- Healthcare for the Homeless
- Programs for Runaway and Homeless Youth
- Projects for Assistance in Transition from Homelessness
- Services in Supportive Housing Grants
- Emergency Food and Shelter Program
- Transitional Housing Assistance Grants for Victims of Sexual Assault, Domestic Violence, Dating Violence, and Stalking Program
- Homeless Veterans Reintegration Program
- Domiciliary Care for Homeless Veterans Program
- VA Homeless Providers Grant and Per Diem Program
- Health Care for Homeless Veterans Program
- Homeless Veterans Dental Program
- Supportive Services for Veteran Families Program
- Veteran Justice Outreach initiative
- Public housing programs
- Housing programs receiving tenant-based or project-based assistance
- Supportive Housing for Persons with Disabilities
- HOME Investment Partnerships Program
- Temporary Assistance for Needy Families

Draft Edits Only

- Health Center program
- State Children's Health Insurance Program
- Head Start
- Mental Health and Substance Abuse Block Grants
- Services funded under the Workforce Investment Act.

To ensure compliance with this requirement, subgrantees must submit to OHCS written CoC verification of support of the subgrantee's and subrecipient's plan for use of ESG funds.

G. Determining and Prioritizing Eligibility for Homelessness Prevention and Rapid Re-Housing Assistance

In accordance with 24 CFR 576.400(e)(3)(vi), subgrantees using ESG funds for Homelessness Prevention or Rapid Re-Housing must have policies and procedures in place to determine and prioritize which eligible families and individuals will receive homelessness prevention assistance and rapid re-housing assistance. These policies must also include the emergency transfer plan priority, which is discussed in greater detail in Section 4Ceii: Violence Against Women Action – Emergency Transfer Plan on page 42 of this manual.

a. Determining Eligibility

Subgrantees and subrecipients must comply with Section 5B: Evaluating Eligibility for Assistance under the ESG Program on page 47 of this manual.

b. Prioritization: Prevention

Prioritization for homeless prevention assistance must comply with Continuum of Care standards once developed. Minimally, prioritization should align with vulnerable homeless and at-risk of homelessness populations identified in subgrantees' and subrecipients' service area homeless plan(s) and community assessment(s).

c. Prioritization: Rapid Re-Housing

Prioritization for rapid re-housing must comply with Continuum of Care standards once developed and be supported by subgrantee and subrecipient service area homeless plans and community assessment data. When appropriate, local prioritization should also align with HUD's homeless strategic plan goals for ending chronic homelessness, homelessness among Veterans, and families with children and youth homelessness.

H. Determining Participants' Share of Rent and Utilities

Subgrantees using ESG funds for activities requiring a policy to determine participant's share of rent and utilities must adopt the following policy:

Draft Edits Only

Participants will contribute $0 toward rent while receiving short-term rental assistance or medium-term rental assistance.

For utility assistance, subgrantees (or applicable subrecipients) should assist participants in accessing energy assistance programs for which they are eligible as a first option in providing utility assistance. In the absences of such programs, participants will contribute $0 toward utilities.

When feasible, subgrantee must return un-used utility deposits households.

I. Determining Duration and Amount of Rental Assistance Provided to Participant

Subgrantees using ESG funds for activities requiring a policy to determine the duration and amount of rental assistance provided to participants must not arbitrarily limit a participant's rental assistance to be shorter than the amount listed under "medium-term rental assistance" on Section 4C: Short-Term and Medium-Term Rental Assistance on page 34 of this manual, unless a shorter timeline is agreed upon by participant and subgrantee.

If the subgrantee or subrecipient needs to limit a participant's rental assistance, they must maintain documentation of the reason for such limitations. This reasoning must be consistently applied to all participants.

J. Determining Type, Amount, and Duration of Housing Stabilization and Relocation Services Provided to Participants

Subgrantees using ESG funds for activities requiring a policy to determine the type, amount, and duration housing stabilization and relocation services to participants must adopt the following policy:

Except for housing stability case management, the total period for which any client may receive assistance must not exceed 24 months during any 3-year period. The limits on the assistance apply to the total assistance an individual receives, either as an individual or as part of a household.

6. Shelter and Housing Standards

A. General Overview

Subgrantees who use the Emergency Solutions Grant Program for Emergency Shelter, Rapid Re-Housing, or Homelessness Prevention must ensure that the housing units and shelters funded with the ESG Program meet the Program's shelter and housing standards as outlined in 24 CFR 576.403. This section will go into the detail the requirements of these standards.

Draft Edits Only

B. Lead-Based Paint Requirements

Federal lead-based paint requirements apply any time federal funds are used for housing assistance and the living space or unit was built prior to 1978, except housing for the elderly or persons with disabilities (unless any child who is less than 6 years of age resides or is expected to reside in such housing, then the requirements do apply) or any 0-bedroom dwelling. The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821-4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851-4856), and implementing regulations in 24 CFR part 35, subparts A, B, H, J, K, M and R apply to all shelters assisted with ESG funding and all housing occupied by program participants (24 CFR 576.403(a)).

The following subparts of HUD's implementing regulations at 24 CFR part 35 include:

- Subpart A – Lead disclosure rule
- Subpart B – General requirements
- Subpart H – Project-based assistance
- Subpart J – Rehabilitation
- Subpart K – Acquisition, leasing, support services, or operation
- Subpart M – Tenant-based rental assistance
- Subpart R – Methods and standards for hazard evaluation and reduction

Subgrantee and subrecipient must provide the lead hazard information pamphlet to any resident who will be residing in a unit built before 1978. The tenant must receive the pamphlet before moving into the unit. If subgrantee and subrecipient can document the tenant received the pamphlet previously, subgrantee and subrecipient is not required to provide it again.

For units older than 1978 which will house one or more children under the age of 6, landlord and tenant must complete a Lead-Based Paint Disclosure form (see OHCS website for sample form). The form describes any known current or previous lead-based paint hazards, and documents tenant's receipt of records and the lead hazard information pamphlet. Additionally, a visual lead-based paint assessment must be completed by a person trained in this inspection process. The inspection may be completed in conjunction with the habitability inspection if the inspector is qualified. At Intake, it should be noted on the Application Form if there will be any child in the household younger than 6 years. This information should be provided to the habitability inspector prior to their examination of the proposed rental unit.

If a notification is received from a public health department or other medical health care provider that a child of less than 6 years of age living in a unit funded by ESG rental assistance, has an elevated blood lead level, an environmental investigation of the dwelling unit and common areas servicing the dwelling unit in which the child lived, regardless of whether the child is still living in the dwelling. For more information, see 24 CFR 35.730 and 35.1225.

Essential service activities, such as, counseling, case management, street outreach, referrals to employment, etc., are exempt and excluded from the lead-based paint inspection requirements.

Draft Edits Only

C. Occupancy Standards

Occupancy standards provide consistent criteria for determining the size of the permanent housing unit for which the household is eligible and thus, the amount of assistance to be provided.

Subgrantee and subrecipient may choose to use the occupancy guidelines set by the Housing Choice Voucher Program, 24 CFR 982 Subpart I: 982.401(d), or develop their own standards. Subgrantee and subrecipient must develop a written policy outlining their occupancy standards requirements and use those standards consistently. Such policy must be available to OHCS during OHCS monitoring. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

D. Minimum Habitability Standards: Emergency Shelter

Any building for which ESG funds are used for Emergency Shelter must meet the program's minimum safety, sanitation, and privacy standards (24 CFR 576.403(b)). In addition, the shelter must meet applicable state or local government safety and sanitation standards (24 CFR 576.403(b)). Minimum habitability standards include requirements for the following:

- structure and materials;
- access to and within the shelter;
- personal space and security;
- interior air quality;
- water supply;
- sanitary facilities;
- heating and cooling operating equipment;
- natural and electrically produced light;
- area for food preparation;
- safe and sanitary facility maintenance; **and**
- fire safety/smoke detectors.

The appendices section of this manual includes more information about habitability standard, and OHCS provides a habitability standards checklist on the OHCS website.

All shelters must meet minimum habitability standards. Documentation must be kept by the subgrantee/subrecipient denoting subgrantee's/subrecipient's compliance with this requirement and available to OHCS during OHCS monitoring.

Please Note: If a subgrantee uses ESG funds on a shelter within a jurisdiction that has additional or stricter safety, sanitation, or privacy standards that exceeds program minimum requirements, the subgrantee must create a checklist that incorporates those standards.

Draft Edits Only

E. Minimum Habitability Standards: Permanent Housing

Any building for which ESG funds are used for permanent housing must the inspection standards outlined in 24 CFR 5.703: National Standard for the Condition of HUD Housing, also known as NSPIRE. These standards are identical to the standards required for housing units under the HOME Tenant-Based Rental Assistance Program (HOME TBRA or HOME TBA), except that:

- **Relocation and Stabilization Services (24 CFR 576.403(c)(2):** For the first 30 days in which a program participant receives homelessness prevention assistance, subgrantees or their subrecipients may provide relocation and stabilization assistance without inspecting a unit. However, the unit must still meet HUD's lead-based paint requirements.
- **Frequency of Inspections (24 CFR 576.403(c)(2):** Subgrantees or their subrecipients must inspect the unit no less than once every 12 months during the period of assistance to confirm that it meets NSPIRE standards.
- **Correction of Deficiencies (24 CFR 576.403(c)(3):** If the subgrantee or subrecipient finds one or more deficiencies during the inspection, they may not provide short-term or medium-term rental assistance unless the owner corrects the deficiencies within 30 days from the date of the inspection. Once the subgrantee or subrecipient verifies and documents that the property owner has corrected the deficiencies within 30 days, they may backdate expenses to cover rental assistance during that period of time. If the property owner corrects deficiencies, but it takes longer than 30 days, the subgrantee or subrecipient may not provide backdated assistance.
- **Rental Arrears (24 CFR 576.403(c)(4)):** Housing for which rental arrears are paid is only subject to the requirements in this section, if a program participant is seeking to stay in that housing.

For households moving into a new unit, the unit must meet habitability standards before the lease is signed and the household moves in. For households already residing in a unit, the unit must meet habitability standards before financial or rental assistance can be provided. The appendices section of this manual includes more information about NSPIRE requirements.

Please Note: If a subgrantee uses ESG funds on rental assistance within a jurisdiction that has additional or stricter property standards that exceeds program minimum requirements, the subgrantee must create an inspections process and checklist that incorporates those standards.

F. Environmental Review

Subgrantee, subrecipient and their contractors shall not rehabilitate, convert, or renovate a shelter or prospective shelter until OHCS has performed an environmental review under 24 CFR part 50 (24 CFR 576.407(d)(2)). Subgrantee and subrecipient shall supply all available, relevant information necessary for OHCS to perform any environmental review required by 24 CFR Part 50. Subgrantee and subrecipient must carry out mitigating measures required by HUD or select alternate eligible property. OHCS may eliminate from consideration any application that would require an Environmental Impact Statement (EIS).

Draft Edits Only

Environmental reviews must also be completed for any project-based or leased housing assistance paid with ESG funding.

G. Solid Waste Disposal Act

For all shelter rehabilitation, conversion, or renovation, subgrantees, subrecipients, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. Documentation must be kept by the subgrantee and subrecipient denoting their compliance with this requirement and must be available to OHCS during OHCS monitoring. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds $10,000 or the value of the quantity acquired by the preceding fiscal year exceeded $10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

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.

7. Required Policies

A. General Overview

In order to administer grant programs under the Master Grant Agreement, OHCS requires subgrantees to develop certain policies to ensure programmatic integrity, fiscal responsibility, and compliance with state and federal nondiscrimination laws. The ~~following section~~HSS Program Standards will outline the required policies that subgrantees must have in place prior to administering and expending OHCS-funded programs, including federal programs passed from HUD. OHCS must review and approve the policies in writing before subgrantees can administer these programs. See the HSS Program Standards Guidance for more information.

~~Duplication of Benefits Policy~~

~~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) 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 through HMIS and any other data system for which the subgrantee or subrecipient have access.~~

~~Subgrantees must have a stand-alone policy that identifies:~~

- ~~How they will ensure benefits are not duplicated; and~~

Draft Edits Only

~~What system(s) they use to check for duplicated benefits.~~

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

B. Fair Housing

a. Affirmative Outreach

~~Fair Housing~~

~~Affirmative Outreach~~

Subgrantee and subrecipient must communicate and make known that use of ESG funded facilities, assistance and services are available to all on a nondiscriminatory basis.

Subgrantee and subrecipient must develop and implement affirmative outreach written procedures and communication tools and materials to inform persons without regard to race, color, ethnicity, religion, sex, age, national origin, familial status, or disability, how to obtain access to facilities and services. If it appears the procedures subgrantee and subrecipient intends to use to accomplish this will not reach persons of any particular -race, color, religion, sex, age, national origin, familial status, or disability who may qualify for those activities and services, subgrantee and subrecipient must establish additional procedures to ensure those persons are made aware of assistance opportunities.

Reasonable accommodations for persons with disabilities must be available to ensure participants with disabilities have an equal opportunity to utilize housing, including shelters, and receive essential services. Greater levels of accessibility may be required for some shelters in compliance with The Americans with Disabilities Act (ADA).

Outreach efforts must comply with Program Standard #3—*Emergency Shelter Operations (Safety and Accommodations for Special Populations)* located under *General Program Requirements* of this manual.

Subgrantee and subrecipient must document their compliance with federal affirmative outreach requirements. Subgrantee and subrecipient must have available for review records demonstrating compliance with state and federal nondiscrimination and equal opportunity rules, including data concerning race, ethnicity, disability status, sex, and family characteristics of persons and household who are applicants for, or program participants in, any program or activity funded in whole or in part with ESG funds and the affirmative outreach requirements above.

Draft Edits Only

~~Nondiscrimination and Equal Access~~

~~Nondiscrimination and Equal Access~~

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

- ~~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):~~
  - ~~Refuse to accept an application for housing assistance or services;~~
  - ~~Deny an application for housing assistance or services;~~
  - ~~Set different terms, conditions or privileges for housing assistance or services;~~
  - ~~Provide different or specific housing, facilities or services;~~
  - ~~Falsely deny that housing is available for inspection or rental or that services are available;~~
  - ~~Deny anyone access to a facility or service; or~~
  - ~~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.~~

~~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 application or provide information on services or available housing to any protected class, even if these groups do not fit into your targeting strategy, is prohibited.~~

~~Screening criteria cannot be discriminatory and must be consistently applied. 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 or prioritization policy.~~

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

~~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.~~

Draft Edits Only

Equal Access

HUD has published a final rule in the Federal Register entitled "Equal Access in Accordance with an Individual's Gender Identity in Community Planning and Development Programs." HUD ensures housing programs will be open to all eligible individuals and families regardless of sexual orientation, gender identity, or marital status. Subgrantees and subrecipients of CPD funding, 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 CPD 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.

Policies and procedures to protect privacy, health, safety, and security, shall be established or amended, as necessary, and administered in a nondiscriminatory manner to ensure that:

- Equal access is provided in accordance with gender identity;
- In single-sex facilities, individuals are placed, served and accommodated in accordance with one's gender identity;
- Individuals are not subjected to intrusive questioning or asked to provide anatomical information or documentary, physical, or medical evidence of the individual's gender identity; and
- Nondiscriminatory steps are taken to address privacy concerns, including updating operating policies and procedures.

Subgrantees and subrecipients must provide the Notice of Equal Access to clients receiving housing assistance. The Notice of Equal Access form can be found on the OHCS HSS Dashboard.

Limited English Proficiency

Limited English Proficiency

The Federal government has issued a series of policy documents, guides and regulations describing how subgrantees and subrecipient address the needs of persons who have limited English proficiency (LEP). The abbreviated definition of persons with limited English proficiency is 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 that describes the following:

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

Draft Edits Only

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

Subgrantees and subrecipient 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.".

Client Confidentiality

General Requirements

Client Confidentiality

General Requirements

Confidential records include all applications, records, files, and communications relating to applicant for, and participants, of ESG funded services regardless of hard copy or electronic format.

Subgrantees must have a stand-alone policy for the confidentiality of applicant/participant records. Such policy must include:

- Identification of how all applicant/participant records are secured and confidentially maintained;
- A statement that all applicant/participant records must be maintained within state guidelines for the proper retention and destruction of records;
- A requirement that all subgrantee officers, employees and agents are aware of and comply with the subgrantee's confidentiality policy and must include an acknowledgement of such policy, in writing;
- A provision for the electronic collection of applicant/participant information which states that:
  - Computer terminals must be 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 must be cleared (or a screen saver activated) immediately after accessing a(n) applicant/participant record;

Draft Edits Only

- Computer terminals must be 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 ESG funded programs; and

- 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 ESG funded programs.

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

Victims of Domestic Violence

Victims of Domestic Violence

The address and location of ESG funded 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 location 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.

Privacy Notification

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 that describes how the subgrantee or subrecipient are providing this Privacy Notification verbally to applicant/participants.

A Privacy Notification must be provided to applicant/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."

Draft Edits Only

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.

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

Grievance and Conflict of Interest Policies

Grievance and Appeals Process

Subgrantees are required to have an established, written stand-alone policy for addressing applicant/participant grievances/appeal requests. 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 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 must include the following components:

- 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;
- Informs the participant/applicant of the reason for termination, denial, limitation, reduction, or modification of benefit;

Draft Edits Only

- Allows any aggrieved person a minimum of thirty (30) days to request an administrative review/appeal of such decision;
- 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;
- Identifies what reasonable accommodations are available for applicants/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
- Informs the applicant/participant and OHCS in writing of the final determination and basis for the decision within ten (10) 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.

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

Conflict of Interest

In the performance of work under EHA, (DRF/DRF VET), ERA and SHAP, 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 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.

Organizational

The provision of any type or amount of ESG 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

Draft Edits Only

affiliated organization. A subgrantee and subrecipient is prohibited from conducting a participant's intake assessment to determine program eligibility if the participant resides in housing where the subgrantee subrecipient has ownership interest. Subgrantee and subrecipient must find another independent organization that is also an ESG grantee to do the intake assessment and ensure that all program participants are eligible even if the subgrantee and subrecipient has a waiver of the conflict of interest requirements. Conflict of interest waivers regarding rent assistance and rental agreement requirements can only be approved by HUD. If a subgrantee and 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 who will then submit to HUD. See 24 CFR 576.404(a).

Subgrantees and subrecipients cannot steer potential renters for 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 enter into 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.

Subgrantee and subrecipient must keep records to show compliance with ESG program organizational conflicts-of-interest requirements.

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 and subrecipient agency. No person who exercises or has exercised any functions or responsibilities with respect to activities assisted under the ESG program, or who is in a position to participate in a decision-making process or gain inside information with regard to activities assisted under the Program, 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 family or business ties, during his or her tenure or during the one-year period following his or her tenure.

Draft

Upon the written request of OHCS, HUD may grant an exception to the provisions of this paragraph on a case-by-case basis. Subgrantees and subrecipient wishing an exception must submit requests to OHCS for review and forwarding to HUD. There is no guarantee that an exception will be approved.

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

- States that subgrantees officers, agents or employees will create no perceived, potential, or actual conflict of interest.
- Identifies how officers, agents, and employees are notified of policy.
- Outlines the process for disclosing, in writing, any potential or actual conflict of interest.
- 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.
- Identifies how records are kept of perceived, potential, or actual conflicts of interest.

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

Eligibility Documentation and Recordkeeping

Subgrantees and subrecipient 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 provided 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, or 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 ESG 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

Draft

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—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. It is the responsibility of the subgrantee/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.

Documentation of all applicant/participant information must be available in applicant/participant files or if kept electronically, available upon request. Documentation of all efforts to obtain higher preference of verification (3rd party and Intake Worker Observation) when lower forms of preference are used, must be in writing and kept in the applicant/participant file

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

Draft

must be kept in each applicant/participant file to meet eligibility and monitoring requirements.

If an agency selects a remote process, where a signature must be applied, it must meet the guidelines of a "digital signature." 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).

Subgrantees must have a stand-alone policy 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 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 that in its determination does not meet basic principles or requirements of such a policy.

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

In what circumstances a remote application and documentation process will be used;

How the verification of the identity of the applicant is ascertained;

How the verification and documentation of qualification for assistance in relation to program eligibility criteria are ascertained;

When remote verification and documentation is appropriate for ongoing demonstration of eligibility;

How notifications are provided to applicant/participant, inclusive of privacy notification and grievance/appeal notification.

Admission, Diversion, Referral, and Discharge by Emergency Shelters

Per 24 CFR 576.400(e)(3)(iii), ESG recipients must have policies and procedures for admission, diversion, referral, and discharge by emergency shelters assisted under ESG, including standards regarding length of stay, and safeguards to meet the safety and shelter needs of special populations.

Draft

CoC Approval/Local Governmental Approval

Per 24 CFR 576.202(a)(2), private nonprofit organizations who receive ESG funds directly from OHCS must submit to OHCS a certification of approval from their local government if they use ESG funds for emergency shelter activities. This certification expires at the end of each biennium, so subgrantees must submit renewed approval to OHCS during the biennial funding application. Subgrantees must use the ESG Local Government Approval Form located on OHCS's website under Forms & Manuals.

Admission

Subgrantees and subrecipients must have standardized screening and intake criteria in writing for determining eligibility for admission to emergency shelter. The criteria must comply with Fair Housing Law and cannot force involuntary family separation by denying family admission based on the age of a child under the age of 18. The admission process requires an initial assessment to determine the homeless status of the applicant based on the Program's definition of homeless (24 CFR 576.2 "Homeless") and meeting other subgrantee and subrecipient determined eligibility criteria. The assessment process and tools must meet the service area's Continuum of Care coordinated entry requirements (24 CFR 576.400(d)) once developed; however, victim service providers may choose not to use their local CoC's coordinated or centralized assessment system.

Diversion from Shelter

Based on screening results, subgrantees (or the subrecipient administering the program) should divert individuals and families to the most stable housing available, including supportive or subsidized permanent housing using the Housing First or Rapid Re-housing service models.

Essential Services and Referral

Emergency shelter participants and persons receiving hotel/motel vouchers must have access to essential services through direct service delivery by the subgrantee and subrecipient and/or provision of information and referral to other service providers. Essential services include: case management; child care; education services, employment assistance and job training; outpatient health services; legal services; life skills training; mental health services; substance abuse treatment services; transportation; services for special populations; and mainstream income and health benefits where appropriate.

Length of Stay and Discharge

Subgrantees (or the subrecipient administering the program) must make available essential services and shelter for participants for at least the period during which the ESG funds are provided. If subgrantees impose limits on participants' stays, they must identify such limitations in writing in the subgrantees' and subrecipients' policies and procedures governing shelter operations. Further, these policies are subject to OHCS approval.

Draft Edits Only

Safety and Accommodations for Special Populations

Any shelter facility that receives ESG assistance for conversion, major rehabilitation, renovation, or operations is required to meet all federal, state, and local government safety, sanitation and accessibility standards including compliance with the safety, sanitation and privacy requirements contained in 24 CFR 576.403(a) and (b).

Accommodating Families

If an ESG-assisted shelter has private rooms in which a family can stay together, then the family must be able to stay in a room together if they choose. Regardless, subgrantees and subrecipients must treat all families within shelters the same. For example:

- If the standard practice is to put down mats in a conference room for everyone who is considered "overflow" (beyond the capacity of the shelter beds), then it can shelter a family together in that space.
- If the standard practice is to place a family in its own room, it would be acceptable to leave a bed empty to accommodate the family (e.g., a family of four could stay in a unit with 5 beds, and the fifth bed could be open). In this example, OHCS would not expect the subgrantee to fill the 5th bed with an individual outside of the family, so long as the subgrantee or subrecipient documented the reasons for having open beds.

NOTE: Under HUD's definition (24 CFR 5.403 "Family"), family includes, but is not limited to, the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:

- A single person, who may be:
  - An elderly person, displaced person, disabled person, near-elderly person, or any other single person;
  - An otherwise eligible youth who has attained at least 18 years of age and not more than 24 years of age and who has left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act (42 U.S.C. 675(5)(H)), and is homeless or at risk of becoming homeless at age 16 or older; or
- A group of people residing together, and such group includes but is not limited to:
  - A family with or without children (a child who is temporarily away from the house because of placement in foster care is considered a member of the family);
  - An elderly family;

Draft Edits Only

- A near-elderly family;
- A disabled family; and
- The remaining members of a tenant family.

Non-Discrimination and Limited English Proficiency

Subgrantees and subrecipients are required to comply with all state and federal statutes relating to nondiscrimination as identified in Section 7 of this manual.

Reasonable Accommodations

Reasonable accommodations for those with disabilities must be available to ensure they have an equal opportunity to utilize the shelter and receive essential services. Greater levels of accessibility may be required for some shelters in compliance with The Americans with Disabilities Act.

Domestic Violence

Domestic violence victims and other persons in need of victim services must have access to a safe setting and have their identity protected. Subgrantees and subrecipients are required to implement procedures to ensure confidentiality of records pertaining to any individual who is provided family violence prevention, treatment, or other services. Subgrantees and subrecipients must also certify that the address of a family/individual violence shelter will not be made public without permission of the shelter agency.

Shelters for domestic violence survivors must adhere to the following shelter policies and procedures:

- Prohibit disclosing personally identifying victim information to any third party without consent of the victim;
- Ensure victim consent is reasonably time-limited, written and specific as to whom information will be shared;
- Identify and utilize an alternative HMIS to collect program data that will prevent the disclosure of personally identifying victim information; **and**
- Include confidentiality policies and procedures that require staff to refrain from discussing client information in public and ensure client records are secure and only accessible to authorized staff.

Assessing, Prioritizing and Reassessing Needs for Essential Services Related to Emergency Shelter

Subgrantees must have policies and procedures for assessing, prioritizing, and reassuring individuals' and families' needs for essential services related to emergency shelter (24 CFR 576.400(e)(3)(iv)). These policies and procedures must apply to all eligible recipients of essential shelter services, and, when developed, must align and comply with local services area(s) Continuum of Care assessment and prioritization requirements (576.400(d)), including verifying and documenting eligibility.

Draft Edits Only

Page XX of this manual outlines eligible essential shelter services eligible for reimbursement under this program.

Determining Client's Share of Rent and Utility Costs for Homelessness Prevention and Rapid Re-Housing Assistance

Per 24 CFR 576.400(e)(3)(vii), OHCS must determine the amount or percentage of rent and utilities each program participant must pay while receiving homelessness prevention or rapid re-housing assistance.

Participants will contribute $0 toward rent while receiving homelessness prevention or rapid re-housing assistance under the Emergency Solutions Grant Program.

For utility assistance, subgrantees (or applicable subrecipients) should assist participants in accessing energy assistance programs for which they are eligible as a first option in providing utility assistance. In the absences of such programs, participants will contribute $0 toward utilities.

When feasible, subgrantee must return un-used utility deposits households.

Determining Duration and Amount of Rental Assistance Provided to Participants

OHCS must determine the duration and amount of rental assistance provided to participants (24 CFR 576.400(e)(3)(viii)).

The Program limits the duration of rental assistance to 24 months within a 3-year period, and OHCS does not further limit the length or duration of rental assistance under the Emergency Solutions Grant Program (24 CFR 576.106(a)). Such assistance can either by tenant based or project based rental assistance (24 CFR 576.106(a)(4)).

In addition, rental assistance may cover the payment of rental arrears (past due rent owed to a current, prospective, or previous landlord), which is limited to a one-time payment for up to six months of rent, including any late fees (24 CFR 576.106(a)(3)). Please note that rent arrears count toward the 24-month limit in rental assistance. Additionally, subgrantees and subrecipients may use ESG funds to pay for arrears only if they have documented evidence that payment of the arrears is necessary for the participant to obtain permanent housing and maintain stability in that housing.

Determining Type, Amount, and Duration of Housing Stabilization and/or Relocation Services Provided to Participants

OHCS places the following policies on housing stabilization and relocation services when funded with the Emergency Solutions Grant (24 CFR 576.400(e)(3)(ix)).

Eligible Activities: Financial Assistance

Draft Edits Only

Eligible services under housing stabilization and relocation include financial assistance costs and services costs, subject to the general conditions and restrictions identified under 24 CFR 576.105.

Security deposits are limited to no more than two months' rent (24 CFR 576.105(a)(2)). A last month's rent must not exceed one month's rent and must be included in calculating the program participant's total rental assistance, which cannot exceed 24 months during any 3-year period (24 CFR 576.105(a)(3)). Utility payments are limited to up to 24 months within a three-year period per participant, per service, including up to six months of arrears, per service. Eligible utility services are gas, electric, water, and sewage (24 CFR 576.105(a)(5)).

Additionally, ESG funds may pay for moving costs, such as truck rentals or hired moving companies. Temporary storage fees associated with moving costs are limited to up to 3 months, provided that the fees are accrued after the date the program participant begins receiving assistance (24 CFR 576.105(a)(6).

Eligible Activities: Services

Subject to the general restrictions under 24 CFR 576.103 and 24 CFR 576.104, ESG funds may be used to pay the costs of providing the following services (24 CFR 576.105(b)):

Housing search and placement

Housing stability case management (limited to 30 days during the period to obtaining housing and cannot exceed 24 months during the period the program participant is living in permanent housing).

Mediation between the program participant and owner(s)/individual(s) with whom the program participant is living.

Legal services

Credit repair and credit counseling, except for the payment or modification of debts.

Ineligible Services

Financial assistance cannot be provided to a client who is receiving the same type of assistance through other public sources or to a client who has been provided with replacement housing payments under the URA during the period covered by the URA payments (24 CFR 576.105(d)).

Duration of Services and Participant Financial Responsibility

Except for housing stability case management, the total period for which any client may receive assistance must not exceed 24 months during any 3-year period. The limits on the assistance apply to the total assistance an individual receives, either as an individual or as part of a household.

8. Data Entry, Reporting, and Recordkeeping

~~1)~~ Program Written Standards

~~2)~~ Subgrantees and subrecipients are required to comply with the department's state minimum standards for providing ESG assistance and when established, those standards

Draft Edits Only

relevant to ESG that are required by their Continuum of Care. The following minimum program standards are required for delivering the ESG program as outlined in CFR 576.400 (c) (3): (24 CFR 576.400(e))Subgrantees must consistently apply all minimum written standards for providing ESG assistance (24 CFR 576.400(e)(2)(i)(B)).

3)

4) All standards, policies, and procedures developed for the Emergency Solutions Grant by subgrantees must be approved by OHCS at the beginning of each biennium.

Evaluating and Re-Evaluating Eligibility for Assistance

24 CFR 576.400(e)(3)(i) requires ESG recipients to develop written standards for evaluating individuals' and families' eligibility for assistance under the Emergency Solutions Grant. This section outlines the evaluation requirements.

When using ESG funds to provide client-level services, subgrantees evaluate a**1.** could reasonably subgrantee or subrecipient determines that could reasonably or subrecipient

The minimum eligibility process will include an initial phone or in person screening to determine if the applicant meets one of HUD's categorical definitions of homeless or at risk of homelessness. If yes, then a more comprehensive assessment will be completed in person by subgrantee staff to verify applicants' housing status and determine which ESG service components they qualify for and that will address their housing need. and subrecipients Eligibility determinations must be documented in client files and preferably through third party documentation. Intake worker observation or participant self-certification can be used when due diligence by staff and client is documented in the file indicating third-party verification is unavailable.

While subgrantees and subrecipients must evaluate applicants through this two-step verification process, they may conduct both the initial screening and comprehensive assessment in one sitting, provided that the subgrantee or subrecipient is able to determine, verify, and document income eligibility for the program

Re-evaluations of eligibility for continued receipt of homelessness prevention and rapid re-housing assistance are required—every three (3) months for prevention and annually for rapid re-housing. Minimally, each re-evaluation of eligibility must verify that the client household does not have an annual income that exceeds thirty (30) percent of HUD-determined area median family income, **and** the household continues to lack sufficient resources and support networks needed to retain housing without ESG assistance. Meeting the definition of homelessness is not a requirement of re-evaluation for continued receipt of homelessness prevention and rapid re-housing assistance. If a client household informs, but is not required to notify the subgrantee and subrecipient of a change in income or other circumstances that may affect eligibility, there is no immediate effect on the program participant's eligibility and assistance can continue at the discretion of the subgrantee and subrecipient until the next required re-evaluation. There is no HUD

Draft Edits Only

or OHCS requirement that the client notifies the subgrantee and subrecipient of changes to income prior to the required re-evaluations as specified above.

5) Targeting and Providing Targeting and Providing Essential Services Related to Street Outreach

24 CFR 576.400(e)(3)(ii) requires ESG recipients to develop written standards for targeting and providing essential services related to street outreach.

To complete Street Outreach activities, subgrantees and subrecipients must identify individuals experiencing unsheltered homelessness and whose primary nighttime residence is a public or private place not meant for human habitation. To the extent that is possible, It is should preference be given to those populations who are most vulnerable to being harmed by living in unsafe and unprotected places, including but not limited to:

- victims of domestic and other forms of violence,
- youth,
- families with children,
- people living with disabilities,
- elderly
- other high-risk groups specific to subgrantees' local context.

Engagement activities must include an initial assessment of needs and eligibility in order to prioritize the most beneficial type and source of assistance, with safety and health being the highest priority needs. Emergency health services, including mental health, can be funded with ESG only to the documented extent that other non-ESG funded appropriate health services are inaccessible or unavailable within the service area. Based on need and assessment, street outreach can pay for the costs of connecting qualifying individuals and/or families to essential services beyond emergency health and other crisis intervention assistance that include case management, transportation, and housing stabilization (24 CFR 576.101(a)(1)). Whenever feasible, rapid re-housing will be a priority over the provision or referral to emergency shelter or transitional housing.

6)1)Admission, Diversion, Referral, and Discharge by Emergency Shelters

Per 24 CFR 576.400(e)(3)(iii), ESG recipients must have policies and procedures for admission, diversion, referral, and discharge by emergency shelters assisted under ESG, including standards regarding length of stay, and safeguards to meet the safety and shelter needs of special populations.

a) CoC Approval/Local Governmental Approval

Draft Edits Only

~~Per 24 CFR 576.202(a)(2), private nonprofit organizations who receive ESG funds directly from OHCS must submit to OHCS a certification of approval from their local government if they use ESG funds for emergency shelter activities. This certification expires at the end of each biennium, so subgrantees must submit renewed approval to OHCS during the biennial funding application. Subgrantees must use the ESG Local Government Approval Form located on OHCS's website under Forms & Manuals.~~

~~***b)a) Admission***~~

~~Subgrantees and subrecipients must have standardized screening and intake criteria in writing for determining eligibility for admission to emergency shelter. The criteria must comply with Fair Housing Law and cannot force involuntary family separation by denying family admission based on the age of a child under the age of 18. The admission process requires an initial assessment to determine the homeless status of the applicant based on the Program's definition of homeless (24 CFR 576.2 "Homeless") and meeting other subgrantee and subrecipient determined eligibility criteria. The assessment process and tools must meet the service area's Continuum of Care coordinated entry requirements (24 CFR 576.400(d)) once developed; however, victim service providers may choose not to use their local CoC's coordinated or centralized assessment system.~~

~~***c)a) Diversion from Shelter***~~

~~Based on screening results, subgrantees (or the subrecipient administering the program) should divert individuals and families to the most stable housing available, including supportive or subsidized permanent housing using the Housing First or Rapid Re-housing service models.~~

~~***d)a) Essential Services and Referral***~~

~~Emergency shelter participants and persons receiving hotel/motel vouchers must have access to essential services through direct service delivery by the subgrantee and subrecipient and/or provision of information and referral to other service providers. Essential services include: case management; child care; education services, employment assistance and job training; outpatient health services; legal services; life skills training; mental health services; substance abuse treatment services; transportation; services for special populations; and mainstream income and health benefits where appropriate.~~

~~***e)a) Length of Stay and Discharge***~~

~~Subgrantees (or the subrecipient administering the program) must make available essential services and shelter for participants for at least the period during which the ESG funds are provided. If subgrantees impose limits on participants' stays, they must identify such limitations in writing in the subgrantees' and subrecipients' policies and procedures governing shelter operations. Further, these policies are subject to OHCS approval.~~

~~***f)a)Safety and Accommodations for Special Populations***~~

Draft Edits Only

~~Any shelter facility that receives ESG assistance for conversion, major rehabilitation, renovation, or operations is required to meet all federal, state, and local government safety, sanitation and accessibility standards including compliance with the safety, sanitation and privacy requirements contained in 24 CFR 576.403(a) and (b).~~

~~***g)a) Accommodating Families***~~

~~If an ESG-assisted shelter has private rooms in which a family can stay together, then the family must be able to stay in a room together if they choose. Regardless, subgrantees and subrecipients must treat all families within shelters the same. For example:~~

- ~~If the standard practice is to put down mats in a conference room for everyone who is considered "overflow" (beyond the capacity of the shelter beds), then it can shelter a family together in that space.~~
- ~~If the standard practice is to place a family in its own room, it would be acceptable to leave a bed empty to accommodate the family (e.g., a family of four could stay in a unit with 5 beds, and the fifth bed could be open). In this example, OHCS would not expect the subgrantee to fill the 5th bed with an individual outside of the family, so long as the subgrantee or subrecipient documented the reasons for having open beds.~~

~~**NOTE:** Under HUD's definition (24 CFR 5.403 "Family"), family includes, but is not limited to, the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:~~

- ~~A single person, who may be:~~
  - ~~An elderly person, displaced person, disabled person, near-elderly person, or any other single person;~~
  - ~~An otherwise eligible youth who has attained at least 18 years of age and not more than 24 years of age and who has left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act (42 U.S.C. 675(5)(H)), and is homeless or at risk of becoming homeless at age 16 or older; or~~
- ~~A group of people residing together, and such group includes but is not limited to:~~
  - ~~A family with or without children (a child who is temporarily away from the house because of placement in foster care is considered a member of the family);~~
  - ~~An elderly family;~~

Draft Edits Only

- A near-elderly family;
- A disabled family; and
- The remaining members of a tenant family.

h)a) Non-Discrimination and Limited English Proficiency

Subgrantees and subrecipients are required to comply with all state and federal statutes relating to nondiscrimination as identified in Section 7 of this manual.

i)a) Reasonable Accommodations

Reasonable accommodations for those with disabilities must be available to ensure they have an equal opportunity to utilize the shelter and receive essential services. Greater levels of accessibility may be required for some shelters in compliance with The Americans with Disabilities Act.

j)a) Domestic Violence

Domestic violence victims and other persons in need of victim services must have access to a safe setting and have their identity protected. Subgrantees and subrecipients are required to implement procedures to ensure confidentiality of records pertaining to any individual who is provided family violence prevention, treatment, or other services. Subgrantees and subrecipients must also certify that the address of a family/individual violence shelter will not be made public without permission of the shelter agency.

Shelters for domestic violence survivors must adhere to the following shelter policies and procedures:

- Prohibit disclosing personally identifying victim information to any third party without consent of the victim;
- Ensure victim consent is reasonably time-limited, written and specific as to whom information will be shared;
- Identify and utilize an alternative HMIS to collect program data that will prevent the disclosure of personally identifying victim information; **and**
- Include confidentiality policies and procedures that require staff to refrain from discussing client information in public and ensure client records are secure and only accessible to authorized staff.

7)1) Assessing, Prioritizing and Reassessing Needs for Essential Services Related to Emergency Shelter

Subgrantees must have policies and procedures for assessing, prioritizing, and reassuring individuals' and families' needs for essential services related to emergency shelter (24 CFR 576.400(e)(3)(iv)). These policies and procedures must apply to all eligible recipients of essential shelter services, and, when developed, must align and comply with local services area(s) Continuum of Care assessment and prioritization requirements (576.400(d)), including verifying and documenting eligibility.

Draft Edits Only

~~Page XX of this manual outlines eligible essential shelter services eligible for reimbursement under this program.~~

~~OHCS, s,racticablethe following (24 CFR 576.400(b) (c) and 24 CFR 576.400(e)(3)(v):~~

- ~~ESG-funded activities with other programs targeted to people experiencing homelessness within their service area; and~~
- ~~ESG-funded activities with mainstream housing, health, social services, employment, education, and youth programs.~~

~~This coordination and integration includes, but is not limited to, the following programs:~~

- ~~o~~

~~Additionally~~

~~8) Determining and Prioritizing Eligibility for Homeless Prevention and Rapid Re-housing Assistance~~

~~In accordance with 24 CFR 576.400(e)(3)(vi), subgrantees must have policies and procedures in place to determine and prioritize which eligible families and individuals will receive homelessness prevention assistance and rapid re-housing assistance. These policies must also include the emergency transfer plan priority, which is discussed in greater detail on Page XX of this manual.~~

~~Determining Eligibility: General~~

~~At a minimum, subgrantees must comply with their local Continuum of Care coordinated entry or assessment process, if any, to determine eligibility for homelessness prevention services. Page 7 of this manual provides greater detail of eligibility assessment requirements.~~

~~Determining Eligibility: Prevention~~

~~In addition to the eligibility requirements listed under the section titled "Evaluating and Re-Evaluating Eligibility for Assistance," applicants may also be eligible for prevention assistance if subgrantee can verify that they meet HUD's categorical definition for imminent risk of homelessness, homeless under other federal statutes, fleeing/attempting to flee domestic violence, or at risk of homelessness **and** have an annual income at 30% or below of area median income.~~

~~Subgrantees (or their subrecipients, if applicable) must document each applicant's homeless status and income eligibility in client files through third-party verification. If subgrantees (or their applicable subrecipients) are not able to conduct third-party verification, applicants may still be eligible for assistance, provided that the subgrantee/subrecipient provides written justification, demonstrating their attempt and due diligence to obtain such information. Additionally, the assessment must indicate that~~

Draft Edits Only

prevention assistance would likely allow the applicant to regain stability, whether by remaining in their current permanent housing or by accessing other permanent housing.

Determining Eligibility: Rapid Re-Housing

Determination of eligibility for rapid re-housing requires an initial assessment to verify that clients meet HUD's categorical definition for literally homeless or fleeing/attempting to flee domestic violence and are literally homeless. Homeless status must be documented in client files in accordance with HUD documentation standards with preference given to third-party verification where available.

Prioritization: Prevention

Prioritization for homeless prevention assistance must comply with Continuum of Care standards once developed. Minimally, prioritization should align with vulnerable homeless and at-risk of homelessness populations identified in subgrantees' and subrecipients' service area homeless plan(s) and community assessment(s).

Prioritization: Rapid Re-Housing

Prioritization for rapid re-housing must comply with Continuum of Care standards once developed and be supported by subgrantee and subrecipient service area homeless plans and community assessment data. When appropriate, local prioritization should also align with HUD's homeless strategic plan goals for ending chronic homelessness, homelessness among Veterans, and families with children and youth homelessness.

9)11) Determining Client's Share of Rent and Utility Costs for Homelessness Prevention and Rapid Re-Housing Assistance

Per 24 CFR 576.400(e)(3)(vii), OHCS must determine the amount or percentage of rent and utilities each program participant must pay while receiving homelessness prevention or rapid re-housing assistance.

Participants will contribute $0 toward rent while receiving homelessness prevention or rapid re-housing assistance under the Emergency Solutions Grant Program.

For utility assistance, subgrantees (or applicable subrecipients) should assist participants in accessing energy assistance programs for which they are eligible as a first option in providing utility assistance. In the absences of such programs, participants will contribute $0 toward utilities.

When feasible, subgrantee must return un-used utility deposits households.

10) Coordination Among Homeless Assistance Providers, Mainstream Service Providers and Housing Providers

11) Subgrantees and subrecipients must coordinate and integrate, to the extent possible, their ESG-funded assistance with other programs serving homeless and at-risk of

Draft Edits Only

homelessness people within their service area (refer to 24 CFR 576.400). Documentation of such coordination will minimally include written COC verification of support of the subgrantee's and subrecipient's plan for utilizing ESG funds as part of the subgrantee's biennial funding application to the state.

12)1) Determining Duration and Amount of Rental Assistance Provided to Participants

OHCS must determine the duration and amount of rental assistance provided to participants (24 CFR 576.400(e)(3)(viii)).

The Program limits the duration of rental assistance to 24 months within a 3-year period, and OHCS does not further limit the length or duration of rental assistance under the Emergency Solutions Grant Program (24 CFR 576.106(a)). Such assistance can either by tenant-based or project-based rental assistance (24 CFR 576.106(a)(4)).

In addition, rental assistance may cover the payment of rental arrears (past due rent owed to a current, prospective, or previous landlord), which is limited to a one-time payment for up to six months of rent, including any late fees (24 CFR 576.106(a)(3)). Please note that rent arrears count toward the 24-month limit in rental assistance. Additionally, subgrantees and subrecipients may use ESG funds to pay for arrears only if they have documented evidence that payment of the arrears is necessary for the participant to obtain permanent housing and maintain stability in that housing.

13)1) Determining Type, Amount, and Duration of Housing Stabilization and/or Relocation Services Provided to Participants

OHCS places the following policies on housing stabilization and relocation services when funded with the Emergency Solutions Grant (24 CFR 576.400(e)(3)(ix)).

a) Eligible Activities: Financial Assistance

Eligible services under housing stabilization and relocation include financial assistance costs and services costs, subject to the general conditions and restrictions identified under 24 CFR 576.105.

Security deposits are limited to no more than two months' rent (24 CFR 576.105(a)(2)). A last month's rent must not exceed one month's rent and must be included in calculating the program participant's total rental assistance, which cannot exceed 24 months during any 3-year period (24 CFR 576.105(a)(3)). Utility payments are limited to up to 24 months within a three-year period per participant, per service, including up to six months of arrears, per service. Eligible utility services are gas, electric, water, and sewage (24 CFR 576.105(a)(5)).

Additionally, ESG funds may pay for moving costs, such as truck rentals or hired moving companies. Temporary storage fees associated with moving costs are limited

Draft Edits Only

to up to 3 months, provided that the fees are accrued after the date the program participant begins receiving assistance (24 CFR 576.105(a)(6).

b)a) Eligible Activities: Services

Subject to the general restrictions under 24 CFR 576.103 and 24 CFR 576.104, ESG funds may be used to pay the costs of providing the following services (24 CFR 576.105(b)):

- Housing search and placement
- Housing stability case management (limited to 30 days during the period to obtaining housing and cannot exceed 24 months during the period the program participant is living in permanent housing).
- Mediation between the program participant and owner(s)/individual(s) with whom the program participant is living.
- Legal services
- Credit repair and credit counseling, except for the payment or modification of debts.

c)a) Ineligible Services

Financial assistance cannot be provided to a client who is receiving the same type of assistance through other public sources or to a client who has been provided with replacement housing payments under the URA during the period covered by the URA payments (24 CFR 576.105(d)).

d)a) Duration of Services and Participant Financial Responsibility

Except for housing stability case management, the total period for which any client may receive assistance must not exceed 24 months during any 3-year period. The limits on the assistance apply to the total assistance an individual receives, either as an individual or as part of a household.

A. Emergency Transfer Plan

In accordance with the Violence Against Women Act (VAWA), an Emergency Transfer Plan (ETP) must be in place for all subgrantees and subrecipients receiving ESG assistance to allow survivor tenants to transfer to another available and safe unit assisted under covered housing program if:

- Tenant expressly requests the transfer; **and**

Tenant reasonably believes that s/he is threatened with imminent harm from further violence if s/he remains **or** tenant is a victim of sexual assault that occurred on premises within 90 days before the request.

-

Draft Edits Only

The following table provides a guide clarifying if the subgrantee or housing provider has primary responsibility

COVERED HOUSING PROVIDER RESPONSIBILITIES		
	Grantee	Housing Owner
Lease bifurcation §5.2009 (a)		X
Victim status documentation; confidentiality §5.2007	X	X
Emergency transfer plan §5.2005(e)	X	
Actual and imminent threat exception §5.2005 (d) (3), (4)		X
Exception of violations not premised on DV; higher standard §5.2005 (d) (2)	PJ	X
Court order exception §5.2005 (d) (1)		X

B. Emergency Transfer Plan Guidelines

C. HUD's model ETP presents the basic elements set out in §5.2005(e), Notification of Occupancy Rights and Certification form.

D. HUD encourages housing providers to be familiar with and establish relationships with organizations that assist survivors of domestic violence, particularly those that offer help in locating safe housing for victims of domestic violence.

E. Housing providers in covered programs are allowed to establish preferences for victims of domestic violence, dating violence, sexual assault, and stalking. Covered housing providers must detail in their ETPs the measure of any priority that those who qualify for an emergency transfer under VAWA will receive.

F. Specific elements in §5.2005(e) must be adopted by all housing providers.

G. VAWA requires each housing provider to develop and issue an ETP that works with other housing providers in their area.

Draft - Edits Only

H. Lease Bifurcation: If housing providers allow the lease to bifurcate (to fork or legally divide), the remaining tenants may remain in the unit for a reasonable time to apply for housing under a VAWA-covered program or to find new housing as the result of violence or abuse covered by VAWA. The remaining tenants who had not established eligibility for assistance must be given the maximum time permitted by statute or at least 90 days from the date of bifurcation or expiration of the lease.

I. Emergency Transfer Plan (ETP) Requirements

J. Each Grantee must develop an ETP that meets requirements in 24 CFR 5.2005 (e). For complete description of definitions and requirements that apply to the VAWA Final Rule, refer to the additional information provided in the Appendix.

K. Each covered housing provider shall have an ETP based on HUD's model ETP, in accordance with the following:

L. For purposes of this section, the following definitions apply:

M. ***Internal emergency transfer*** refers to an emergency relocation of a tenant to another unit where the tenant would not be categorized as a new applicant; that is, the tenant may reside in the new unit without having to undergo an application process.

N. ***External emergency transfer*** refers to an emergency relocation of a tenant to another unit where the tenant would be categorized as a new applicant; that is the tenant must undergo an application process in order to reside in the new unit.

O. ***Safe unit*** refers to a unit that the victim of domestic violence, dating violence, sexual assault, or stalking believes is safe.

P. The ETP must provide that a tenant receiving rental assistance through, or residing in a unit subsidized under, a covered housing program who is a victim of domestic violence, dating violence, sexual assault, or stalking qualifies for an emergency transfer if:

Q. The tenant expressly requests the transfer; and

R. **(A)** The tenant reasonably believes there is a threat of imminent harm from further violence if the tenant remains within the same dwelling unit that the tenant is currently occupying; or

S. **(B)** The tenant reasonably believes there is a threat of imminent harm from further violence if the tenant remains within the same dwelling unit that the tenant is currently occupying, or the sexual assault occurred on the premises during the 90-calendar-day period preceding the date of the request for transfer.

T. The ETP must detail the measure of any priority given to tenants who qualify for an emergency transfer under VAWA protection.

U. The ETP must incorporate strict confidentiality measures to ensure that the covered housing provider does not disclose the location of the dwelling unit of the tenant to a person who committed or threatened to commit an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.

V. The ETP must allow a tenant to make an internal emergency transfer under VAWA when a safe unit is immediately available.

W. The ETP must describe policies for assisting a tenant in making an internal emergency transfer under VAWA when a safe unit is not immediately available.

X. The ETP must describe reasonable efforts the covered housing provider will take to assist a tenant who wishes to make an external emergency transfer when a safe unit is not immediately available. These policies may include:

Y. Arrangements, including memoranda of understanding, with other covered housing providers to facilitate moves; and

Z. Outreach activities to organizations that assist or provide resources to victims of domestic violence, dating violence, sexual assault, or stalking.

AA. Nothing will preclude a tenant from seeking an internal emergency transfer and an external emergency transfer concurrently if a safe unit is not immediately available.

BB. Where applicable, the ETP must describe policies for a tenant who has tenant-based rental assistance and who meets the requirements of paragraph (e)(2) of this section to move quickly with that assistance.

CC. The ETP shall require documentation from a tenant seeking an emergency transfer, provided that:

DD. The tenant's submission of a written request to the covered housing provider, where the tenant certifies that they meet the criteria in paragraph (e)(2)(ii) of this section, shall be sufficient documentation of the requirements in paragraph (e)(2) of this section;

EE. The covered housing provider may, at its discretion, ask an individual seeking an emergency transfer to document the occurrence of domestic violence, dating violence, sexual assault, or stalking, in accordance with 24 CFR 5.2007, for which the individual is seeking the emergency transfer, if the individual has not already provided documentation of that occurrence; and

FF. No other documentation is required to qualify the tenant for an emergency transfer.

GG. The covered housing provider must make its ETP available upon request and, when feasible, must make its plan publicly available.

HH. The covered housing provider must keep a record of all emergency transfers requested under its ETP, and the outcomes of such requests, and retain these records for a period of three years, or for a period of time as specified in program regulations. ETP requests and outcomes of such requests must be reported to HUD annually.

II. Nothing in this paragraph (e) Emergency Transfer Plan shall be construed to supersede any eligibility or other occupancy requirements that may apply under a covered housing program.

JJ. Continuum of Care Coordination

KK. HUD requires collaboration between ESG recipients/subrecipients and Continuums of Care in planning, funding, implementing, and evaluating homeless assistance and homelessness prevention programs locally. Subgrantees are required to be active participants in their respective Continuum of Care and comply with Program Standard #5 – *Coordination Among Homeless Assistance Providers, Mainstream Service Providers and Housing Providers* located under *General Program Requirements* of this manual.

LL. Subgrantees and subrecipients are expected to coordinate and integrate, to the maximum extent practicable, ESG-funded activities with other programs targeted to homeless people

in the area covered by their Continuum of Care and/or service area. These programs include (24 CFR 576.400 and 24 CFR 91.100(d)(e)) but are not exclusive to:

MMM. Shelter Plus Care Program
NNN. Supportive Housing Program
OOO. Section 8 Moderate Rehabilitation Program for SRO Program for Homeless Individuals
PP. Veterans Affairs Supportive Housing
QQ. Education for Homeless Children and Youth Grants for State and Local Activities
RR. Grants for the Benefit of Homeless Individuals
SS. Healthcare for the Homeless
TT. Programs for Runaway and Homeless Youth
UU. Projects for Assistance in Transition from Homelessness
VV. Services in Supportive Housing Grants
WW. Emergency Food and Shelter Program
XX. Transitional Housing Assistance Grants for Victims of Sexual Assault, Domestic Violence, Dating Violence, and Stalking Program
YY. Homeless Veterans Reintegration Program
ZZ. Domiciliary Care for Homeless Veterans Program
AAA. VA Homeless Providers Grant and Per Diem Program
BBB. Health Care for Homeless Veterans Program
CCC. Homeless Veterans Dental Program
DDD. Supportive Services for Veteran Families Program
EEE. Veteran Justice Outreach initiative
FFF. As well as mainstream housing, health, social services, employment, education, and youth programs for which families and individuals at risk of homelessness and homeless individuals and families may be eligible, such as:

GGG. Public housing programs
HHH. Housing programs receiving tenant-based or project-based assistance
III. Supportive Housing for Persons with Disabilities
JJJ. HOME Investment Partnerships Program
KKK. Temporary Assistance for Needy Families
LLL. Health Center program
MMM. State Children's Health Insurance Program
NNN. Head Start
OOO. Mental Health and Substance Abuse Block Grants
PPP. Services funded under the Workforce Investment Act.

QQQ. Training

RRR. Subgrantee and subrecipient staff that provide direct services and supervise staff who provide direct services and manage homeless grants must receive relevant training. 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 is an eligible expense of case management and must minimally include:

SSS. Trauma Informed Services;

Draft Edits Only

TTT. Mental Health First Aid;
UUU. Harm Reduction;
VVV. Supporting Victims of Domestic Violence;
WWW. Local Coordinated Entry Policies and Procedures;
XXX. Fair Housing; and
YYY. For those using OHCS funds for Street Outreach, training must include Outreach Safety Strategies.

ZZZ. 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) 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 through HMIS and any other data system for which the subgrantee or subrecipient have access.

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

2. Applicant Eligibility

A. Assessment

All applicants must be assessed to determine eligibility for receipt of ESG funded services and assistance in accordance with *Program Written Standard #1 – Evaluating Eligibility for Assistance* located under *General Program Requirements* of this manual.

Applicant assessment and determination of ESG eligibility includes the cost of staff time to complete an intake and/or assessment, either as a sole provider or through a coordinated entry process even if it's determined from the evaluation the applicant is not eligible for ESG program assistance. Service costs beyond initial assessment for applicants determined to be ineligible for ESG assistance are not allowable, including follow-up and case management.

B. Household Composition

Household composition includes an individual living alone, family with or without children, or a group of individuals who are living together as one economic unit. In all cases a household must lack sufficient resources and support networks necessary to obtain or retain housing without the provision of ESG assistance to be program eligible.

The type of ESG assistance for which an eligible household qualifies is determined by the stability of their current housing or their homeless status.

Draft Edits Only

C. Categorical Homeless Definitions and Criteria

Eligible applicants for program services must meet one of the following categorical definitions of homeless or at risk of homelessness:

Category 1: Literally homeless--a household that lacks a fixed, regular, and adequate nighttime residence, meaning:

- Living in a primary nighttime residence that is a public or private place not designed for or ordinarily used for as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground); **or**
- Living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals); **or**
- Exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering the institution.

Category 2: Imminent risk of homelessness--a household that will imminently lose their primary nighttime residence, provided that:

- The residence will be lost within 14 days of the date of application for homeless assistance; **and**
- No subsequent residence has been identified; **and**
- The household lacks the resources or support networks needed to obtain other permanent housing.

Category 3: Homeless Under Other Federal Statutes-- Unaccompanied youth under 25 years of age, or family who do not otherwise qualify as literally homeless or imminent risk of homelessness, but who:

- Are defined as homeless under Section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)) or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a); **and**
- Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance; **and**
- Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; **and**
- Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED),

Draft Edits Only

illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment.

Category 4: Fleeing, or attempting to flee, domestic violence – a household who:

- Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence; **and**
- Has no other residence; **and**
- Lacks the resources or support networks to obtain other permanent housing.

D. Criteria for At Risk of Homelessness Qualification

Applicants for program services for at-risk individuals or households must meet the following definition of At Risk of Homelessness:

- Have an annual income at or below 30% of median household income for the area; **and**
- Do not have sufficient resources or support networks immediately available to prevent them from moving to an emergency shelter or another place defined in Category 1 of the "homeless" definition; **and** meet one of the following conditions:
- Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for assistance; **or**
- Is living in the home of another because of economic hardship; **or**
- Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance; **or**
- Lives in a hotel or motel and the cost is not paid for by charitable organizations or by Federal, State, or local government programs for low-income individuals; **or**
- Lives in an SRO or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than one and a half persons per room; **or**
- Is exiting a publicly funded institution or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); **or**
- Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in OHCS' approved Consolidated Plan.

A youth who does not qualify as homeless under the above eligibility criteria, is eligible if they:

- Qualify as "homeless" under section 387(3) of the Runaway and Homeless Youth Act (42 U.S.C. 5732a(3)), section 637(11) of the Head Start Act (42 U.S.C. 9832(11)), section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), section 330(h)(5)(A) of the Public Health Service Act (42 U.S.C. 254b(h)(5)(A))m section 3(m) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(m)), or section 17(b)(15) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(15)); **or**

Draft Edits Only

- Qualify as "homeless" under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), and the parent(s) or guardian(s) of that child or youth if living with her or him.

E. Criteria for Chronically Homeless Qualification

Chronically homeless means:

(1) A ''homeless individual with a disability,'' as defined in section 401(9) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(9)), who:

(i) Lives in a place or resides in a place not meant for human habitation, a safe haven, or in an emergency shelter; **and**

(ii) Has been homeless and living as described continuously for at least 12 months or on at least 4 separate occasions in the last 3 years, as long as the combined occasions equal at least 12 months and each break in homelessness separating the occasions included at least 7 consecutive nights of not living as described directly above in paragraph (1)(i).

Stays in institutional care facilities for fewer than 90 days will not constitute as a break in homelessness, but rather such stays are included in the 12-month total, as long as the individual was living or residing in a place not meant for human habitation, a safe haven, or an emergency shelter immediately before entering the institutional care facility;

(2) An individual who has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all the criteria in paragraph (1) of this definition, before entering that facility; **or**

(3) A family with an adult head of household (or if there is no adult in the family, a minor head of household) who meets all the criteria in paragraph (1) or (2) of this definition, including a family whose composition has fluctuated while the head of household has been homeless.

Evidence of chronically homeless individuals must be kept in the program participant file to demonstrate that an individual or family met the definition of ''chronically homeless'' at the point of entry into a program.

F. Income Determination and Requirements

1) Income Eligibility

Homeless Prevention assistance requires applicants to be at or below 30% AMI at time of intake.

Rapid Re-housing does not have income eligibility requirements at the time of intake; however, to qualify for continuation of Rapid Re-housing assistance, applicant client must have an annual income at or below 30% AMI at the time of re-evaluation.

There are no other initial income eligibility requirements to receive program services.

Draft Edits Only

2) Calculating Gross Annual Income

Annual Income is the gross amount of income anticipated to be received by a household during the coming year based on the household's circumstances at the time of program intake and assessment. Annual Income determination is consistent with the Housing Choice Voucher definition of annual Income found at 24 CFR 5.609.

Convert periodic wages to annual income by multiplying:

1. *Hourly wages by the number of hours worked per year (2,080 hours for full-time employment with a 40-hour week and no overtime);*
2. *Weekly wages by 52;*
3. *Bi-weekly wages (paid every other week) by 26;*
4. *Semi-monthly wages (paid twice each month) by 24; and*
5. *Monthly wages by 12.*

To annualize other than full-time income, multiply the wages by the actual number of hours or weeks the person is expected to work.

When determining the annual income of a household to establish eligibility for ESG assistance, subgrantee and subrecipient must count the income of all adults in the household, including nonrelated individuals, within the limitations imposed by 24 CFR 5.609. Not everyone living in the unit is considered a member of the household for the purposes of determining a household's income. Excluded persons include: foster children, foster adults, live-in aides, children of live-in aides and unborn children. A child subject to a shared-custody agreement should be counted as a household member if the child resides with the household at least 50 percent of the time.

Income generated by an asset, such as the interest on a savings or checking account is considered household income even if the household elects not to receive it. For example, though an applicant may elect to reinvest the interest or dividends from an asset, the interest or dividends are still counted as income anticipated to be received during the coming 12 months. Asset income is discussed in 24 CFR 5.609. Income producing assets include: bank accounts; life insurance policies; lump sum additions (legal settlement, refund, etc.); personal property held as investments; retirement/pension funds; trusts; assets disposed of for less than fair market value; and stocks, bonds or mutual funds.

G. Eligibility Documentation and Recordkeeping

Subgrantees and subrecipient 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 provided 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, or 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 ESG staff.

Draft Edits Only

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—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. It is the responsibility of the subgrantee/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.

Documentation of all applicant/participant information must be available in applicant/participant files or if kept electronically, available upon request. Documentation of all efforts to obtain higher preference of verification (3rd party and Intake Worker Observation) when lower forms of preference are used, must be in writing and kept in the applicant/participant file

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.

If an agency selects a remote process, where a signature must be applied, it must meet the guidelines of a "digital signature". 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).

Draft Edits Only

Subgrantees must have a stand-alone policy 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 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 that in its determination does not meet basic principles or requirements of such a policy.

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

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

3. Allowable Program Service Components and Activities

Documentation of allowable program components and expenditures must identify how an expense or service helped a client maintain or attain permanent housing.

When OHCS funds are provided to a partner organization of subgrantees, such partner organizations must be identified as a subrecipient of the sub

rantee 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.

A. Service Components and Homeless Eligibility

ESG funds can pay for five program service components: Street Outreach; Emergency Shelter; Homelessness Prevention; Rapid Re-housing; and Homeless Management Information System (HMIS). The following chart shows which service components are available for homeless and/or at-risk households.

Component	Serving	
	Those who are **Homeless**	Those who are **At-Risk of Homelessness**
1) Street Outreach	✓	
2) Emergency Shelter	✓	

Draft Edits Only

3) Homelessness Prevention		✓
4) Rapid Re-housing	✓	
Collecting Data		
5) Homeless Management Information System (HMIS)	✓	✓

NOTE: Housing counseling for renters is an eligible activity under the ESG program. However, housing counseling must be provided by a HUD-certified Housing Counselor who works for an agency approved to participate in HUD's Housing Counseling program. Housing counseling is defined as independent, expert advice to address the consumer's housing barriers and to help achieve their housing goals, including homeownership. The content and process of housing counseling must meet the standards of the HUD Housing Counseling Program. Additional information can be found at www.hudexchange.info/programs/housing-counseling/. Services to program participants such as rental housing information, placement and referral services, or landlord recruitment and/or support, do not constitute housing counseling and may be carried out by subgrantee's staff.

B. Street Outreach

C. Street outreach is service delivery for the specific purpose of reaching out to unsheltered homeless people; connecting them with emergency shelter, housing, or critical services; and providing urgent, non-facility based care. Street outreach must be provided in accordance with Program Standard #2 – *Targeting and Providing Essential Services Related to Street Outreach* located under *General Program Requirements* of this manual.

D. Individuals defined as unsheltered must meet the criteria for: Category 1, literally homeless; or Category 4, fleeing/attempting to flee domestic violence (where the individual or household also meet the criteria for category 1); and are:

E. living on the streets (or other places not meant for human habitation); **and**

F. unwilling or unable to access services in emergency shelter.

G. Essential Services

H. *Engagement Services*

I. Engagement Services are activities to locate, identify, and build relationships with unsheltered homeless people to offer immediate support, intervention, and connections with homeless assistance programs and/or mainstream social services and other housing programs. Eligible costs include:

J. Conducting an initial assessment of applicant needs and eligibility;

K. Providing crisis counseling;

L. Addressing urgent physical needs, such as providing meals, blankets, clothes, or toiletries;

M. Actively connecting and providing information and referrals to needed services; **and**

N. Cell phone costs of outreach workers.

O. *Case Management*

Draft Edits Only

P. Case Management is activities to assess housing and service needs and arrange, coordinate and/or monitor the delivery of individualized services. Eligible costs include:

Q. Assessment and intake including using coordinated entry;

R. Conducting initial evaluations including verifying and documenting eligibility;

S. Counseling;

T. Developing/securing/coordinating services;

U. Helping obtain Federal, State, and local benefits;

V. Monitoring and evaluating program participant progress;

W. Providing information and referrals to other providers; **and**

X. Developing an individualized housing stabilization plan that leads to the attainment of stable permanent housing.

Y. ***Emergency Health***

Z. Emergency health services are eligible activities to the extent that other appropriate services and treatment are unavailable or inaccessible within the community. An example of customary emergency health services is outpatient treatment of urgent medical conditions by licensed medical professionals in community-based settings (e.g.; streets, parks, and campgrounds) to those eligible participants unwilling or unable to access emergency shelter or an appropriate healthcare facility. Eligible costs include:

AA. Assessing health problems and developing treatment plans;

BB. Assistance in understanding health needs;

CC. Providing directly or assisting to obtain appropriate emergency medical treatment; **and**

DD. Providing medication and follow-up services.

EE. ***Emergency Mental Health***

FF. Emergency mental health services are eligible activities to the extent that other appropriate services and treatment are unavailable or inaccessible within the community; i.e.; outpatient treatment of urgent mental health conditions by licensed professionals in community based setting (e.g.; streets, parks, and campgrounds) to those eligible participants unable or unwilling to access emergency shelter or an appropriate health care facility. Eligible costs include:

GG. Crisis intervention;

HH. Prescription of psychotropic medications;

II. Explanation about the use and management of medications; **and**

JJ. Combinations of therapeutic approaches to address multiple problems.

KK. ***Transportation***

LL. Travel expenses incurred by outreach workers, social workers, medical professionals, or other service agency employees during the provision of allowable street outreach services are eligible costs. They include:

MM. Transporting unsheltered people to emergency shelters or other service facilities;

NN. Public transportation for participants;

Draft Edits Only

OO. Mileage allowance for outreach workers using their own vehicles to visit program participants;

PP. Purchasing or leasing a vehicle for use in conducting outreach activities, including the cost of gas, insurance, taxes, and maintenance for the vehicle; **and**

QQ. Costs of staff to accompany or assist program participants to use public transportation.

RR. Services for Special Populations

SS. Services for special populations are essential services that have been tailored to address the special needs of homeless youths, victims of domestic violence, dating violence, sexual assault, or stalking, including services offered by rape crisis centers, domestic violence shelters, and persons living with HIV/AIDS. Eligible costs include:

TT. Engagement;

UU. Case Management;

VV. Emergency Health Services;

WW. Emergency Mental Health Services; **and**

XX. Transportation.

YY. Emergency Shelter

Emergency shelter means any appropriate facility that has the primary use of providing temporary or transitional shelter for the homeless in general or for specific populations of the homeless and the use of which does not require occupants to sign leases or occupancy agreements. Emergency Shelter must be provided in compliance with Program Standard #3 – *Emergency Shelter Operations* and Program Standard #4 – *Assessing, Prioritizing and Reassessing Needs for Essential Services Related to Emergency Shelter* located under *General Program Requirements* of this manual. ESG funds can be used to provide essential services; renovation; and shelter operations.

1) Shelter Operations

Shelter operations are costs to operate and maintain emergency shelters and provide other emergency lodging when appropriate. Eligible Costs include:

- Maintenance (minor or routine repairs);
- Rent;
- Security;
- Fuel;
- Equipment;
- Insurance;
- Utilities;
- Food;
- Furnishings;
- Supplies necessary for the operation of the emergency shelters; **and**
- Hotel/Motel voucher, only for families and individuals when no emergency shelter is available.

Draft Edits Only

2) Essential Services

Emergency shelter essential services are services to homeless households and individuals in emergency shelters. Program applicants meeting the definition of homeless in Categories 1, 2, 3, and 4 of the HUD definitions for homeless are eligible for emergency shelter services. Categories located under *Applicant Eligibility — Categorical Homeless Definitions and Criteria* of this manual.

Eligible uses for funds within the Emergency Shelter Essential Services category include:

Case Management

Case Management activities assess, arrange, coordinate, and monitor individualized services developed for program participants. Eligible costs include:

- Using coordinated entry;
- Conducting initial evaluations including, verifying and documenting eligibility;
- Counseling;
- Developing, securing and coordinating services and obtaining Federal, State, and local benefits;
- Monitoring and evaluating program participant progress;
- Providing information and referrals to other providers;
- Providing ongoing risk assessment and safety planning with victims of domestic violence, dating violence, sexual assault, and stalking; **and**
- Developing an individualized housing and service plan, including planning a path to permanent housing stability.

Childcare Costs

The cost of childcare is eligible if the child is under the age of 13, or a child(ren) with disabilities under the age of 18. The childcare center must be licensed by the jurisdiction in which it operates. Eligible costs include:

- Childcare costs;
- Providing meals and snacks; **and**
- Comprehensive and coordinated sets of appropriate developmental activities.

Education

Education is instruction or training to enhance participants' ability to obtain and maintain housing, consumer education, health education, substance abuse prevention, literacy, ESL, GED preparation and various life skills. Eligible costs include:

- Screening, assessment, and testing;
- Individual/group instruction;
- Tutoring;
- Books, supplies, and instructional materials;
- Counseling; **and**
- Referral to community resources.

Draft Edits Only

Employment Assistance and Job Training

Job Assistance services help participants to secure employment and placement in job training programs. Eligible costs include:

- Classroom, online, and/or computer instruction;
- On the job instruction;
- Job finding and skill building;
- Reasonable stipends to program participants in employment assistance and job training programs;
- Books and instruction materials;
- Employment screening; assessment or testing;
- Structured job seeking support;
- Special training and tutoring; including literacy training and pre-vocational training;
- Counseling or job coaching; **and**
- Referral to community resources.

Outpatient Health

Outpatient Health Services are eligible activities to the extent that other appropriate services and treatment are unavailable or inaccessible within the community. Eligible costs include:

- Assessing health problems and developing treatment plans;
- Assistance in understanding health needs;
- Providing directly or assisting to obtain appropriate medical treatment, preventive medical care, health maintenance services, including emergency medical services;
- Providing medication and follow-up services; **and**
- Providing preventive and non-cosmetic dental care.

Legal services

Legal advice and representation are eligible activities to the extent that other appropriate services and treatment are unavailable or inaccessible within the community. This would include necessary legal services regarding matters that interfere with the program participant's ability to obtain permanent housing or will likely result in the program participant losing the permanent housing in which the program participant currently resides. Legal issues would include child support, guardianship, paternity, emancipation, legal separation, orders of protection and other civil remedies for victims of domestic violence, dating violence, sexual assault, and stalking, appeal of veterans and public benefit claim denials, and resolution of outstanding criminal warrants. Eligible costs include:

- Hourly fees for legal advice and representation by licensed attorneys and certain other fees-for-service;
- Client intake, preparation of cases for trial, provision of legal advice, representation at hearings, and counseling; **and**
- Filing fees and other necessary court costs.

Draft Edits Only

Legal services to address immigration, citizenship, and mortgage issues including retainer fee arrangements, and contingency fee arrangement are **not** eligible costs.

Life Skills Training

Life Skills Training teaches critical life management skills that may never have been learned or have been lost during the course of physical or mental illness, domestic violence, substance use, and homelessness. Allowable services must be necessary to assist the program participant to function independently in the community. They include:

- Budgeting resources;
- Managing money;
- Managing a household;
- Resolving conflict;
- Shopping for food and needed items;
- Improving nutrition;
- Using public transportation; **and**
- Parenting.

Mental Health Services

Mental Health Services are eligible activities to the extent that other appropriate services and treatment are unavailable or inaccessible within the community. Services are direct outpatient treatment of mental health conditions by licensed professionals. Eligible costs include:

- Crisis intervention;
- Individual, household, or group therapy sessions;
- Prescription of psychotropic medications and explanation about the use and management of medications; **and**
- Combinations of therapeutic approaches to address multiple problems.

Substance Abuse Treatment

Substance Abuse Treatment is an eligible activity to the extent that other appropriate services and treatment are unavailable or inaccessible within the community. Services must be provided by licensed or certified professionals, and be designed to prevent, reduce, eliminate, or deter relapse of substance abuse or addictive behaviors. Inpatient detoxification and other inpatient drug or alcohol treatment are not eligible costs. Eligible costs include:

- Client intake and assessment;
- Outpatient treatment for up to 30 days;
- Group and individual counseling; **and**
- Drug testing.

Transportation

Costs of travel by program participants to and from medical care, employment, childcare or other facilities that provide eligible essential services are eligible. Staff travel costs

Draft Edits Only

incurred to support provision of essential services are also allowable. Eligible costs include:

- Public transportation for participants;
- Mileage allowance for service workers using their own vehicles to visit program participants; **and**
- Purchasing or leasing a vehicle used for transport of participants and/or staff serving participants, including the cost of gas, insurance, taxes, and maintenance for purchased or leased vehicles.

Services for Special Populations

Services for Special Populations means otherwise eligible essential services that are tailored to address the special needs of homeless youth, victims of domestic violence, dating violence, sexual assault, or stalking, including services offered by rape crisis centers, domestic violence shelters and other organizations with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking. Also eligible are services provided to persons living with HIV/AIDS in emergency shelters. Eligible costs include:

- Case management;
- Childcare;
- Education services;
- Employment assistance and job training;
- Outpatient Health services;
- Legal services;
- Life Skills training;
- Mental health services;
- Substance abuse treatment services; **and**
- Transportation.

3) Shelter Facility Rehabilitation, Conversion and Renovation

For costs of rehabilitation, conversion, or renovation to be eligible for payment with ESG funds, the building must be used for an emergency shelter for homeless families and individuals. [Refer to subgrantee's grant agreement/contract for additional information on procurement requirements and while acquisition is not allowable with ESG funds, see the Acquisition/Rehabilitation Guidance document on the HSS Dashboard for specific reporting requirements for rehabilitation, conversion, or renovation projects.]

Subgrantee must notify OHCS of the intent to use OHCS funds for the renovation/ rehabilitation of property prior to using funds for this purpose.

To notify OHCS, Subgrantee must complete the online form at: https://app.smartsheet.com/b/form/33ab4f86297c4a4c86e64a4bd2bb28e1.

Draft Edits Only

A government entity or private non-profit organization must own the emergency shelter building before and after the renovation or rehabilitation. Buildings renovated with ESG funds as a shelter for homeless individuals and families are required to function as a shelter for a minimum period, depending on the type of renovation and the value of the building. See the table below:

Eligible Costs include:

- Labor;
- Materials;
- Tools; **and**
- Other costs for renovation, including soft costs.

Rehabilitation and Renovation Minimum Period of Use		
	Use Requirement	**Determining Criteria**
Major Rehabilitation	10 years	Rehab costs exceed 75% of the value of the building before rehabilitation.
Conversion	10 years	Conversion costs exceed 75% of the value of the building after conversion.
Renovation, including rehab and conversion costs that do not meet 10 Year criteria.	3 years	Renovation costs are 75% or less of the value of the building before renovation.

All shelters must meet minimum habitability standards. Documentation must be kept by the subgrantee/subrecipient denoting subgrantee's/subrecipient's compliance with this requirement and available to OHCS during OHCS monitoring. See ***Habitability Standards*** section of this manual. Shelters renovated with ESG funds are also required to meet state or local government safety and sanitation standards, as applicable, including the use of energy-efficient appliances and materials.

In projects where lead-based paint evaluation and/or hazard reduction are undertaken with ESG funds as part of rehabilitation/renovation, additional Lead-Based Paint requirements apply as identified in 24 CFR 35.900-35.940.

ESG funds shall not be used for rehabilitation or renovation of structures that will be used for inherently religious activities. Sanctuaries, chapels, or other rooms used as a principal place of worship are ineligible for funded improvements paid by ESG.

ESG funds can pay for rehabilitation of structures only to the extent that those structures are used for conducting eligible activities under the ESG program. Where a structure is used for both eligible and religious activities, the amount of ESG funds used must not exceed the cost of those portions of the rehabilitation that are attributable to eligible activities in accordance with the cost accounting requirements applicable to ESG funds.

Draft Exhibits only

For all shelter rehabilitation, conversion, or renovation, subgrantee, subrecipient and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. Documentation must be kept by the subgrantee/subrecipient denoting subgrantee's/subrecipient's compliance with this requirement and available to OHCS during OHCS monitoring. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds $10,000 or the value of the quantity acquired by the preceding fiscal year exceeded $10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

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 at: https://app.smartsheet.com/b/publish?EQBCT=8a215621578a4f76ae98113d719d5e64.

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 final year of the restrictive use period. Subgrantee must follow all reporting requirements:

- Read through 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.
- Submit Notification/Approval form to OHCS **prior to** the expenditure of any funds, located on the HSS Dashboard.
- Submit all required reports , in form and format required by OHCS.
- 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.
- If required, ensure that the performance of an Environmental Review is complete and keep on file for monitoring purposes.
- Retain Certificate of Occupancy/Final Inspection on file for monitoring purposes.
- Once project is complete, submit a Placed Into Service Report. Submit the form located on the HSS Dashboard.
- A Certificate of Continuing Program Compliance is required annually. "Annually" is defined as each year, in the same month in which the OHCS-

Draft Edits Only

funded project was Placed Into Service. For example, if your project was complete in the month of April, the Certificate of Compliance will be required to be submitted every April following the date the project was placed into service. Submit the form located on the OHCS HSS Dashboard.

4) Assistance Required under "URA"

Subgrantee and subrecipient must ensure they have taken all reasonable steps to minimize the displacement of persons or commercial entities as a result of a project assisted with ESG funds. No tenant occupant of housing that is converted into an emergency shelter shall be required to relocate temporarily for a project assisted with ESG or be required to move to another unit in the same building/complex. When a tenant is required to move because of a project assisted with ESG under conditions that trigger the Uniform Relocation Assistance (URA) and Real Property Acquisition Policies Act (42 U.S.C. 4601-4655), the tenant should be treated as permanently displaced and offered relocation assistance and payments consistent with the Act.

Any person who disagrees with subgrantee's and subrecipient's determination concerning whether the person qualifies as a displaced person or the amount of relocation assistance offered, can file a written appeal of that determination with subgrantee and subrecipient under 49 CFR 24.10. A low-income person who disagrees with the determination can submit a written request for review of that determination to the nearest HUD field office.

Subgrantee and subrecipient must keep records documenting compliance with the displacement, relocation, and acquisition requirements of the ESG program. See 24 CFR 576.408.

ZZ. Essential Services Comparison between Outreach and Shelter

Services through the street outreach component are not the same as services provided through emergency shelter systems. The chart below compares appropriate services for each component.

Comparison of Essential Services	
Street Outreach (Unsheltered Homeless persons)	**Emergency Shelter Services (Sheltered Homeless persons)**
Engagement	---
Case Management	Case Management
---	Childcare
---	Education Services
---	Employment Assistance/Training
Emergency Health Care	Outpatient Health Services
---	Legal Services
---	Life Skills Training
Emergency Mental Health Care	Mental Health Services
Services for Special Populations	Services for Special Populations

Draft Edits Only

~~—~~	~~Substance Abuse Treatment~~
~~Transportation~~	~~Transportation~~

~~AAA. Homelessness Prevention and Rapid Re-housing~~

~~Homelessness Prevention Services are intended to prevent persons who are housed from becoming homeless by helping them regain stability in their current housing or other permanent housing. Eligible participants must be at imminent risk of homelessness, homeless under other federal statutes, fleeing/attempting to flee domestic violence or meet the criteria for being at-risk of homelessness and have annual incomes at or below 30% of area median income.~~

~~Rapid Re-Housing services are intended to help eligible participants who are literally homeless, including fleeing/attempting to flee domestic violence, to transition from the streets or shelter as quickly as possible into permanent housing and achieve housing stability. Eligible participants for either service component must lack the resources or support networks to help them retain or obtain other appropriate, stable housing. Eligibility determination and prioritization must comply with Program Standard #6—*Determining and Prioritizing Eligibility for Homelessness Prevention and Rapid Re-housing Assistance* located under *General Program Requirements* of this manual.~~

~~Eligible activities for both service components include housing relocation and stabilization services and short- and medium-term rental assistance. These activities must comply with Program Standard #7—*Determining Client's Share of Rent and Utility Costs* and Program Standard #8—*Determining Duration and Amount of Rental Assistance Provided to Client* located under *General Program Requirements* of this manual.~~

~~If a client was first assisted under Homelessness Prevention and then became homeless, Subgrantee must exit the client from the Homelessness Prevention component and enter the individual or household into the appropriate homeless component.~~

~~1) Homelessness Prevention and Rapid Re-housing Comparison~~

~~The chart below shows the differences between Homelessness Prevention and Rapid Re-Housing service components.~~

	~~Homelessness Prevention~~	~~Rapid Re-Housing~~
~~Eligible Participants~~	~~**Category 2 –** Imminent Risk~~ ~~**Category 3 –** Other Federal Statutes~~ ~~**Category 4 –** Fleeing/Attempting to Flee Domestic Violence and has no other residence **OR**~~ ~~**At-Risk of Homelessness**~~	~~**Category 1 –** Literally Homeless **OR**~~ ~~**Category 4 –** Fleeing/Attempting to Flee Domestic Violence and has no other residence.~~
~~Purpose~~	~~• To prevent persons who are housed from becoming homeless~~	~~• To help homeless persons living on the streets or in an emergency shelter transition as quickly as~~

Draft Edits Only

	• To help such persons regain stability in their current housing or other permanent housing	possible into permanent housing, and then • To help such persons achieve stability in that housing
Reassessment	• Every 3 months • Must have income at or below 30% AMI, AND • Lack resources and support network	• Every 12 months • Must have income at or below 30% AMI, AND • Lack resources and support network
Eligible Activities	Housing Relocation and Stabilization Services and Financial Assistance	Housing Relocation and Stabilization Services and Financial Assistance
	Short- and Medium-Term Rental Assistance	Short- and Medium-Term Rental Assistance

Housing Relocation and Stabilization Financial Assistance

2) ESG funds may be used to pay landlords, utility companies and other third parties for the following housing related costs:

3) Rental application fee charged by the landlord to all applicants;

4) Security deposit, equal to or not more than 2 month's rent;

5) Last month's rent, paid to landlord at the time security deposit and first month's rent are paid. The amount must not exceed one month's rent and is included in calculating the program participant's total rental assistance, which cannot exceed 24 months during any 3-year period;

6) Moving costs, including truck rental, hiring a moving company, and temporary storage fees. Storage fees can be up to 3 month's rent, providing costs are not incurred until after program participation begins and before move-in. Moving costs cannot include arrearage temporary storage fees;

7) Standard utility deposit (gas, electric, water, sewer) required by the utility company for all customers;

8) Utility payment can be for up to 24 months per program participant, per service, including up to 6 months of utility payments in arrears, per service. A partial payment of a utility bill counts as one month. This assistance may only be provided if the program participant or a member of the same household has an account in his or her name with a utility company or proof of responsibility to make utility payments. Eligible utility services are gas, electric, water, and sewage. No program participant shall receive more than 24 months of utility assistance within any 3-year period.

9) OHCS recommends that subgrantees and subrecipients develop a written policy regarding to whom the landlord and utility companies will refund security and utility deposit payments. Any policy must be applied

Draft Edits Only

~~consistently for all program participants. Any deposit funds returned to subgrantee is program income and must be documented as match. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.~~

~~10) Financial assistance cannot be provided to a program participant who is receiving the same type of assistance through other public sources or to a program participant who has been provided with replacement housing payments under the URA, during the period covered by the URA payments. Financial assistance refers to: rental application fees, security deposits and eligible fees, last month's rent, utility deposits and arrearages, utility payments and moving costs.~~

~~11) Housing Relocation and Stabilization Services~~

~~12) ESG funds can be used to provide the following services:~~

~~13) Housing search and placement including assessment of client housing barriers, needs, and preferences; housing search and landlord recruitment, assistance with rental applications and agreements, ensuring housing compliance with habitability and other housing related requirements;~~

~~14) Housing Stability Case Management including client eligibility and service needs assessment, development of individualized housing and~~

Draft Edits Only

~~service plans, conducting required re-evaluations and follow-up, and coordinating access to other federal, state and local benefits;~~

~~15) Mediation services to prevent the tenant from losing their housing including mediation between tenant and landlord, household members, neighbors or others impacting the tenant's housing stability;~~

~~16) Legal Services pertaining to certain legal matters as identified in 24 CFR 576.102(a)(1)(vi) that are necessary to resolve in order for program participant to obtain or maintain stable housing; and~~

~~17) Credit Repair including credit counseling, household budgeting, money management, obtaining credit reports and resolving credit related barriers to housing stability.~~

~~18) Short- and Medium-Term Rental Assistance~~

~~19) A participant can be provided up to 24 months of rental assistance during any 3-year period. Rental assistance can include payment of rent arrearages for tenant or project-based housing. Duration of rental assistance must minimally comply with program standards including:~~

~~20) *Short-Term Assistance* is for up to 3 months' rent;~~

~~21) *Medium-Term Assistance* is more than 3 months, no more than 24 months; and~~

~~22) *Payment of Rent Arrearages* must be a one-time payment of up to 6 months' rent, including late fees. If arrears are owed to a previous landlord, these arrears may be paid, but only when there is documented evidence that payment of the arrears is necessary for the participant to obtain permanent housing and maintain stability in that housing.~~

~~23) *Lease Break Fee.* If a program participant receiving short- or medium-term rental assistance meets the conditions for an emergency transfer under 24 CFR 5.2005(e), ESG funds can be used to pay amounts owed for~~

Draft Edits Only

breaking a lease to allow for an emergency transfer. These costs are not subject to the 24-month limit on rental assistance.

24) Subgrantee and subrecipients must comply with department minimum standards and Continuum of Care standards once developed regarding rental assistance. Subgrantee and subrecipient can establish their own written requirements beyond these standards upon review and approval by OHCS. Any subgrantee and subrecipient determined requirements must be applied consistently for all program participants within each ESG-funded program.

25) Rental Assistance can be either tenant-based or project-based. Tenant-based rental assistance allows program participants to select a housing unit. If the participant chooses to move to another location within the service area, the rental assistance can go with them to the new unit. Project-based rental assistance requires the subgrantee or a contracted agency to identify permanent housing units that meet ESG requirements. Subgrantee and subrecipients enters into a rental assistance agreement with the owner to reserve the unit and provides the unit at a subsidized rent to eligible program participants.

26) For program participants living in housing with project-based rental assistance, the lease must have an initial term of one year.

27) Under Rapid Re-housing, a subgrantee and subrecipient can provide tenant-based rental assistance to a program participant that chooses a unit in which the subgrantee and subrecipient has an ownership interest. However, the subgrantee and subrecipient cannot exclusively direct a program participant to a unit it owns, nor can it carry out the initial evaluation to determine eligibility for the assistance – another agency must make that determination. The participant's file must include documentation that the program participant had a choice of other units.

28) A subgrantee and subrecipient must receive a HUD approved waiver to provide project-based assistance for a unit where the subgrantee and subrecipient has ownership interest. A waiver is also required to provide Homelessness Prevention rent assistance to a participant residing in a unit owned by the subgrantee and subrecipient. The waiver is necessary

Draft Edits Only

because the rental agreement must be between the subgrantee or subrecipient and housing owner and it is not possible for the subgrantee or subrecipient to create such an agreement with itself. Waiver requests must be submitted to OHCS for review and submission to HUD.

29) Except for a one-time payment of rental arrears, rental assistance cannot be provided to a program participant who is receiving tenant-based rental assistance or living in a housing unit receiving project-based rental assistance or operating assistance, through other public sources. Rental assistance may not be provided to a program participant who has received replacement housing payments under the URA during the period covered by the URA payments.

30) Rental Agreement and Lease

Short- and medium-term rental assistance requires both a rental assistance agreement signed by the subgrantee or subrecipient and landlord and a lease signed by the program participant and landlord. Subgrantees and subrecipients are required to make rental assistance payments only to a landlord with whom subgrantee or subrecipient has entered into a rental assistance agreement. The rental assistance agreement sets out the terms under which rental assistance will be paid. A rental assistance agreement is a separate document from the rental lease. There is no requirement that the

Draft Edits Only

~~term of the lease coincide with the term of the rental assistance agreement if they are both in effect during the time ESG-funded rental assistance is provided.~~

~~A rental assistance agreement must set forth the terms under which rental assistance will be provided, including the following requirements:~~

- ~~The landlord shall give the agency a copy of any notice to the program participant to vacate the housing unit, or any complaint used under state or local law to commence an eviction action against the program participant;~~

- ~~Payment due date, grace period, and late payment penalty requirements will be the same as documented in the program participant's lease;~~

- ~~If the rental assistance is tenant-based or project-based;~~

- ~~If the subgrantee and subrecipient incurs late payment penalties, it is the sole responsibility of the agency to pay those penalties, using non-ESG funds;~~

- ~~If the subgrantee and subrecipient requires the program participant to pay a portion of the monthly rental cost, the amount of rent to be paid by each party; and~~

- ~~The amount to be paid by the subgrantee and subrecipient for payment of rent arrears, number of months covered, any other terms and conditions of the payment, and certification the program participant is eligible, and landlord has provided sufficient evidence of the rent arrears and that payment of such arrears is necessary for the participant to obtain permanent housing and maintain stability in that housing.~~

~~**If the only cost being paid with ESG funds is rent arrears, a rental assistance agreement is needed, but a current lease is not. When the assistance is solely for rent arrears, an oral agreement may be accepted in place of a written lease, if the agreement gives the program participant an enforceable leasehold interest under state law and the agreement and rent owed are sufficiently documented by the owner's financial records, rent ledgers or canceled checks.**~~

~~31) Rent Reasonableness Determination~~

~~2.~~ ~~Subgrantee and subrecipient must determine whether the gross rent of a particular unit is a reasonable rent in comparison to rent for other comparable unassisted units. To make this determination, subgrantee must consider 1) the location, quality, size, unit type, and age of the contract unit; and 2) any amenities, housing services, maintenance, and utilities to be provided by the owner in accordance with the lease. The unit's gross rent must be comparable to the rent reasonableness rent for the unit to be considered for rental assistance.~~

Draft Edits Only

3. Subgrantee and subrecipient must determine the review method(s) they will use to establish rent reasonableness standards for their area (e.g.; A list of comparable rents can be compiled by using a market study of rents charged for units of different sizes or by reviewing advertisements for comparable rental units). To learn how public housing authorities establish rent reasonableness for the Housing Choice Voucher program, review Chapter 9 of the HUD Housing Choice Voucher Program Guidebook. The link to the Guidebook is in the appendices of this manual.

4. Comparable rents vary over time with market modifications. Rent Reasonableness standards must be reviewed periodically and adjusted to align with these rent market changes.

5. The Rent Reasonableness review completed for each unit must be documented in the client case file. A sample rent reasonableness form is included in the forms available on the OHCS web site.

1) Fair Market Rent (FMR) Requirement

6. HUD establishes FMRs to determine rent ceilings for HUD-funded rental assistance programs. HUD publishes the FMR schedule annually for 530 metropolitan areas and 2,045 non-metropolitan county areas. The link to HUD's FMR index is included in the appendices in this manual.

7. Gross rent for units in which ESG provides rental assistance must be the same or less than the FMR for that location. If subgrantee's and subrecipient's service area includes more than one county, subgrantee and subrecipient must use the appropriate FMR for the county in which the assisted rental unit is located. The applicable FMR data should be copied and placed in the client file to document the FMR for that participant's unit size and geographic area.

1) Calculating Gross Rent

8. Whether a household is seeking to maintain its current housing or relocate to another unit to avoid homelessness, or exiting homelessness into new permanent housing, the process for determining acceptable rent amounts is the same: the gross rent (rent plus appropriate utility allowance) must 1) be no greater than the Fair Market Rent set by HUD and 2) fit within the limitations resulting from a rent reasonableness analysis. If the gross rent for the unit exceeds either the rent reasonableness standard or FMR, the subgrantee and subrecipient is prohibited from using ESG funds for any portion of the rent, even if the household is willing and/or able to pay the difference.

9. Fair Market Rent and rent reasonableness requirements do not apply when a program participant receives only financial assistance or services. This includes rental application fees, security deposits, utility payments/deposits/arrearages, moving costs, housing search and placement, housing stability case management, landlord-tenant mediation, legal services, and credit repair.

10. A utility allowance is a projection of the cost of utilities the client will pay monthly while renting their unit. Subgrantee must determine the amount of utility allowance to be used in the calculation of gross rent. The local public housing authority maintains a utility allowance chart which considers the number of bedrooms and types of utilities in a unit (e.g.; gas and/or electric,

Draft Edits Only

water, sewer, and trash). Any utilities included in the rent payment must not also be included in the utility allowance calculation. Telephone, cable or satellite television service, and internet service are not counted as utility costs.

11. **To calculate the gross rent of a unit:**

12. **total contract rent amount of the unit**

13. **+**

14. **allowable* fees required for occupancy under the lease**

15. **+**

16. **, monthly utility allowance established by local public housing authority**

17. **=**

18. **Gross Rent Amount**

19. ***excludes late fees and pet fees**

20. **Example:**

21. A case manager wants to rapidly re-house a mother and son and has identified a 2-bedroom unit at a rent of $1,200 per month, not including utilities. The utility allowance for that size and type of unit is $150. Therefore, the gross rent is $1,350. A check of three similar units in the neighborhood reveals that the reasonable rent is $1,400 for that area of the city. However, the FMR for the jurisdiction is $1,300. This means the household cannot be assisted with ESG rental assistance in this unit because the gross rent exceeds the FMR.

22. Once a housing unit is determined to meet the FMR and rent reasonableness requirements, program funds can be used to pay for the actual utility costs. The utility allowance calculation is only used to determine whether the unit meets the FMR standard.

1) Eligibility Re-certification

Reassessments are required for homelessness prevention and rapid re-housing participants. Homelessness prevention reassessments are required every three months and must verify that a household continues to have an annual income at or below 30% of area median income and lacks the resources or support to retain or obtain appropriate permanent housing. Rapid re-housing assessments are required at least once per year to verify that a household's income is at or below 30% area median income and they lack the resources and support networks to retain or obtain appropriate permanent housing. If a client informs staff of an income change, but is not required by the subgrantee and subrecipient to notify staff of a change in circumstances that may affect eligibility, there is no immediate effect on the client's eligibility and assistance can continue until the next required re-evaluation.

Draft Edits Only

2) Housing Stability Case Management

ESG funds may be used to pay the cost of assessing, arranging, coordinating, and monitoring the delivery of individualized housing stabilization services to a program participant already in permanent housing (not to exceed 24 months) or to assist a program participant to overcome immediate barriers to obtaining housing (not to exceed 30 days).

While providing homelessness prevention or rapid re-housing assistance to a program participant, the recipient or subrecipient must

(a) Require the program participant to meet with a case manager not less than once per month to assist the program participant in ensuring long-term housing stability; and

(b) Develop a plan to assist the program participant to retain permanent housing after the ESG assistance ends, taking into account all relevant considerations, such as the program participant's current or expected income and expenses; other public or private assistance for which the program participant will be eligibility and likely to receive; and the relative affordability of available housing in the area. Plans are required to be client driven, using input and goal setting by the client.

Case management includes the following services:

- Using a coordinated entry process (upon the CoC's development or approval of this system);
- Conducting initial evaluation, including verification and documentation of eligibility;
- Developing, securing and coordinating services;
- Obtaining federal, state, and local benefits;
- Monitoring and evaluating participant's progress in the program;
- Developing an individualized, client driven housing stability service plan; **and**
- Conducting re-evaluations of participant's eligibility and types and amounts of assistance needed.

BBB. HMIS / Data Collection Costs

CCC. Eligible HMIS costs for ESG recipients and subrecipients include HMIS user fees, salaries for staff entering HMIS data for the ESG recipient or subrecipient, hardware and software costs of participation, and other eligible activities as needed to support the ESG recipient or subrecipient to comply with HMIS requires of the ESG grant. See 24 CFR 576.107 (a)(1) and (a)(2).

DDD. Purchasing or leasing computer hardware;

EEE. Purchasing software or software licenses;

FFF. Purchasing or leasing equipment, including telephones, fax machines, and furniture;

GGG. Obtaining technical support;

HHH. Leasing office space;

III. Paying charges for electricity, gas, water, phone service, and high-speed data transmission necessary to operate or contribute data to the HMIS;

Draft Edits Only

JJJ. Paying salaries for operating HMIS, including:

KKK. Completing data entry;

LLL. Monitoring and reviewing data quality;

MMM. Completing data analysis;

NNN. Reporting to the HMIS Lead;

OOO. Training staff on using the HMIS or comparable database; and

PPP. Implementing and complying with HMIS requirements;

QQQ. Costs of staff to travel to and attend HUD-sponsored and HUD-approved training on HMIS and programs authorized by Title IV of the McKinney-Vento Homeless Assistance Act;

RRR. Paying staff travel costs to conduct intake;

SSS. Paying participation fees charged by the HMIS Lead, and

TTT. If the subgrantee or subrecipient is a Victim Services Provider (VSP) or a legal services provider, it can use ESG funds to establish and operate a comparable database that collects client-level data over time (i.e., longitudinal data) and generates unduplicated aggregate reports based on the data. Information entered in a comparable database must not be entered directly into or provided to an HMIS.

UUU. Ineligible Activities and Costs

Ineligible activities that cannot be funded with ESG include, but are not exclusive to:

- replacement of existing mainstream resources;
- payments made directly to program participants;
- payments on a mortgage or land contract, rent to own, or lease to purchase;
- payment of rent for eligible individuals or families for the same period of time and for the same cost types being assisted through any other federal, state, or local housing subsidy program – financial assistance, such as payment of security deposits, is allowed if that cost is not eligible under the other subsidy program;
- payment of pet deposits or pet care;
- payments on credit card bills or other consumer debt, including child support or garnishments;
- provision of cash assistance;
- purchase of gifts cards for participants for any purpose;
- payment of costs of discharge planning programs in mainstream institutions such as hospitals, nursing homes, jails, or prisons; **and**
- payment for religious activities (**Note:** While organizations that are religious or faith-based are eligible to receive ESG funds, religious activities must be conducted separately, in time and location, from ESG-funded activities and participation must be voluntary for program participants).

Draft Edits Only

4. Housing and Facility Standards

A. Occupancy Standards

Occupancy standards provide consistent criteria for determining the size of the permanent housing unit for which the household is eligible and thus, the amount of assistance to be provided.

Subgrantee and subrecipient may choose to use the occupancy guidelines set by the Housing Choice Voucher Program, 24 CFR 982 Subpart I: 982.401(d), or develop their own standards. Subgrantee and subrecipient must develop a written policy outlining their occupancy standards requirements and use those standards consistently. Such policy must be available to OHCS during OHCS monitoring. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

B. Habitability Standards

All housing units supported with program funds must meet HUD Habitability Standards. Habitability Standards are different from the Housing Quality Standards (HQS) used for HOME and HOME TBA programs. Because the HQS criteria are more restrictive than the Habitability Standards, subgrantee and subrecipient could use either standard for shelter or rental assistance funded with ESG. Housing also needs to be compliant with local housing codes relating to occupancy, health, and safety standards and the program must comply with the more stringent of the two.

1) Permanent Housing

Minimum habitability standards for permanent housing include requirements for:

- structure and materials;
- personal space and security;
- interior air quality;
- water supply;
- sanitary facilities;
- heating and cooling operating equipment;
- natural and electrically produced light;
- area for food preparation;
- safe and sanitary project maintenance; **and**
- fire safety.

For households moving into a new unit, the unit must meet habitability standards before the lease is signed and the household moves in. For households already residing in a unit, the unit must meet habitability standards before financial or rental assistance can be provided.

Draft Edits Only

2) Shelters

In addition to established housing codes, habitability standards for shelters in which ESG funds are used must be in compliance with CFR 576.403(b) which includes requirements for the following:

- structure and materials;
- access to and within the shelter;
- personal space and security;
- interior air quality;
- water supply;
- sanitary facilities;
- heating and cooling operating equipment;
- natural and electrically produced light;
- area for food preparation;
- safe and sanitary facility maintenance; **and**
- fire safety/smoke detectors.

More information about habitability requirements is included in the appendices section of this manual and a habitability standards checklist is available on the OHCS website.

C. Lead-Based Paint Requirements

Federal lead-based paint requirements apply any time federal funds are used for housing assistance and the living space or unit was built prior to 1978, except housing for the elderly or persons with disabilities (unless any child who is less than 6 years of age resides or is expected to reside in such housing, then the requirements do apply) or any 0-bedroom dwelling. The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821-4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851-4856), and implementing regulations in 24 CFR part 35, subparts A, B, H, J, K, M and R apply to all shelters assisted with ESG funding and all housing occupied by program participants.

The following subparts of HUD's implementing regulations at 24 CFR part 35 include:
Subpart A – Lead disclosure rule
Subpart B – General requirements
Subpart H – Project-based assistance
Subpart J – Rehabilitation
Subpart K – Acquisition, leasing, support services, or operation
Subpart M – Tenant-based rental assistance
Subpart R – Methods and standards for hazard evaluation and reduction

Subgrantee and subrecipient must provide the lead hazard information pamphlet to any resident who will be residing in a unit built before 1978. The tenant must receive the pamphlet before moving into the unit. If subgrantee and subrecipient can document the tenant received the pamphlet previously, subgrantee and subrecipient is not required to provide it again.

Draft Edits Only

For units older than 1978 which will house one or more children under the age of 6, landlord and tenant must complete a Lead-Based Paint Disclosure form (see OHCS website for sample form). The form describes any known current or previous lead-based paint hazards, and documents tenant's receipt of records and the lead hazard information pamphlet. Additionally, a visual lead-based paint assessment must be completed by a person trained in this inspection process. The inspection may be completed in conjunction with the habitability inspection if the inspector is qualified. At Intake, it should be noted on the Application Form if there will be any child in the household younger than 6 years. This information should be provided to the habitability inspector prior to their examination of the proposed rental unit.

If a notification is received from a public health department or other medical health care provider that a child of less than 6 years of age living in a unit funded by ESG rental assistance, has an elevated blood lead level, an environmental investigation of the dwelling unit and common areas servicing the dwelling unit in which the child lived, regardless of whether the child is still living in the dwelling. For more information, see 24 CFR 35.730 and 35.1225.

Essential service activities, such as, counseling, case management, street outreach, referrals to employment, etc., are exempt and excluded from the lead-based paint inspection requirements.

D. Environmental Review

Subgrantee, subrecipient and their contractors shall not rehabilitate, convert, or renovate a shelter or prospective shelter until OHCS has performed an environmental review under 24 CFR part 50. Subgrantee and subrecipient shall supply all available, relevant information necessary for OHCS to perform any environmental review required by 24 CFR Part 50. Subgrantee and subrecipient must carry out mitigating measures required by HUD or select alternate eligible property. OHCS may eliminate from consideration any application that would require an Environmental Impact Statement (EIS).

Environmental reviews must also be completed for any project-based or leased housing assistance paid with ESG funding.

5.A. Client Confidentiality

A. General Requirements

Confidential records include all applications, records, files, and communications relating to applicant for, and participants, of ESG funded services regardless of hard copy or electronic format.

Subgrantees must have a stand-alone policy for the confidentiality of applicant/participant records. Such policy must include:

1) Identification of how all applicant/participant records are secured and confidentially maintained;

2)1) A statement that all applicant/participant records must be maintained within state guidelines for the proper retention and destruction of records;

Draft Edits Only

3)1) A requirement that all subgrantee officers, employees and agents are aware of and comply with the subgrantee's confidentiality policy and must include an acknowledgement of such policy, in writing;

4)1) A provision for the electronic collection of applicant/participant information which states that:

a. Computer terminals must be located in a secure location, limiting access to only those persons who have a legitimate interest in and are responsible for applicant/participant records;

b.a. Computer monitors must be cleared (or a screen saver activated) immediately after accessing a(n) applicant/participant record;

c.a. Computer terminals must be on a "locked" mode or turned off if the terminal is unattended; and

d.a. Access to personally identifiable HMIS data shall be given to only authorized personnel as necessary for performing the work required for ESG funded programs; and

5)1) 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 ESG funded programs.

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

B.A. Victims of Domestic Violence

The address and location of ESG funded 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 location 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.

C.A. 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 that describes how the subgrantee or subrecipient are providing this Privacy Notification verbally to applicant/participants.

A Privacy Notification must be provided to applicant/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

Draft Edits Only

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.

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

6. Grievance and Conflict of Interest Policies

A. Grievance and Appeals Process

Subgrantees are required to have an established, written stand-alone policy for addressing applicant/participant grievances/appeal requests. 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 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 must include the following components:

- 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;

Draft Edits Only

- Informs the participant/applicant of the reason for termination, denial, limitation, reduction, or modification of benefit;
- Allows any aggrieved person a minimum of thirty (30) days to request an administrative review/appeal of such decision;
- 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;
- Identifies what reasonable accommodations are available for applicants/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
- Informs the applicant/participant and OHCS in writing of the final determination and basis for the decision within ten (10) 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.

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

B. Conflict of Interest

In the performance of work under EHA, (DRF/DRF VET), ERA and SHAP, 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 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.

Draft Edits Only

1) Organizational

The provision of any type or amount of ESG 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. A subgrantee and subrecipient is prohibited from conducting a participant's intake assessment to determine program eligibility if the participant resides in housing where the subgrantee subrecipient has ownership interest. Subgrantee and subrecipient must find another independent organization that is also an ESG grantee to do the intake assessment and ensure that all program participants are eligible even if the subgrantee and subrecipient has a waiver of the conflict of interest requirements. Conflict of interest waivers regarding rent assistance and rental agreement requirements can only be approved by HUD. If a subgrantee and subrecipient wishes to apply for a waiver, they must contact the OHCS homeless pProgram coordinator Analyst or manager Assistant Director for guidance in submission of a waiver request which must be approved by OHCS who will then submit to HUD. See 24 CFR 576.404(a).

Subgrantees and subrecipients cannot steer potential renters for 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 enter into 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.

Subgrantee and subrecipient must keep records to show compliance with ESG program organizational conflicts of interest requirements.

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 and subrecipient agency. No person who exercises or has exercised any functions or responsibilities with respect to activities assisted under the ESG program, or who is in a position to participate in a decision-making process or gain inside information with regard to activities assisted under the Program, 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 family or business ties, during his or her tenure or during the one-year period following his or her tenure.

Upon the written request of OHCS, HUD may grant an exception to the provisions of this paragraph on a case-by-case basis. Subgrantees and subrecipient wishing an exception

must submit requests to OHCS for review and forwarding to HUD. There is no guarantee that an exception will be approved.

Subgrantee must have a Conflict of Interest stand alone policy 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.
5. Identifies how records are kept of perceived, potential, or actual conflicts of interest.

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

A. Fair Housing

A. Affirmative Outreach

Subgrantee and subrecipient must communicate and make known that use of ESG funded facilities, assistance and services are available to all on a nondiscriminatory basis.

Subgrantee and subrecipient must develop and implement affirmative outreach written procedures and communication tools and materials to inform persons without regard to race, color, ethnicity, religion, sex, age, national origin, familial status, or disability, how to obtain access to facilities and services. If it appears the procedures subgrantee and subrecipient intends to use to accomplish this will not reach persons of any particular race, color, religion, sex, age, national origin, familial status, or disability who may qualify for those activities and services, subgrantee and subrecipient must establish additional procedures to ensure those persons are made aware of assistance opportunities.

Reasonable accommodations for persons with disabilities must be available to ensure participants with disabilities have an equal opportunity to utilize housing, including shelters, and receive essential services. Greater levels of accessibility may be required for some shelters in compliance with The Americans with Disabilities Act (ADA).

Outreach efforts must comply with Program Standard #3 – *Emergency Shelter Operations (Safety and Accommodations for Special Populations)* located under *General Program Requirements* of this manual.

Subgrantee and subrecipient must document their compliance with federal affirmative outreach requirements. Subgrantee and subrecipient must have available for review records

Draft Edit

demonstrating compliance with state and federal nondiscrimination and equal opportunity rules, including data concerning race, ethnicity, disability status, sex, and family characteristics of persons and household who are applicants for, or program participants in, any program or activity funded in whole or in part with ESG funds and the affirmative outreach requirements above.

B.A. Nondiscrimination and Equal Access

Subgrantees are required to comply with all state and federal statutes relating to nondiscrimination. Subgrantee must have a stand-alone policy 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)(a) Deny an application for housing assistance or services;
   (c)(a) Set different terms, conditions or privileges for housing assistance or services;
   (d)(a) Provide different or specific housing, facilities or services;
   (e)(a) Falsely deny that housing is available for inspection or rental or that services are available;
   (f)(a) Deny anyone access to a facility or service; or
   (g)(a) 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.

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 application or provide information on services or available housing to any protected class, even if these groups do not fit into your targeting strategy, is prohibited.

Screening criteria cannot be discriminatory and must be consistently applied. 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 or prioritization policy.

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

Draft Edits Only

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.

Equal Access

HUD has published a final rule in the Federal Register entitled "Equal Access in Accordance with an Individual's Gender Identity in Community Planning and Development Programs." HUD ensures housing programs will be open to all eligible individuals and families regardless of sexual orientation, gender identity, or marital status. Subgrantees and subrecipients of CPD funding, 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 CPD 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.

Policies and procedures to protect privacy, health, safety, and security, shall be established or amended, as necessary, and administered in a nondiscriminatory manner to ensure that:

- Equal access is provided in accordance with gender identity;
- In single-sex facilities, individuals are placed, served and accommodated in accordance with one's gender identity;
- Individuals are not subjected to intrusive questioning or asked to provide anatomical information or documentary, physical, or medical evidence of the individual's gender identity; and
- Nondiscriminatory steps are taken to address privacy concerns, including updating operating policies and procedures.

Subgrantees and subrecipients must provide the Notice of Equal Access to clients receiving housing assistance. The Notice of Equal Access form can be found on the OHCS HSS Dashboard.

C.A. Limited English Proficiency

The Federal government has issued a series of policy documents, guides and regulations describing how subgrantees and subrecipient address the needs of persons who have limited English proficiency (LEP). The abbreviated definition of persons with limited English proficiency is 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 that describes the following:

1) The actions subgrantee took to identify LEP populations in their service area and cites any source(s) used for evaluation;
2)1) Defines actions subgrantee will take to provide language assistance and address language barriers;

Draft Edits Only

3)1) States how and how often staff will receive training about assisting LEP persons; and

4)1) Identifies that, minimally, LEP populations are evaluated biennially and that updates to the LEP Policy incorporate any needed changes to address new or emerging LEP populations.

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

Subgrantees and subrecipient 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".

B. Data Requirements

A. Data Entry

Subgrantees and their subrecipients are required tomust enter reliable, valid, and accurate ESG- related participant and service data into the applicable community-wide HMIS in the area in which those people and activities are located, in accordance with HUD's standards on participation, data collection, and reporting under a local HMIS (24 CFR 576.400(f)). Homeless Management Information System (HMIS) being operated in their geographic Continuum of Care (CoC).

Please note: If the subgrantee or subrecipient is a victim service provider or a legal services provider, 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 must not be entered directly into or provided to an HMIS (24 CFR 576.400(f)).

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 their CoC's HMIS Data Quality Plan and OHCS's data standards.

HUD-defined Victim Service Providers (VSPs) must enter information into a comparable database system that meets HUD HMIS standards.

Draft Edits Only

B. Data Timeliness

Timely and accurate data entry is critical to ensuring meaningful data analysis and reporting. For all project types, OHCS requires that subgrantees and subrecipients must enter data within two business days, unless the local Continuum of Care requires more stringent timeliness or sooner, depending on local CoC HMIS policies. It isIn addition, highly recommended for project types such as Emergency Shelter and Coordinated Entry that may require even more stringent data timeliness standards are applied.

C. Data Entry Requirements for Emergency and Transitional Shelters

Subgrantees and subrecipients must report participants who are sheltered overnight for eEmergency shelters,or transitional shelters, andor hotel/motel vouchers.

are required to report participants who are sheltered overnight. Overnight date-in and date-out must be 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

Using ShelterPoint and OHC .for new project is required and shifting to ShelterPoint for existing projects. Facility, congregate based programs, must be 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 HMISOHCS and . Each allowable service must be represented with a Service Transaction. Same-day services will have the same Service Start and End Date. Service Transactions for Homelessness Prevention and Rapid Re-Housing costs, including all payments, arrearages, deposits, fees, landlord engagement and client non-categorical services, must include a HMIS Fund Source and Amount. An HMIS entry/exit and Service Transaction is required for both services-only and day-access shelter types.

E. Required Data Elements

Universal, program specific, and OHCS required Data Elements must be collected in HMISOHC and and are specific to program and project type. Refer to the Data Collection Requirement by Program and Project Type document that can be found on the HSS dashboard for applicable data elements specific to ESG.

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 required client-level data into a comparable database that is comparable to and complies with all HUD HMIS requirementsOHCS and .

Draft Edits Only

~~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.~~

A. Data Submission and Reporting Requirements

~~C. Submissions/Reporting Requirements~~

~~It is critical and subgrantees must 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 or after the deadline will be considered by OHCS to be late and out of compliance with requirements.~~

~~Subgrantees must enter complete, accurate, timely data and must monitor and confirm the quality of their data on a monthly basis.~~ ~~**System Query Data**~~

~~Subgrantees must directly submit or automate the export of disaggregated HMIS participant, program and service transaction data twenty (20) 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 as the HMIS annual report.~~

~~**Aggregated Quarterly Reports**~~

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

~~**Bed/Unit Inventory**~~

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

~~**Program Delivery Annual Report**~~

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

~~**Fiscal**~~**ESG Match Report**

~~The AGR/FSR is due to OHCS by the 60th day following the end of the fiscal year (see Funds Rollover section) and must be submitted within OPUS within this timeline~~Subgrantees are required to submit an ESG Match Report in compliance with 24 CFR 576.201, within 20 days following the end of each fiscal quarter (Oct 20, Jan 20, Apr 20, Jul 20). The ESG Match Report can be found on the HSS Dashboard at: https://app.smartsheet.com/b/publish?EQBCT=8a215621578a4f76ae98113d719d5e64.

Draft Edits Only

~~7. At the discretion of OHCS, other reports can be required when deemed necessary by OHCS and subgrantees are subject to such requirement.~~

~~8. 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.~~

~~9. Failure to provide required data or reports may result in a non-monetary finding in the Monitoring Report.~~

~~10. System-Wide Performance Requirements~~

~~11. The Oregon Legislative Fiscal office adopted a set of criteria that agencies must meet when developing key performance measures. In alignment with the federal and state strategic plans to end homelessness, OHCS has established the following key performance measure:~~

~~12. Percentage of homeless households who exited into permanent housing and retained that housing for six months or longer (statewide target 80%).~~

~~13. This key performance measure uses HMIS as the primary data source.~~

~~G.~~B. Recordkeeping

a. Client File Documentation

Documentation of participant eligibility, services received and funds expended must be maintained in 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

Draft Edits Only

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.

A participant services or housing plan is required for those participants **receiving more than one time only** services and must be in the case file. Existing assessments and active case plans with other providers can be used and included in the participant file.

Drop-in or mass shelter facilities that provide bed nights and no case management must maintain sign-in attendance documentation that includes shelter resident self-certification of their homeless status. All other shelter provisions, including issuance of hotel/motel vouchers as a part of shelter strategy, require that participant eligibility documentation be maintained in the participant file.

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. Sample forms are available on the OHCS website.

At the minimum, client files must contain the following, if applicable to subgrantee's and subrecipient's service to the program participant:

- Verification of use of coordinated entry;
- Evidence of provision of a Privacy Notification and/or Signed Release of Information;
- Intake form and assessment of household needs;
- homeless or at risk of homelessness verification;
- Evidence applicant has no subsequent housing options and lacks sufficient resources to retain housing, but is not homeless;
- Rent Reasonableness documentation;
- Habitability Standards verification;
- Lead-based Paint visual assessment;
- Signed Lease Agreement;
- Signed Rental Assistance Agreement;
- Verification of client income;
- Amount and type of essential emergency shelter services provided;
- Re-evaluations of eligibility;
- Housing Plan and housing assistance provided;
- Verification of outstanding rent arrears;
- Evidence of client receipt of Grievance/Appeals Procedures;
- VAWA Addendum, Notice of Occupancy Rights, and Emergency Transfer Plan;

Draft Edits Only

- Notice on Equal Access;
- Case notes;
- Evidence of referrals, if provided;
- Documentation of payments made on client's behalf; **and**
- Written notice of program termination.

b. Electronic Files

~~Electronic Files~~

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.

~~Records Access~~

~~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.~~

~~Records Retention~~

~~Subgrantees, subrecipient organizations and subrecipient organization's subrecipients shall retain all program records pertinent to applicant/participant services and expenditures incurred under ESG 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:~~

~~(http://arcweb.sos.state.or.us/pages/recmgmt/sched/state.html);~~

~~Find the State Agency General Records Retention Schedules at the Oregon State Archives:~~

~~(http://arcweb.sos.state.or.us/pages/rules/oars_100/oar_166/166_300.html).~~

~~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,~~

Draft Edits Only

papers, plans, and writings for a minimum of **(6) six years**, or such longer period as may be required by applicable law, whichever date is later. 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 ESG funding, or until the conclusion of any audit, controversy or litigation arising out of, or relating to, ESG.

c. Available Forms

Sample program forms and reference documents are available for download from the OHCS HSS Dashboard. Subgrantee and subrecipient can use these sample standard forms or acceptable equivalents when administering its ESG-funded program. Any alternate form must collect all data requested on the standard form. Required forms must be used in the form and format required by OHCS. OHCS encourages the use of the standard forms for consistency and ease of monitoring and compliance.

Available Forms

Sample program forms and reference documents are available for download from the OHCS HSS Dashboard. Subgrantee and subrecipient can use these sample standard forms or acceptable equivalents when administering its ESG-funded program. Any alternate form must collect all data requested on the standard form. Required forms must be used in the form and format required by OHCS. OHCS encourages the use of the standard forms for consistency and ease of monitoring and compliance.

A. Client File Documentation

B. **Documentation of participant eligibility, and services received and funds expended must be maintained in 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.**

C. **A participant services or housing plan is required for those participants receiving more than one time only services and must be**

Draft Rules Only

~~in the case file. Existing assessments and active case plans with other providers can be used and included in the participant file.~~

~~D. Drop-in or mass shelter facilities that provide bed nights and no case management must maintain sign-in attendance documentation that includes shelter resident self-certification of their homeless status. All other shelter provisions, including issuance of hotel/motel vouchers as a part of shelter strategy, require that participant eligibility documentation be maintained in the participant file.~~

~~E. 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~~

Draft Edits Only

~~documentation of case files. Sample forms are available on the OHCS website.~~

F. ~~At the minimum, client files must contain the following, if applicable to subgrantee's and subrecipient's service to the program participant:~~

- ~~Verification of use of coordinated entry;~~
- ~~Evidence of provision of a Privacy Notification and/or Signed Release of Information;~~
- ~~Intake form and assessment of household needs;~~
- ~~homeless or at risk of homelessness verification;~~
- ~~Evidence applicant has no subsequent housing options and lacks sufficient resources to retain housing, but is not homeless;~~
- ~~Rent Reasonableness documentation;~~
- ~~Habitability Standards verification;~~
- ~~Lead-based Paint visual assessment;~~
- ~~Signed Lease Agreement;~~
- ~~Signed Rental Assistance Agreement;~~
- ~~Verification of client income and assets;~~
- ~~Amount and type of essential emergency shelter services provided;~~
- ~~Re-evaluations of eligibility;~~
- ~~Housing Plan and housing assistance provided;~~
- ~~Verification of outstanding rent arrears;~~
- ~~Evidence of client receipt of Grievance/Appeals Procedures;~~
- ~~VAWA Addendum, Notice of Occupancy Rights, and Emergency Transfer Plan;~~
- ~~Notice on Equal Access;~~

Draft Edits Only

- ~~Case notes;~~
- ~~Evidence of referrals, if provided;~~
- ~~Documentation of payments made on client's behalf; and~~
- ~~Written notice of program termination.~~

d. Records of Domestic Violence Survivors

Subgrantees and subrecipients are required to implement procedures to ensure confidentiality of records pertaining to any individual who is provided family violence prevention, treatment, or other services. Subgrantees and subrecipients must also certify that the address of a family/individual violence shelter will not be made public without permission of the shelter or housing agency.

~~A. Electronic Files~~

~~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.~~

~~14.1. Records Access~~

~~15.1. 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.~~

~~16.1. Records Retention~~

~~17.1. Subgrantees, subrecipient organizations and subrecipient organization's subrecipients shall retain all program records pertinent to applicant/participant services and expenditures incurred under ESG 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:~~

~~18.1. (http://arcweb.sos.state.or.us/pages/recmgmt/sched/state.html);~~

~~19.1. Find the State Agency General Records Retention Schedules at the Oregon State Archives:~~

~~20.1. (http://arcweb.sos.state.or.us/pages/rules/oars_100/oar_166/166_300.html).~~

~~21.1. Subgrantees, subrecipient organizations and subrecipient organization's subrecipients shall retain and keep accessible all such **fiscal and program records**, applicant/participant records, digital~~

Draft Edits Only

and electronic records, books, documents, papers, plans, and writings for a minimum of **(6) six years**, or such longer period as may be required by applicable law, whichever date is later. 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 ESG funding, or until the conclusion of any audit, controversy or litigation arising out of, or relating to, ESG.

22.1. Available Forms

23.1. Sample program forms and reference documents are available for download from the OHCS HSS Dashboard. Subgrantee and subrecipient can use these sample standard forms or acceptable equivalents when administering its ESG-funded program. Any alternate form must collect all data requested on the standard form. Required forms must be used in the form and format required by OHCS. OHCS encourages the use of the standard forms for consistency and ease of monitoring and compliance.

24.9. Financial Management

A. Administration

B. Subgrantees are allowed to use up to two and one-half percent (2.5%) of their total ESG allocation for administrative costs, including administrative costs for subrecipient organization with whom the subgrantee contracts. There is an expectation that administrative funds will be shared with subrecipients (partners and culturally specific organizations) commensurate to the services provided through the program by subrecipients.

Allowable administrative costs, including indirect cost allocations, benefit the organization as a whole and cannot be attributed specifically to a particular program. All amounts billed to administration must be supported by actual costs.

There is no universal rule for classifying certain costs as either direct or indirect under every accounting system. A cost may be direct with respect to some specific service or function, but indirect with respect to the award. Therefore, it is essential that each item of cost incurred for the same purpose be treated consistently in like circumstances either as a direct or an indirect cost in order to avoid possible double charging of awards and that this consistency is included in all grants received by the subgrantee, whether or not they originate from OHCS. Indirect costs must be in accordance with an organization's written cost allocation plan or Negotiated Indirect Cost Rate Agreement (NICRA) and must be consistently applied to all programs, whether OHCS-funded or not. Subgrantee/subrecipient cannot simply apply a flat percentage to the grant as

ndirect cost, but indirect costs must be for specific incurred expenses; however, such expense is not traced back to a single cost objective. Guidelines for d

termining direct and indirect costs charged to awards are provided in OMB 200.

Travel costs must be adequately documented and support business purposes (documentation is insufficient if verifying the reservation only and not the completed travel). Payment for travel expenses must be authorized in advance, in writing, unless the individual has previously been approved to travel by virtue of an approved description of job duties that include travel. Reimbursement of travel expenses does not count as wages or remuneration.

C. Record of travel expenditures must be kept, including purpose, mileage and payment. When reimbursing for meal, lodging and travel, subgrantees/subrecipients must use the U.S.

Draft Edits Only

General Services Administration per diem rates located at: https://www.gsa.gov/travel/plan-book/per-diem-rates or a travel rate that is established in the subgrantee's policies and applied consistently to all volunteers and employees for actual and necessary expenses backed by receipts. In the case of volunteers, the cost of meals when there is no overnight stay and no official state business meeting is reportable as income. Any funds expended on the reimbursement of expenses for travel must be appropriately documented and cannot be provided through a cash or cash equivalent payment

D. Allowable costs include, but are not limited to:

E. Senior executive management personnel salaries and benefits (unless they are directly involved in program operations), administrative staff travel costs;

F. Salaries, benefits and expenses for Ggeneral services such as accounting (finance), budget development, personnel, contracting, marketing, agency audit, agency insurance;

G. Board and commission member expenses(excluding meals), limited to $30 per day in which they are engaged in the performance of official duties. Members can also receive travel reimbursement. Payment of these expenses cannot be made through cash, gift cards, gas cards or other cash-equivalent means (ORS 292.495, DAS OSPA Reference Manual);

H. Organization-wide membership fees and dues specific to homeless systems and programs;

I. General agency facilities costs (including those associated with executive positions), such as rent, depreciation expenses (for building and equipment), and operation and maintenance (as part of the organization's direct or indirect cost allocation plan); and

J. Equipment rental/purchase, insurance, utilities, and IT costs that are not program specific but relate to agency wide administration.

Administrative costs must be charged to grant cost centers based on either a cost allocation plan or through use of an approved indirect cost rate in accordance with 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (also known as the "Super Circular").

Unallowable costs include, but are not limited to:

Late fees assessed due to a subgrantee/subrecipient failure to pay in a timely manner.

Subgrantee/subrecipient facility mortgage payments

Lobbying

K. Advance Requests for Funds

Generally, OHCS subgrantees to invoices expenses for reimbursement. However, sSubgrantee can request and be paid in advance. Such requests must be rare in nature, and subgrantees must provided it maintains or demonstrates the willingness to maintain both written procedures that minimize the time elapsing between the transfer of funds and disbursement, and subgrantees must also have internal financial management systems that meet the standards for fund control and accountability. See subgrantee's grant agreement/contract forthe Master Grant Agreement for all identified requirements and allowability. Such requests are subject to both OHCS fiscal and program analysts' approval.

Advance payments to a subgrantee must be limited to the minimum amounts 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 payments must be as close as is administratively feasible to the actual disbursements

Draft Edits Only

~~by the subgrantee for direct program or project costs and the proportionate share of any allowable indirect costs.~~

~~**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, or your comment can advise to "see attached.".** The comment and/or the attachment needs to provide enough detail to justify your request and demonstrate the impact to subgrantee's operations and cash flow. Below are some acceptable methods that can be used to justify an advance request:~~

1. ~~Wait list total, or expected demand, plus additional funds to serve participants over a specified period. Analysis must be provided on how any additional funds were calculated, expected number of households and amount per household.~~
2. ~~Amount needed to provide to one or more subrecipients, with an analysis of the calculated amount (projected volume or demand for subrecipient, number of households, etc.), while factoring in timelines for invoicing and processing~~
3. ~~Funds to meet subgrantee's upcoming payroll~~
4. ~~Participant intake completed in another system, or applications in process of approval~~

~~OHCS is mindful of subgrantee's operational needs and cash flow as they work to deliver critical programs. If there are additional questions or if a subgrantee would like to talk through the operational and cash flow needs they are experiencing, email they can contact Carol Wagner, Carol.Wagner@hcs.oregon.gov or by phone at 971-273-9235.~~

~~L.~~A. Program Match

Except as provided in the next paragraph and in accordance with 24 CFR 576.201, OHCS requires subgrantees to make matching contributions in an amount that equals ~~(100%)~~100 percent of the total ~~the~~ amount of ESG funds allocated by OHCS~~, including administration funds~~.

a. Sources of Match

Subgrantee can obtain matching contributions from any source (other than ESG), including any federal, state, local, and private sources. Subgrantee must ensure the laws governing any funds used as matching contributions do not prohibit the use of those funds as ESG match. Subgrantee must keep records of the source and use of contributions made to satisfy the match requirement in 24 CFR part 576.201

All sources listed as match must meet these criteria:

- The matching contribution must be made ~~after the date that HUD and OHCS sign the ESG Grant Agreement;~~within the Program's performance period – or the expenditure period as indicated in OPUS;

Draft Edits Only

~~Cash contributions must be expended within the expenditure deadline in 576.203;~~

~~Non-cash contributions must be made within the expenditure deadline in 576.203;~~

- Contributions used to match a previous ESG grant cannot not be used to match a subsequent ESG grant;
- Contributions that have been or will be counted as satisfying a match requirement of other federal funds cannot not be used as match for ESG funding;
-
- The matching funds must be used for ESG -eligible clients or~~and~~ activities; ~~**and**~~
-

~~If ESG funds are used to satisfy matching requirements of another federal program, funding from that program cannot be used to satisfy the matching requirements of ESG.~~

Possible sources of match, other than federal, state, or local grants include:

- Cash;
- The value or fair rental value of any donated material or building;
- The value of any lease on a building;
- Any salary paid to staff to carry out the program of the recipient; **and**
- The value of the time and services contributed by volunteers.

Services provided by individuals must be valued at rates consistent with those ordinarily paid for similar work by subgrantee. If subgrantee does not have employees performing similar work, the rates must be consistent with those ordinarily paid by other employers for similar work in the same labor market.

The value of any real property, equipment, goods, or services can be used as match provided the costs would be allowable if subgrantee had purchased them. Some non-cash contributions would be considered indirect costs if purchased by subgrantee; match for these contributions may be given only if subgrantee has established a special indirect cost rate for allocating the value of those contributions to individual projects or programs.

Costs paid by program income shall count as match if the costs are eligible ESG costs that supplement subgrantee's ESG program.

Subgrantee must keep records of the source and use of contributions made to satisfy the matching requirement. Records must indicate the fiscal year grant for which each matching contribution is counted, the allowable ESG activity that the matching sources are funding, and the method used to derive the value of ~~as well as how the value of~~ non-cash contributions ~~was derived~~. To the extent feasible, volunteer services must be supported by the same methods that subgrantee uses to support the allocation of regular personnel costs.

Draft Edits Only

b. Match Waiver

Subgrantees that are unable to meet the program's matching requirements may request for OHCS to waive all or a portion of their matching obligation. Such request must be made in writing through the OHCS Emergency Solutions Grant Match Waiver Request Form. Waivers are subject to the following restrictions:

- HUD limits the waiver to no more than $100,000 per program year award, and OHCS must pass that benefit to the subgrantees least capable of providing matching contributions (24 CFR 576.201(a)).
- OHCS will generally grant waiver requests at no more than $25,000 intervals per calendar quarter per program year award. If no subgrantees are issued a waiver in one quarter, OHCS may increase the waiver cap the next quarter.
- Subgrantees must submit relevant supporting documentation to substantiate their reasoning for the match waiver.

If OHCS denies the subgrantee's waiver request, the subgrantee must make matching contributions. If they are unable to do so, OHCS may deallocate a portion of the subgrantee's ESG award.

c. Reporting Requirements

Subgrantees must report a detailed list of the subgrantee's expenditures and amount of funds matched. This report will be on a form provided by OHCS and must be submitted in a cadence as required by OHCS.

~~M.~~

~~N. The first $100,000 of OHCS's ESG award from HUD is excluded and does not require match. OHCS may transfer, through an exception process, the benefit of HUD's exception to its subgrantee agencies that are least capable of providing matching contributions. Subgrantees not able to provide 100% match must contact the OHCS Homeless Program Analyst to discuss receiving an exception to the requirement.~~

~~O.A. Subgrantee can obtain matching contributions from any source (other than ESG), including any federal, state, local, and private sources. Subgrantee must ensure the laws governing any funds used as matching contributions do not prohibit the use of those funds as ESG match. Subgrantee must keep records of the source and use of contributions made to satisfy the match requirement in 24 CFR part 576.201~~

~~P.A. All sources listed as match must meet these criteria:~~

~~Q.A. The matching contribution must be made after the date that HUD and OHCS sign the ESG Grant Agreement;~~

~~R.A. Cash contributions must be expended within the expenditure deadline in 576.203;~~

~~S.A. Non-cash contributions must be made within the expenditure deadline in 576.203;~~

Draft Edits Only

~~T.A. Contributions used to match a previous ESG grant cannot not be used to match a subsequent ESG grant;~~

~~U.A. Contributions that have been or will be counted as satisfying a match requirement of other federal funds cannot not be used as match for ESG funding;~~

~~V.A. The matching funds must be used for ESG eligible clients and activities; and~~

~~W.A. If ESG funds are used to satisfy matching requirements of another federal program, funding from that program cannot be used to satisfy the matching requirements of ESG.~~

~~X.A. Possible sources of match, other than federal, state, or local grants include:~~

~~Y.A. Cash;~~

~~Z.A. The value or fair rental value of any donated material or building;~~

~~AA.A. The value of any lease on a building;~~

~~BB.A. Any salary paid to staff to carry out the program of the recipient; and~~

~~CC.A. The value of the time and services contributed by volunteers.~~

~~DD.A. Services provided by individuals must be valued at rates consistent with those ordinarily paid for similar work by subgrantee. If subgrantee does not have employees performing similar work, the rates must be consistent with those ordinarily paid by other employers for similar work in the same labor market.~~

~~EE.A. The value of any real property, equipment, goods, or services can be used as match provided the costs would be allowable if subgrantee had purchased them. Some non-cash contributions would be considered indirect costs if purchased by subgrantee; match for these contributions may be given only if subgrantee has established a special indirect cost rate for allocating the value of those contributions to individual projects or programs.~~

~~FF.A. Costs paid by program income shall count as match if the costs are eligible ESG costs that supplement subgrantee's ESG program.~~

~~GG.A. Subgrantee must keep records of the source and use of contributions made to satisfy the matching requirement. Records must indicate the fiscal year grant for which each matching contribution is counted, as well as how the value of non-cash contributions was derived. To the extent feasible, volunteer services must be supported by the same methods that subgrantee uses to support the allocation of regular personnel costs.~~

~~HH.~~B. Funds Disbursement

~~i.Use of OPUS~~

~~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. Training is provided by the Fiscal Grant~~

Draft Edits Only

Specialist at OHCS. A Zoom Replay of OPUS Fiscal Training can be found on the HSS Dashboard.

OHCS maintains an OPUS Manual and OPUS Help Desk. View the OPUS User Manual from the landing page, under the Help tab, after logging into OPUS. OPUS Help Desk staff can be reached at:

Email: opushelp@hcs.oregon.gov
Ph: (503) 986-2099
Toll Free: (800) 453-5511 Option 6

Request for Funds Documentation

ii. Request for Funding Documentation

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

When subgrantee submits an(n) Agency Grant Request (AGR) or a /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 returned to the subgrantee with instructions to provide additional information.

Subgrantee are required to **frequently and regularly** submit AGR/RFFs to appropriately expend their funds within their identified spending targets. An AGR/RFF can be denied/voided if documentation is insufficient, if unallowable costs are included or if submitted after the grant period has closed.

a. 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@oregon.gov.

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

Implementation Report Amendments can be required as needed for specific funding categoriesAmen. All Implementation Report Amendments require OHCS approval by submitting an Implementation Report Amendment Request through the appropriate Smartsheet form.

Funds Spend Down

Draft Edits Only

~~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 days of such amendment for OHCS' approval. by submitting an Implementation Report Amendment Request through the appropriate Smartsheet form.~~

~~iii. Funds Spend Down~~

~~Subgrantees are expected to fully obligate or expend grant funds during each funding cycle in accordance with OHCS policy and Subgrantees must meet spending targets identified in their Implementation Report spenddown plan (Standard or Time Bound Expenditure Plan (TBEP), if applicable OHCS will review subgrantee's grant spending in accordance with subgrantee's grant agreement/contract and OHCS policy.Subgrantee must fully expend funds or have filed a final Agency Grant Status (AGS)/Financial Status Report (FSR) for a previous fiscal period prior to roll funds, if allowable, and prior to OHCS approving funds in a current fiscal period.~~

~~Any spending below the minimum standard spending target or the time-bound expenditure plan is subject to rescission of grant funds. Any amount of funding greater than 10% of a funding source's total allocation or a combined total of $100,000 that is subject to rescission will trigger Subgrantee Board notification. See Standard Terms and Condition of subgrantee's grant agreement/contract for more information.~~

~~Any funds left unexpended by 60 days following the end of the funding period, are subject to recapture/deallocation by OHCS.~~

~~b.~~a. ~~Funds Rollover~~Rollover of Funds

Rolling of funds between fiscal periods is not guaranteed. ESG funds ~~can be rolled mid-biennium; and when allowable by OHCS can be rolled between biennia and must be drawn from OPUS for allowable expenditures in the spending period within 60 days following the end of the fiscal period when the final AGS/FSR is due, according to subgrantee's grant agreement/contract requirements~~may be rolled at OHCS' sole discretion. Subgrantees are required to submit AGS/FSR within 60 days following the end of each fiscal period (Aug. 30). The AGS/FSR is the mechanism for which a subgrantee will request an allowable rollover. Subgrantees are required to submit AGS/FSRs within 60 days following the end of each fiscal year.

~~c. Internal Controls for Fraud~~

~~As stated in the subgrantee's OHCS agreement/contract, subgrantees 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). Subgrantees must establish and maintain clear procedures for 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 must establish and maintain clear procedures for~~

Draft Edits Only

preventing, detecting and dealing with employee fraud. All incidents of fraud must be reported to OHCS. Subgrantees are responsible for repayment of funds which were provided to applicants and participants that do not meet program eligibility.

II. Procurement

Purchases of equipment or property are subject to additional provisions and requirements as stated in subgrantee's grant agreement/contract Standard Terms and Conditions and Special Provisions exhibits.

Fixed assets with a value greater than $5,000, includes computer equipment, electronic equipment, photography equipment, hand tools and other items and are subject to pre-approval by OHCS. Title to all equipment, as defined in 2 CFR Part 200, purchased in whole or part with OHCS funds shall rest with the subgrantee. Disposal of any item having an original cost of more than $5,000, or those purchases which have a current per-unit fair market value of $5,000 or more, requires prior OHCS consent before disposal. 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 the program 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 purchasing must comply with subgrantee's policies and procedures and the subgrantee's grant agreement/contract.

25. Monitoring

A. Process

OHCS will conduct a program monitoring of subgrantees once every two fiscal years or more frequently at OHCS' discretion. OHCS program monitoring may include desk audit, site visit and/or site visit with subrecipients (or subrecipient organization's subrecipient). Fiscal monitoring will be conducted once every two fiscal years unless circumstances and/or risk assessment require less or more frequent monitoring at OHCS' discretion. Subgrantee will be notified thirty days in advance of the monitoring visit and informed of what documents and records will be reviewed and any required staff or Board interviews. After the monitoring visit, OHCS will provide subgrantee with a written monitoring report inclusive of any findings, concerns, or comments. Subgrantees required to submit timely corrective action to findings

Draft Edits Only

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

B. Subgrantees must notify and receive approval from OHCS when adding subrecipients and/or renewing subrecipients. Notification and approval normally occur during the subgrantee's grant agreement/contract funding application process. However, if changes are made outside of the funding application, subgrantees must submit an Implementation Report Amendment Request form for approval of subrecipient additions, deletions, or modifications within 30 days of such change.

C. Subrecipient Monitoring

For the purposes of this operations manual the term "subrecipient" shall mean any subgrantee's subcontractors, contractors, vendor, subrecipients and any subcontractors, contractors, vendors or subrecipients of a subcontractor, contractor, vendor or subrecipient. Subrecipients must follow program intent, rules and guidelines for the expenditure of funds.

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

Subgrantee's monitoring of its subrecipients must include:

(1) 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;
(2) a review of financial and performance reports;
(3) a review of subrecipient policies and procedures, forms, documentation, client records including eligibility, notifications and documentation;
(4) a review of participant records to ensure compliance with security, maintenance, retention and destruction of records; and
(5) follow up on all deficiencies pertaining to any OHCS funding in accordance with all program rules and regulations.

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

(1) Frequency of subrecipient monitoring, which must be minimally once during a biennium or the term of the subgrantee's grant agreement/contract;

Draft Edits Only

(2) The number of relevant samplings of fiscal transactions per program;
(3) The number of relevant samplings of participant files and that such review includes eligibility, notification and documentation;
(4) The number of relevant samplings of HMIS entries to ensure appropriate entry and tracking of participant information and service transactions;
(5) A review of participant records to ensure compliance with security, maintenance, retention, and destruction of records; and
(6) 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 that in its determination does not meet basic principles or requirements of such a policy.

(Remainder of page left blank intentionally)####

Draft Edits Only

~~26.~~10. Acronyms and Definitions

A. Acronym List

Acronyms commonly used are:

AGR	Agency Grant Request
AGS	Agency Grant Status
CAA	Community Action Agency
CFR	Code of Federal Regulations
COC	Continuum of Care
DHS	Department of Human Services, Oregon
ESG	Emergency Solutions Grant
ETP	Emergency Transfer Plan
FMR	Fair Market Rent
HH	Household
HMIS	Homeless Management Information System
HP/RRH	Homelessness Prevention and Rapid Re-Housing
HQS	Housing Quality Standards
HUD	United States Department of Housing and Urban Development
IDIS	Integrated Disbursement and Information System
OAR	Oregon Administrative Rules
OHCS	Oregon Housing and Community Services
ORS	Oregon Revised Statutes
RFF	Request for Funds
SRO	Single Room Occupancy
TTA/T &TA	Training and Technical Assistance
URA	Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970
VA	Veteran's Administration
VAWA	Violence Against Women Act

B. Definitions

Bifurcation means to divide a lease as a matter of law, subject to the permissibility of such process under the requirements of the applicable HUD-covered program and state or local law, such that certain tenants or lawful occupants can be evicted or removed and the remaining tenants or lawful occupants can continue to reside in the unit under the same lease

Draft Edits Only

requirements or as may be revised depending upon the eligibility for continued occupancy of the remaining tenants and lawful occupants.

Client means a household who has received an assessment of need, has been entered into an OHCS-funded program (intake) and who is receiving financial assistance. ~~A client is someone who has developed a client services/housing plan and is not receiving one-time only assistance~~Once a household receives financial assistance, they are considered a client.

Code of Conduct Agreements may be required by any type of shelter facility. A Code of Conduct Agreement may be required that clients adhere to the shelter facility's rules and expectations of behavior and may be signed by the client. Code of Conduct Agreements are not the same as Occupancy/Lease/Rental Agreements.

Covered Housing Provider means the individual or entity under a covered housing program that has responsibility for the administration and/or oversight of VAWA protections and includes Public Housing Authorities, sponsors, owners, mortgagors, managers, state and local governments or agencies thereof, non-profit, or for-profit organizations or entities. The program-specific regulations for the covered housing programs identify the individual or entity that carries out the duties and responsibilities of the covered housing provider as set forth in 24 CFR Part 5, subpart L, for any of the covered housing programs. It is possible that there may be more than one covered housing provider; that is, depending upon the VAWA duty or responsibility to be performed by a covered housing provider, the covered housing provider may not always be the same individual or entity.

Domestic Violence This definition includes domestic violence, dating violence, sexual assault, stalking, attempting to cause, or intentionally, knowingly or recklessly causing or placing another in fear of imminent serious physical injury or emotional, mental or verbal abuse, and using coercive or controlling behavior. This does not include other criminal acts such as violence perpetrated by a stranger, neighbor, acquaintance or friend, unless those persons are family members, intimate partners or household members.

~~**Emergency Shelter** means a facility whose primary purpose is to provide temporary shelter to homeless households or specific populations of the homeless and which do not require occupants to sign leases or occupancy agreements. Emergency shelters types may include, but are not limited to:~~

- ~~**Low-Barrier Shelters:** Shelters with limited entry requirements that enable people, who otherwise may not be willing or able to access shelter services, to be off the streets. Low barrier shelters may not expect residents to abstain from using alcohol or other drugs, or from carrying on with street activities while living on site, so long as they do not engage in these activities in common areas of the house and are respectful of other tenants and staff. Low barrier shelters may allow pets, allow couples to stay together, and may provide secure storage space for personal item. Low barrier shelters are a state priority and should be implemented whenever feasible.~~
- ~~**High Barrier Shelters:** Shelters where residents must meet specific entry requirements such as passing a sobriety/drug or alcohol test, criminal background check, allow~~

Draft Edits Only

belongings to be searched, have a specific level of income, participate in program activities, etc.

- **No-Barrier Shelter:** Shelters where residents are not required to meet any specific entry requirements.
- **Abstinence-Based or Dry Shelter:** Shelters where residents are not allowed to drink alcohol or use other drugs while in tenancy. Residents are expected to be "clean" before moving in and actively working on their recovery while living there and may be discharged from the program if they refuse treatment for a relapse.
- **Wet Shelters:** Shelters where residents are not expected to abstain from using alcohol and other drugs, and where entering a rehabilitation program is not a requirement. Residents have access to recovery services and get to decide if and when they use these services.
- **Damp Shelters:** Shelters where residents do not need to be "clean" when entering the program but are expected to be actively working on recovery from substance use problems.
- **Day Shelters:** Temporary daytime accommodations and services for individuals and families who meet the definition of literally homeless as described under Client Eligibility and are sleeping on the streets, lack a fixed, regular and adequate nighttime shelter and/or are living in an emergency shelter.
- **Warming Shelters** are a short-term, emergency shelter that operates when temperatures or a combination of precipitation, wind chill, wind and temperature become dangerously inclement. Their paramount purpose is the prevention of death and injury from exposure to the elements.
- **Transitional Shelters:** Emergency shelter projects with a primary purpose to provide temporary or transitional shelter and essential services to all eligible clients in general and/or for specific populations of the homeless. Some transitional shelter programs have a comprehensive service focus and participants may stay for a period of time based on client need. Transitional shelters are different from transitional housing, as they do not require an occupancy/rental/lease agreement. Transitional shelters may require a code of conduct agreement.
- **Mass Shelters:** High volume, high turnover emergency shelters where multiple individuals and/or family households sleep.
- **Hotel/Motel Vouchers:** Used as emergency shelter in those areas and times when no emergency shelter is available.
- **Vehicular Shelters:** Vehicular shelters provide clients with a place to park their vehicle that is secure and free from ticketing, where they have access to garbage and sanitation services, onsite management that ensures the safety of participants, site cleanliness and adherence to site rules. Participants in vehicular shelters are provided access to client services.

Draft Edits Only

HMIS means Homeless Management Information System. Victim Service Provide must use an HMIS comparable database.

Housing Counseling: Independent, expert advice customized to the need of the consumer to address the consumers' housing barriers and achieve their housing goals and must include the following process: intake; financial and housing affordability analysis; an action plan, except for reverse mortgage counseling; and a reasonable effort to have follow-up communication with the client when possible. The content and process of housing counseling must meet the standards outlined in the regulations that govern HUD's Housing Counseling Program including but not limited to 24 CFR Part 5, 24 CFR Part 214, and HUD Handbook 7610.1REV 5. Homeownership counseling and rental counseling are types of Housing Counseling.

Occupancy/Lease/Rental Agreements are used for temporary or permanent housing, which includes Transitional Housing. Occupancy/Lease/Rental Agreements are not the same as a Code of Conduct Agreement.

Participant means a household who may or may not be a client, but is receiving OHCS-funded services (such as program delivery/case management).

Priority Population means persons that the subgrantee/subrecipient has determined as having the greatest need and will receive services first (such as veterans and homeless families with children).OHCS required priority populations must take precedence over any subgrantee/subrecipient priority population.

Recipient: The state entity receiving funds directly from HUD through an executed grant agreement for the Emergency Solutions Grant Program also referred to as Oregon Housing & Community Services (OHCS).

Special Population: Can include homeless youth, persons experiencing domestic violence or persons living with HIV/AIDS.

Stand-Alone Policy/Procedure means a written policy/procedure that includes all the requirements for such a policy/procedure and is either its own separate document or it is included in a larger document, such as a policy and procedures handbook, that can easily be separated from the larger document for the purpose of approval and review by OHCS.

Subgrantee Agency: Community Action Agencies (or other qualified entities) that receive funding from the Grantee (OHCS) and provides client assistance payments/services. Subgrantee agencies may contract client assistance payments/services to subrecipients.

Subrecipient(s): Subrecipients are entities that, by contract with the subgrantee agency, provide assistance payments/services and may receive funding directly from the subgrantee agency. Through its agreements with subgrantee agency, subrecipients must comply with all requirements for the program. Subrecipients include a subgrantee's subcontractors, contractors, vendor, subrecipients and any subcontractors, contractors, vendors or

Draft Edits Only

subrecipients of a subcontractor, contractor, vendor or subrecipient. Subrecipients are those organizations that receive OHCS funds from the Subgrantee.

Support Network: Examples include family, friends and faith-based or other social networks.

Target Population: Persons a subgrantee/subrecipient wishes to reach out to who are under-represented in their service population. Target populations may include a special population or other populations such as veterans, households with children, elderly households; persons leaving the correction system, households with frequent contact with the health care system, experiencing chronic homelessness, mental illness or chemical dependency or receiving Temporary Assistance to Needy Families (TANF), etc.

Temporary Living: Residing in a facility for fewer than 90 days

Unaccompanied Youth are less than 25 years of age and homeless under other Federal statutes **and:**

(A) Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application;

(B) Have experienced persistent instability as measured by two moves or more in the preceding 60 days; **and**

(C) Can be expected to continue in such status for an extended period due to special needs or barriers.

VAWA: Violence Against Women Act. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation.

Draft Edits Only

Appendix 1: Applicable Rules and Regulations

All the following as may be amended from time to time:

1. 24 CFR 5 subpart F: Occupancy Requirements for Section 8 Project-Based Assistance
2. 24 CFR part 91: Consolidated Submissions for Community Planning and Development Programs
3. 24 CFR part 576: Emergency Solutions Grant Program
4. 24 CFR part 121: Homeless Management Information System (HMIS)
5. 24 CFR part 982: Fair Market Rent and Rent Reasonableness
6. ORS 456.515 through 456.725: Housing and Community Services Department
7. ~~ORS 458.505 through 458.545: Community Services Programs~~
8. ~~7.~~ OAR 166-300: *State Agency General Records Retention Schedules*
9. ~~8.~~ OAR 813-145: Emergency Solutions Grant Program
10. ~~9.~~ HMIS Data Standards Manual: https://www.hudexchange.info/resource/3824/hmis-data-dictionary/
11. ~~10.~~ **This manual** as a guideline for ESG program management.
12. ~~11.~~ Lead-Based Paint: https://www.epa.gov/lead and 24 CFR part 35
13. ~~12.~~ Lead-Based Paint pamphlet: http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_11875.pdf
14. ~~13.~~ Annual Median Income: https://www.hudexchange.info/resource/5079/esg-income-limits/
15. ~~14.~~ https://www.hudexchange.info/resource/3679/hud-income-limits/HUD Resource Exchange: https://www.hudexchange.info/esg/
    - ESG program guidance
    - Federal regulations
    - Tools and technical assistance
    - Listserv opportunities
    - Frequently Asked Questions
16. ~~15.~~ FAQ Housing Counseling: https://www.hudexchange.info/resource/5194/housing-counseling-new-certification-requirements-faqs/
17. ~~16.~~ Personal Responsibility and Work Opportunity Reconciliation Act of 1996: http://www.gpo.gov/fdsys/pkg/PLAW-104publ193/content-detail.html
18. ~~17.~~ Housing Choice Voucher Guidebook: https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/guidebook
19. ~~18.~~ Limited English Proficiency federal interagency website can be found at: http://www.lep.gov/ and and FAQs can be found at: https://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/promotingfh/lep-faq

Draft Edits Only

~~20.~~19. CFRs cited are amended from time to time and can be found at:
http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=%2Findex.tpl

~~21.~~20. ORS cited are amended from time to time and can be found at:
https://www.oregonlegislature.gov/bills_laws

~~22.~~21. OARs cited are amended from time to time and can be found at:
https://secure.sos.state.or.us/oard/ruleSearch.action

~~23.~~22. OMBs cited are amended from time to time and can be found at:
https://www.whitehouse.gov/omb/information-for-agencies/circulars

(Remainder of page left blank intentionally)

Draft Edits Only

AMEND: 813-145-0020

RULE SUMMARY: Amend rule to align with statutory references and purpose.

CHANGES TO RULE:

813-145-0020
Administration ¶

(1) OHCS may contract with subgrantees to provide eligible ESG services (see OAR 813-145-0030) in service areas in such manner to provide holistic coverage statewide without duplication or overlap of services. ~~In a service area where a Community Action Agency (CAA) exists, the CAA has the conditional right of first refusal to serv~~¶
(2) OHCS will allocate ESG funds to all eligible subgrantees through a formula established by OHCS in accordance with ORS 456.555(8) and 24 CFR 24 CFR 576.400(a). The Department will make this formula available to each Continuum of Care prior to allocating fund.¶
(a) Jurisdictions that receive ESG funding directly from Housing and Urban Development will be excluded from the funding allocation formula.¶
(b) If a subgrantee has ~~the subgrantee fo~~not invoiced OHCS for 100 percent of its previous grant year's allocation, following the 60th day after the ~~given service area.~~¶
~~(2) OHCS will allocate ESG funds to all~~end of that grant's expenditure period, OHCS may proportionately reduce the subgrantee's current grant year's funding allocation.¶
(c) If any subgrantee~~s through a formula established by OHCS prior to the allocation process.~~ has its grant year allocation reduced, OHCS may redistribute those funds to the CAAs that do not have a reduced funding.¶
(d) For funding that is a part of a remediation plan with Housing and Urban Development, OHCS reserves the right to ~~modify such formula~~ deallocate any ~~time in~~d redistribute funds at its sole discretion.¶
(3) A subgrantee may e~~stablish subrecipients that meet the requirements of ORS 458.505(4)~~nter into agreements or collaborate with subrecipients to provide eligible ESG services in the subgrantee's service area.¶
(4) Subgrantees shall, at a minimum, provide ESG services to eligible applicants or households and meet ESG requirements. Whenever appropriate, subgrantees may assist eligible households in accessing other services designed to stabilize housing.¶
(5) Subgrantee representatives must attend and participate in ESG-related training made available or conducted by OHCS, when required.¶
(6) A designated portion of ESG funds are reserved for subgrantees and their subrecipients to use for administrative costs. Subgrantees and their subrecipients may expend up to a determined amount as authorized by OHCS and outlined in the funding agreement.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 24 CFR 576~~, ORS 458.505~~

AMEND: 813-145-0026

RULE SUMMARY: Amend rule to align with statutory references.

CHANGES TO RULE:

813-145-0026
Applicant Eligibility ¶

(1) ESG services shall be made available to households who meet eligibility requirements as outlined in the ESG Manual, including but not limited to:¶
(a) An income within limits for applicable ESG services as defined in the ESG Manual; and¶
(b) Are homeless or at risk of homelessness. ¶
(2) Specific requirements and documentation to provide proof of eligibility for ESG services are detailed in the ESG Manual.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 24 CFR 576~~, ORS 458.505~~

AMEND: 813-145-0030

RULE SUMMARY: Amend rule to align with statutory references, purposes and current uses.

CHANGES TO RULE:

813-145-0030
Use of Funds ¶

(1) Use of ESG funds must be in compliance with ESG requirements for eligible households.¶
(2) To the extent of available funding, eligible ESG services include, but are not limited to:¶
(a) Street outreach; ¶
(b) Emergency shelter;¶
(c) Homelessness prevention;¶
(d) Rapid re-housing; and¶
(e) ~~Data collection.¶~~
~~(3) ESG funds may be used to supplement existing funds or to support existing programs or establish new programs. Subgrantees shall not use ESG funds, granted or otherwise awarded, to replace funds currently being received from other sources, available or reasonably expected to be available to the subgrantee. ¶~~
~~(4~~HMIS.¶
(3) A subgrantee will provide matching funds for ESG through cash or in-kind contributions equal to the amount of ESG funds received from OHCS, in accordance with ESG requirements and limited match requirement exceptions, therein. Matching funds must be from U.S. Housing and Urban Development (HUD) allowable sources identified in the funding application and approved by OHCS.
Statutory/Other Authority: ORS 458.555
Statutes/Other Implemented: 24 CFR 576~~, ORS 458.505~~

AMEND: 813-145-0040

RULE SUMMARY: Amends rule to align with statutory references, purposes and current requirements.

CHANGES TO RULE:

813-145-0040
Application for Funding; Funding Agreement ¶

(1) Prior to providing any ESG services using OHCS funding, subgrantees must submit biennially an application for funding to OHCS. A funding agreement must be approved by OHCS in writing before being operative and is considered operative for two fiscal years.¶
(2) Applications for funding must meet all requirements of form and content as established by OHCS. At a minimum, an application must include a subgrantee's proposed activities for eligible households, anticipated expenditures, and any other information as OHCS may require specific to ESG funding. Subgrantees must adhere to OHCS requirements and deadlines for submitting an application. An application is subject to approval, with or without modifications, or disapproval by OHCS.¶
(3) ~~In cases where a Community Action Agency (CAA) has the conditional right of first refusal for antipoverty program administration, and the CAA cannot meet the requirements listed in subsection (2) above, OHCS, in its sole discretion, may allow other eligible organizations to submit an application for funding with respect to that service area.¶~~
~~(4) OHCS will evaluate all applications for funding for~~OHCS will not approve any application for funding unless it meets ESG sufficiency requirements. Sufficiency is based on the quantity, thoroughness and quality of performance that is satisfactory to OHCS. This includes, but is not limited to, providing relevant information necessary for OHCS to assess the subgrantee's compliance with all ESG requirements and any other standards, goals, and requirements established by OHCS.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 24 CFR 576~~, ORS 458.505~~

AMEND: 813-145-0050

RULE SUMMARY: Amends rule to align with statutory reference.

CHANGES TO RULE:

813-145-0050
Recordkeeping and Compliance Monitoring
(1) Subgrantees and their subrecipients must maintain accurate financial records satisfactory to OHCS and consistent with ESG requirements, which document the receipt and disbursement of all ESG funds by OHCS. Subgrantees must have an accounting system in place satisfactory to OHCS, and implement an approved Homeless Management Information System (HMIS) database for data and fiscal entry.¶
(2) Subgrantees and their subrecipients must maintain other ESG records satisfactory to OHCS and consistent with ESG requirements, which include, but are not limited to, documentation of household eligibility, receipt of allowable ESG services, termination of services and the basis for same, housing status, administrative actions, contracts with subrecipients, review of subrecipient performance, action taken with respect to deficiency notices, and any administrative review proceedings. Such records must be satisfactory to OHCS in substance and format.¶
(3) Subgrantees must provide OHCS with all required reports, data, and financial statements by submission deadlines and satisfactory to OHCS in form and substance as identified in the ESG requirements and as requested by OHCS.¶
(4) To ensure proper compliance and monitoring of ESG, subgrantees and their subrecipients must:¶
(a) Furnish representatives of OHCS, the Oregon Secretary of State's Office, the federal government, and their duly authorized representatives access to and permit copying of all electronic and hardcopy books, accounts, documents, and records and allow reasonable access to the project and other property pertaining to ESG, at any such representative's request.¶
(b) Cooperate fully in any inspections or other monitoring actions taken by OHCS, the Oregon Secretary of State's Office, the federal government, and their duly authorized representatives.¶
(c) Retain and keep accessible all ESG records and data according to ESG requirements and as requested by OHCS.¶
(5) OHCS will conduct reviews, audits, and other compliance monitoring as it deems appropriate with respect to each subgrantee and its subrecipients to verify compliance with the ESG requirements. Subgrantees and their subrecipients must cooperate fully with OHCS in its compliance monitoring activities.¶
(6) Subgrantees must require by contract and monitor their subrecipients' compliance with all ESG requirements including, but not limited to, recordkeeping and retention of records and OHCS compliance monitoring and enforcement.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 24 CFR 576~~, ORS 458.505~~

AMEND: 813-145-0060

RULE SUMMARY: Amends rules to align with statutory references and current remedies.

CHANGES TO RULE:

813-145-0060
Remedies ¶

(1) OHCS reserves the right to identify deficiencies in the performance of any subgrantee or their subrecipients discovered during program operations or compliance monitoring activities and take remedial action upon such subgrantees, including, but not limited to, modifying funding amount, reducing or withholding payment, suspending or recouping payment s or both, requiring a corrective action or additional activities necessary to satisfy its obligations or meet performance standards, initiation of an action or proceeding for damages, specific performance, or declaratory or injunctive relief, exercise of its right of recovery of overpayments, declaring subgrantee ineligible for the receipt of future awards from OHCS, criminal action for misstatements or fraud, misfeasance, claims under the Oregon False Claims Act, or other culpable behavior, investigation, audit, and/or sanction by other governmental bodies, and terminating its funding agreement with a subgrantee and requiring repayment of ESG funding.¶
(2) To remedy any identified deficiencies, OHCS:¶
(a) Mustay issue a deficiency notice notifying a subgrantee of deficiencies identified through the monitoring process and provide documentation for the basis of such determination and the specific deficiency or deficiencies that must be corrected;¶
(b) Mustay require the subgrantee to correct any deficiencies in a manner and time frame satisfactory to OHCS;¶
(c) May offer training and technical assistance related to such deficiencies to the subgrantee; and¶
(d) May, at its discretion, offer the subgrantee assistance in the development of a corrective action plan. If a corrective action plan is allowed, OHCS must review the plan and issue a decision of approval or disapproval to the subgrantee.¶
(3) OHCS must provide adequate notice to a subgrantee of remedial action that will terminate or reduce a subgrantee's eligibility for ESG funding. OHCS must provide the subgrantee an initial opportunity to appeal to the director of the Housing Stabilization Division of OHCS, whose decision may be deferred to the director of OHCS.¶
(4) For appeals unable to be resolved internally, OHCS adopts the procedures detailed in ORS Chapter 183 for contested cases.¶
(5) Issuance of a deficiency notice will not constitute a waiver of other remedies available to OHCS or preclude OHCS from exercising such other remedies available to it under the ESG requirements, at law or otherwise.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 24 CFR 576, ORS 458.505

AMEND: 813-145-0070

RULE SUMMARY: Amends rule to align with statutory references and current practice.

CHANGES TO RULE:

813-145-0070
Challenge of Subgrantee Action ¶

(1) Any household aggrieved by a subgrantee administering or providing ESG services may challenge the subgrantee's action by entering the subgrantee's administrative review process (see OAR 813-145-0080). Any household who received either an unsatisfactory determination or refusal of a review by the subgrantee may submit a written request to OHCS within 30 days of receiving the notice of review determination or refusal by the subgrantee to provide such administrative review.¶
(2) OHCS may accept or deny a request to conduct a subgrantee administrative review, in whole or in part, at its sole discretion. An OHCS review will be in the manner determined appropriate by OHCS and may include, but is not limited to, review of provided information.¶
(3) If OHCS accepts the review request, the requesting household, the subgrantee, and any relevant subrecipients will produce all information required by OHCS, including requested affidavits or testimony.¶
(4) Upon accepting the review request, OHCS may make a determination on such review request and require such remedial action as OHCS determines, in its sole discretion, to be appropriate.¶
~~(5) OHCS adopts the procedures detailed in ORS Chapter 183 for contested cases.~~
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 24 CFR 576~~, ORS 458.505~~

AMEND: 813-145-0080

RULE SUMMARY: Amends title, statutory references and aligns with current practice.

CHANGES TO RULE:

813-145-0080
~~Administrative~~ Review by Subgrantee ¶

(1) Subgrantees must establish in writing a process satisfactory to OHCS that enables all potentially eligible households, having received ESG services or not, to contest a determination by the subgrantee or its subrecipients that either denies, limits, terminates, or modifies ESG services.¶
(2) An aggrieved household may request a~~n administrative review or fair hearing of a subgrantee's or its subrecipients' contested~~ formal review of a subgrantee's action (as described in subsection (1) above). The subgrantee must allow a minimum of 30 days, from the time of ~~contested action~~the requested review or the aggrieved household's discovery of such action, for which an aggrieved household ~~may~~ request ~~as~~ review ~~or hearing~~. The ultimate determination of an aggrieved household's discovery period is reserved to OHCS, in its sole discretion.¶
(3) A household remaining aggrieved after such review ~~or hearing of a contested action may request administrative~~may request further review of the subgrantee actions by OHCS (see OAR 813-145-0070).¶
(4) The subgrantee must inform OHCS and the aggrieved party in writing of any final ~~administrative~~ review determination made by the subgrantee, and the basis for same, within 10 days of such final determination. ¶
(5) The subgrantee must comply with OHCS requests for all supporting documentation related to the grievance when a household exercises their right for an administrative review of the subgrantee or subrecipient's decision (as described in subsection (3) above).
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: 24 CFR 576~~, ORS 458.505~~

AMEND: 813-230-0005

RULE SUMMARY: Amends rule to align with statutory reference.

CHANGES TO RULE:

813-230-0005
Administration of Antipoverty Programs ¶

(1) The department is authorized by the Oregon legislature as the state affordable housing finance agency and administrator of state and federal antipoverty programs. The federal antipoverty programs are the Community Services Block Grant, the Low-Income Energy Assistance Block Grant, and the United States Department of Energy Weatherization Assistance Program~~, the Emergency Solutions Grant Program and any other federally funded program that benefits low-income Oregonians~~.¶
(2) The department administers the federal anti-poverty programs through subcontracts with community action agencies, the Oregon Human Development Corporation and other eligible entities under ORS 458.505.¶
(3) The Community Action Partnership of Oregon performs the function of providing advice and recommendations to the department regarding administration and funding of antipoverty programs.
Statutory/Other Authority: ORS 184.082, ORS 458.505-458.515
Statutes/Other Implemented: ORS 458.505-458.515

AMEND: 813-240-0001

RULE SUMMARY: Amend rule to align with statutory references and purpose.

CHANGES TO RULE:

813-240-0001
Purpose and Objectives ¶

The purpose of OAR chapter 813, division 240 of the administrative rules is to implement the State Homeless Assistance Program (SHAP). Funding for SHAP comes from ~~Legislatively-allocated state general funds. Oregon Housing and Community Services (OHCS) is designated as the state agency responsible for administering state and federal antipoverty programs in Oregon. The purpose of SHAP, which is one such program,~~an Oregon Legislature allocation of state general funds. The purpose of SHAP is to provide operational support for emergency shelters and related supportive services for homeless households.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ORS ~~458.505,~~ 458.620, 458.650

AMEND: 813-240-0005

RULE SUMMARY: Amend rule to align with statutory references and current definitions.

CHANGES TO RULE:

813-240-0005
Definitions ¶

Terms used throughout this division (OAR 813-240) may be defined in Oregon Revised Statute (ORS) or in the OHCS General Definitions (OAR 813-005-0005). Terms used within this division observe those definitions, except as defined below:¶
(1) "Emergency shelter" means any appropriate facility that has the primary purpose of providing temporary ~~or transitional shelter~~ for the homeless in general or for specific populations of the homeless and the use of which does not require occupants to sign leases or occupancy agreements and in accordance with program requirements.¶
(2) "Homeless" means an individual, family or household that lacks a fixed, regular, and/or adequate nighttime residence in accordance with department categorical definitions. Categorical definitions are contained in the program manual.¶
(3) "Homeless Management Information System" or "HMIS" is defined in 24 CFR 576.2.¶
(4) "Household" means an individual living alone, a family with or without children or a group of individuals who are living together as one economic unit.¶
(5) ~~"Household income" means the total household income from all sources before taxes. Specific sources and deductions are outlined in the SHF Manual.¶~~
~~(6)~~ "SHAP" means the State Homeless Assistance Program administered by OHCS pursuant to this division and other applicable law.¶
(~~7~~6) "SHAP requirements" means these administrative rules; all funding agreement terms and conditions; OHCS directives (including deficiency notices); the SHF Manual requirements; and applicable state, local, and federal laws and requirements.¶
(~~8~~7) "SHAP services" means services as defined in OAR 813-240-0035 and the SHF Manual, which are eligible activities with SHAP funding.¶
(~~9~~8) "SHF Manual" or "Program manual" means the State Ho~~m~~use less Funds Operations Manual, as described in OAR 813-240-0007.¶
(9) "Subgrantee" means person, entity, or party that enters into a contract, loan agreement, or grant agreement directly with OHCS to receive funds to administer the SHAP Program.¶
(10) "Subrecipient" means organization as defined in ORS 458.610(6) that works with, collaborates with, or enters into a direct agreement with the subgrantee to provide services under the SHAP Program.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ORS ~~458.505,~~ 458.620, 458.650

AMEND: 813-240-0008

RULE SUMMARY: Amend rule to update manual guidance.

CHANGES TO RULE:

813-240-0008
Manuals
Effective on July 1, 202~~3~~5, the State Homeless Funds Program Operations Manual (SHF Manual) with the requirements and standards therein, is incorporated into and adopted as part of division 813-240-0008 of the department's administrative rules, 813-240-0000 to 813-240-0080. The SHF Manual, dated July 1, 202~~0~~3, previously incorporated into and adopted as part of these administrative rules remains in effect until July 1, 202~~3~~5, on which date it is repealed. The SHF Manual may be accessed online at the OHCS website.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ORS 458.~~505, ORS 458.620, ORS~~620, 458.650

RULE ATTACHMENTS MAY NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.

Emergency Housing Assistance Program (EHAP)
Elderly Rental Assistance (ERA)
State Homeless Assistance Program (SHAP)
July 1, ~~2023~~2025

OREGON HOUSING and COMMUNITY SERVICES

State ~~Homeless~~ Houseless Funds Program Operations Manual

Contacts
Oregon Housing and Community Services
Homeless Services Section
(503) 986-2000

Published date: July 1, ~~2023~~2025

Oregon Housing and Community Services | 725 Summer St. NE Suite B, Salem, OR 97301-1266 | (503) 986-2000 | FAX (503) 986-2020

Table of Contents

1. Program Summary 6
2. General Program Requirements 7
   (A) Program Standards 7
   (B) Client Service or Housing Stability Plan 10
3. Applicant Eligibility 18
   (A) Household Composition 19
   (B) Legislatively Targeted Populations for EHAP DRF 19
   (C) Housing Status 19
   (D) Income 21
   (E) Assets 24
   (F) Veteran Status 24
   (G) Citizenship 25
   (H) Oregon Residency 25
4. Allowable Program Components and Expenditures 27
   (A) General Guidance 28
   (B) Street Outreach (Program Delivery) 29
   (C) Emergency Shelter and Transitional Housing Operations 32
   (D) Financial Assistance 49
   (E) Program Delivery 61
   (F) Engagement Incentives 66
   (G) Emergency Shelter or Transitional Housing Facilities Rehab/Renovation 72
   (H) Emergency Systems and Strategy Strengthening 79
5. Financial Management 85
   (A) Fiscal Standards 85
   (B) Administration 85
   (C) Funds Spend Down 88
   (D) Match 90
   (E) Supplementing Existing Funds/Programs 90
6. Data, Submission and Reporting Requirements 91
   (A) Data Entry 91
   (B) Submissions/Reporting Requirements 93
7. Records Requirements 94
   (A) Case Files 94
8. Applicable Rules and Regulations 96
9. Definitions 97
10. Appendix A – Maintenance/Rehab Activities 102
~~1. Program Summary ..... 4~~
~~2. General Program Requirements ..... 4~~
   ~~(A) System Wide Performance Requirements ..... 4~~
   ~~(B) Training ..... 4~~
   ~~(D) Equity and Racial Justice ..... 5~~

~~(E) Duplication of Benefits ..... 6~~
~~(F) Privacy Notification ..... 6~~
~~(G) Client Service or Housing Stability Plan ..... 7~~
~~(H) Confidentiality ..... 8~~
~~(I) Grievances and Appeals ..... 9~~
~~(J) Nondiscrimination ..... 10~~
~~(K) Limited English Proficiency ..... 11~~
~~(L) Conflict of Interest ..... 12~~
~~(M) Monitoring ..... 13~~
~~(N) Subrecipient Monitoring ..... 14~~
~~3. Applicant Eligibility ..... 15~~
~~(A) Household Composition ..... 15~~
~~(B) Legislatively Targeted Populations for EHA ..... 16~~
~~(C) Housing Status ..... 16~~
~~(D) Income ..... 17~~
~~(E) Veteran Status ..... 20~~
~~(F) Citizenship ..... 20~~
~~(G) Oregon Residency ..... 20~~
~~(H) Eligibility Documentation ..... 21~~
~~4. Allowable Program Components and Expenditures ..... 23~~
~~(A) Street Outreach ..... 24~~
~~(B) Emergency and Transitional Shelter ..... 26~~
~~(C) Transitional Housing ..... 33~~
~~(D) Homelessness Prevention and Rapid Re-Housing ..... 38~~
~~(E) Supportive In-Home Services ..... 45~~
~~(F) ERA Rental Subsidy Assistance ..... 46~~
~~(G) Distinguishing Between Maintenance and Renovation (Rehab/Conversion) ..... 49~~
~~(1) Shelter Operations: Maintenance ..... 49~~
~~(2) Renovation and Conversion ..... 50~~
~~(H) Shelter or Transitional Housing Facilities Acquisition, Rehab/Conversion ..... 51~~
~~(1) Free-Standing Temporary Shelter ..... 52~~
~~(2) Acquisition, Rehabilitation, Renovation or Conversion Instructions ..... 52~~
~~a) Restrictive Use Period ..... 53~~
~~b) Contracted Oversight ..... 54~~
~~c) Period of Fund Availability ..... 54~~
~~d) Use of HMIS ..... 54~~
~~e) Procurement Requirements ..... 54~~
~~f) OHCS Anti-Displacement and Relocation Assistance Policy ..... 54~~
~~g) OHCS Fiscal Monitoring ..... 55~~
~~h) Quarterly Progress Report ..... 55~~
~~i) First Year Report ..... 55~~
~~j) Annual Certificate of Continuing Program Compliance ..... 55~~
~~k) Environmental Review ..... 56~~
~~l) Certificate of Occupancy ..... 56~~
~~m) Subgrantee's Responsibilities for Subrecipients ..... 56~~

n) Repurposing the Property 56
o) Transferring Property Ownership 56
(3) Checklist of Steps to Follow 57
(I) Community Capacity Building 58
(J) Data System Expenses 61
(K) Gift Cards 62
5. Financial Management 64
(A) Administration 64
(B) Advance Requests for Funds 65
(C) Use of OPUS 65
(D) Request for Funding Documentation 66
(E) Budget Change Requests and Implementation Report Amendments 66
(F) Funds Spend Down 66
(G) Funds Rollover 67
(H) Internal Controls for Fraud 67
(I) Match 67
(J) Supplementing Existing Funds/Programs 67
(K) Procurement 68
6. Data, Submission and Reporting Requirements 69
(A) Data Entry 69
(B) Data Timeliness 69
(C) Data Entry Requirements for Emergency and Transitional Shelters 69
(D) Data Entry Requirement for Other Program Components 69
(E) Required Data Elements 70
(F) Comparable Database 70
(G) Submissions/Reporting Requirements 70
7. Records Requirements 71
(A) Case Files 71
(B) Records Access 72
(C) Records Retention 72
8. Applicable Rules and Regulations 73
9. Definitions 74
10. Appendix A – Maintenance/Rehab Activities 78

NOTE: If a statute, rule, contract or guidance does not expressly prohibit an activity or expense, it does not mean that the activity or expense is allowable. Statutes, rules, contracts and guidance are meant to express how funds are intended to be used.

Contact OHCS for prior approval before using any OHCS funds for an activity or expense if it is not addressed in statute, rule, contract or guidance. Failure to do so may result in the disallowance of an activity or expense and may result in remedies afforded in contract. It is an incorrect assumption to believe that because language does not say you cannot do something, that it must mean you can. OHCS provides guidance around what is disallowed from frequently asked questions; however, this does not mean to encompass everything that is disallowed.

Contact OHCS for any questions on how to expend OHCS funds if what you want to do is not covered by statute, rule, contract or guidance prior to the use of funds

NOTE: Guidance in this manual is specific to the programs identified in this manual. Unless specifically stated, any other guidance from other manuals produced by OHCS does not apply to these programs and are not comparable or transferable.

1. Program Summary

The general purposes of these programs are to provide an individualized approach to ~~homeless~~houseless households that includes an assessment of individual needs, identification of appropriate solutions that may include services, coordination with other programs and resources and ~~cost effective use of support across agencies coupled with~~ appropriate monitoring and evaluation of ~~homeless~~houseless households' individual progress. This guidance ~~may be~~is ~~appropriate~~ for EHAP, SHAP and ERA (as identified below) and may be used ~~for~~ with other ~~program~~ OHCS funds from state, federal or other sources in which the use of funds aligns with the purpose and intent of these programs.

The **Emergency Housing Assistance Program** (EHAP) provides state funds to supplement ~~effective existing local~~OHCS programs and/or establish new programs designed to prevent and reduce ~~homeless~~houselessness. **EHAP** program funding comes from state general funds (GF) and the Document Recording Fee (DRF). ~~EHA funds, including DRF, and are allocated annually to subgrantees.~~ This manual will use EHAP GF and DRF to differentiate between the funding sources. DRF funding ~~and DRF funding for Veterans~~ requires separate tracking and reporting of participants and expenditures. Twenty-Five (25%) percent of DRF award (ORS 294.187) must be expended on the veteran population (program delivery and financial assistance) and will require that subgrantee's draw funds from separate OPUS categories for tracking purposes.

The **State Homeless Assistance Program** (SHAP) provides operational support for emergency shelters and ~~related participant supportive~~ services for ~~homeless~~houseless individuals, families, and households. **SHAP** program funding comes from state general funds ~~allocated annually to subgrantees~~.

The **Elderly Rental Assistance** (ERA) provides state funds to defray the cost of rental housing for very-low-income households that are ~~homeless or~~ unstably housed and at risk of ~~homeless~~houselessness, where at least one household member is 58 years or older. ERA's only allowable use of funds is for

Houselessness Prevention activities to align with the statutory intent of the program and cannot be used for any other category of program funding. **ERA** program funding comes from state general funds ~~allocated annually to subgrantees~~.

2. General Program Requirements

~~(A) System Wide Performance Requirements~~

~~The Oregon Legislative Fiscal office adopted a set of criteria that agencies must meet when developing key performance measures. In alignment with the federal and state strategic plans to end homelessness, OHCS has established the following key performance measure:~~

> ~~Percentage of homeless households who exited into permanent housing and retained that housing for six months or longer (statewide target 80%).~~

~~This key performance measure uses HMIS as the primary data source.~~

(A) Program Standards

Subgrantee/subrecipients **must** adhere to all program standards as identified in the Homeless Services Section (HSS) Program Standards Guidance. **Failure to adhere to HSS Program Standards will result in audit findings and may put subgrantee/subrecipient funding at risk**. The HSS Program Standards Guidance includes requirements related to policies and procedures, along with general requirements for financial management of HSS grants, data requirements and records requirements. HSS Program Standards apply to EHA GF, EHAP DRF/, ERA and SHAP and align across HSS programs. It is **critical** that subgrantee/subrecipients understand their responsibilities in ensuring that they are following all program and funding requirements. Inclusion of the HSS Program Standards Guidance ensures that subgrantee/subrecipients and OHCS has a central location for the consistency of program standards across multiple programs. Find the HSS Program Standards Guidance on the HSS Dashboard or the OHCS website.

~~(B)~~ ~~*Subgrantees must notify and receive approval from OHCS when adding subrecipients and/or renewing subrecipients. Notification and approval normally occur during the subgrantee's grant agreement/contract funding application process. However, if changes are made outside of the funding application, subgrantees must submit an Implementation Report Amendment Request form for approval of subrecipient additions, deletions, or modifications within 30 days of such change.*~~ ~~Training~~

~~Subgrantee and subrecipient staff that provide direct services and supervise staff who provide direct services and manage homeless grants must receive relevant training. 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 is an eligible expense of program delivery and must minimally include:~~

~~(1) Trauma Informed Services;~~
~~(2) Mental Health First Aid;~~

(3) Harm Reduction;
(4) Supporting Victims of Domestic Violence;
(5) Fair Housing; and
(6) For those using OHCS funds for Street Outreach, training must include Outreach Safety Strategies.

(D) *Equity and Racial Justice*

OHCS is committed to advancing equity and racial justice in alignment with the Statewide Housing Plan and informed by national promising practices and lived experience of communities of color. OHCS is committed to an intentional, data-driven approach to reduce disparities in housing and social service provisions. Subgrantees are expected to further equity and racial justice practices by partnering with Culturally Responsive Organizations (CROs) which includes funding CROs in a meaningful way.

Subgrantees must have a stand-alone policy that addresses how they will deliver OHCS-funded programs in a culturally specific way, which will include the minimum of:

(1) Identification of how the subgrantee addresses any barriers identified by the CRO;

(2) Identification of how the subgrantee provides funding to CROs that aligns with OHCS program activities;

(3) Identification of how subgrantee assists CROs bridge access to other funders and support systems;

(4) Identification of regularly scheduled partnership meetings with CROs, no less than twice per fiscal year; and

(5) Partnership agreement/MOU or other written document of partnership (partners, inclusive of all subrecipients, vendors, contractors, who receive OHCS funding, and must include adhering to program requirements).

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

More information can be found at https://www.centerforsocialinclusion.org/our-work/our-four-strategies/, http://center4si.com/sparc/, and https://www.usich.gov/news/racial-equity-an-essential-component-of-our-nations-homelessness-response/

(E) *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) 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 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 that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.~~

~~(B) *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 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.~~

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

~~(C)~~(B) *Client Service or Housing Stability Plan*

Case management is one of the primary services offered to individuals and families who face multiple challenges, including severe mental illness, addiction, and ~~homeless~~houselessness. Effective case management includes **assessment, planning, implementation, coordination and evaluation**. Best practices in case management skills are available on the OHCS Homeless Services Section dashboard.

A Client Service/Housing Stability Plan **is** needed when:

1) A client is receiving more than one-time only services;
2) Required by the program based on the type of assistance or services provided to the client;
1) A subgrantee/subrecipient is unable to assist a client with the entirety of their funding request. ~~For those clients receiving case management and/or more than one-time only services the development of a client service or housing stability plan (action plan) is required. Additionally, in cases in which, based on the assistance or services provided, where it is a requirement of the program, a client service or housing stability plan (action plan) can also be required.~~ For example, a client owes six months of rent arrears and the subgrantee/subrecipient is only able to cover three months of that arrears. A plan would be needed to determine how the client will be able to avoid eviction and remain housed so that the three months of assistance covered by OHCS funds is not just a debt payment. Minimally, the client stability plan in this case, should document referrals, such as such as budgeting classes, housing navigation, long-term rental assistance programs, SOAR, assistance is obtaining other needed services, etc., that were provided and the subgrantee/subrecipient's best effort to assist the client in understanding how they can stabilize their situation.
2) A client is receiving hotel/motel voucher as part of an emergency shelter strategy and are receiving **more than 14 days** of hotel/motel voucher assistance within a fiscal year, they must have a client service or housing stability plan, documenting minimally the referrals provided, such as budgeting classes, housing navigation, long-term rental assistance programs, SOAR, assistance is obtaining other needed services, etc., and the subgrantee/subrecipient's best effort to assist the client in understanding how they can stabilize their situation.

Plans are required to be client driven, using input and goal setting by the client. An existing and active client service/housing stability plan from other providers can be shared and amended for purposes of OHCS-funded programs.

A Client Service/Housing Stability Plan is **NOT** needed when:

~~If client is receiving hotel/motel voucher as part of an emergency shelter strategy and are receiving more than 14 days of hotel/motel voucher assistance within a fiscal year, they must have a client service or housing stability plan.~~

3) A client is assisted within an Inclement Weather ~~Warming/cooling centers~~Centers. ~~are excluded from this requirement.~~ If hotel/motel vouchers are used in lieu of ~~a warming/cooling~~an inclement weather center, where there are no

~~warming/cooling~~inclement weather centers or they exceed capacity, then a client service/housing stability plan is also not required.

4) Temporary stays in emergency shelter in which the client is **not** receiving case management activities.

~~Existing and active client service/housing stability plans with other providers can be used and amended for purposes of OHCS-funded programs.~~

~~(D) *Confidentiality*~~

~~Confidential records include all applications, records, files, and communications relating to applicants and participants of, OHCS-funded services regardless of hard-copy or electronic format.~~

~~Subgrantees must have a stand-alone policy for the confidentiality of applicant/participant records. Such policy 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 policy and must include an acknowledgement of such policy, in writing;~~

~~4) A provision for the electronic collection of applicant/participant information which states that:~~

- ~~Computer terminals must be 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 must be cleared (or a screen saver activated) immediately after accessing a(n) applicant/participant record;~~
- ~~Computer terminals must be 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; and~~

~~5) 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 that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.~~

~~**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.

(E) *Grievances and Appeals*

Subgrantees are required to have an established, written stand-alone policy for addressing applicant/participant grievances/appeal requests. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy 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 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 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) 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) 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 that in its determination does not meet basic principles or requirements for such a policy.

(F) *Nondiscrimination*

Subgrantees are required to comply with all state and federal statutes relating to nondiscrimination. Subgrantee must have a stand-alone policy 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 that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

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 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 or 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.

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.

(G) *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 that describes the following:

(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 that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

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".

(H) *Conflict of Interest*

In the performance of work under EHA, (DRF/DRF VET), ERA and SHAP, 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, unless in rare circumstances it is in the interest of the participant for the expediency of housing placement services or to create a seamless service delivery while keeping the participant engaged in services and such situation is documented in the participant file.~~

~~Subgrantee must have a conflict of interest policy 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. If a subgrantee or subrecipient wishes to apply for a waiver, they must contact the OHCS homeless program analyst or manager 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.

Subgrantee must have a Conflict of Interest stand-alone policy 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 that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

(I) *Monitoring*

OHCS will conduct a program monitoring of subgrantees once every two fiscal years or more frequently at OHCS' discretion. OHCS program monitoring may include desk audit, site visit and/or site visit with subrecipients (or subrecipient organization's subrecipient). Fiscal monitoring will be conducted once every two fiscal years unless circumstances and/or risk assessment require less or more frequent monitoring at OHCS' discretion. Subgrantees will be notified thirty (30) 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 EHA (DRF/DRF VET) ERA and SHAP funds to OHCS or other remedies as described in the subgrantee's grant agreement/contract.

Subgrantees must notify and receive approval from OHCS when adding subrecipients and/or renewing subrecipients. Notification and approval normally occur during the subgrantee's grant agreement/contract funding application process. However, if changes are made outside of the funding application, subgrantees must submit an Implementation Report Amendment Request form for approval of subrecipient additions, deletions, or modifications within 30 days of such change.

(J) *Subrecipient Monitoring*

For the purposes of this operations manual the term "subrecipient" shall mean any subgrantee's subcontractors, contractors, vendor, subrecipients and any subcontractors, contractors, vendors or subrecipients of a subcontractor, contractor, vendor or subrecipient. Subrecipients must follow program intent, rules, and guidelines for the expenditure of funds.

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

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

- Frequency of subrecipient monitoring, which must be minimally once during a biennium or the term of the subgrantee's grant agreement/contract;
- The number of relevant samplings of fiscal transactions per program;
- The number of relevant samplings of participant files and that such review includes eligibility, notification and documentation;
- The number of relevant samplings of HMIS entries to ensure appropriate entry and tracking of participant information and service transactions;
- A review of participant records to ensure compliance with security, maintenance, retention, and destruction of records; and
- 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 that in its determination does not meet basic principles or requirements of such a policy.

At least once during each biennium, Subgrantee must monitor 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.

(1) Subgrantee's monitoring of its subrecipients must include: 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;~~

~~(2) a review of financial and performance reports;~~

~~(3) a review of subrecipient policies and procedures, forms, documentation, client records including eligibility, notifications and documentation;~~

~~(4) a review of participant records to ensure compliance with security, maintenance, retention and destruction of records; and~~

~~(5) follow up on all deficiencies pertaining to any OHCS funding in accordance with all program rules and regulations.~~

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

~~(1) Frequency of subrecipient monitoring, which must be minimally once during a biennium or the term of the subgrantee's grant agreement/contract;~~

~~(2)~~(1) ~~The number of relevant samplings of fiscal transactions per program;~~

~~(3)~~(1) ~~The number of relevant samplings of participant files and that such review includes eligibility, notification and documentation;~~

~~(4)~~(1) ~~The number of relevant samplings of HMIS entries to ensure appropriate entry and tracking of participant information and service transactions;~~

~~(5)~~(1) ~~A review of participant records to ensure compliance with security, maintenance, retention, and destruction of records; and~~

~~(6)~~(1) ~~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.~~

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

Applicant Eligibility	Emergency Housing Assistance (EHAP GF/~~EHA~~ DRF~~/EHA VET DRF~~)	State Assistance Program (SHAP)	Elderly Rental Assistance (ERA)
~~Homeless~~Houseless Status	• literally ~~homeless~~houseless • imminent risk • other federal statutes • fleeing DV • unstably housed	• literally ~~homeless~~houseless • other federal statutes • fleeing DV	~~• literally homeless~~ • imminent risk ~~• fleeing DV~~ • unstably housed
Income Requirement	80% or below area median income	no income requirements	50% or below area median income

Age	N/A	N/A	One member of household is 58 years or older

(A) *Household Composition*

"Household" means an individual living alone, family with or without children, or a group of individuals who are living together as one economic unit. For **ERA**, one member of the household must include a member that is 58 years of age or older.

(B) *Legislatively Targeted Populations for EHAP DRF*

Legislatively targeted populations for **EHAP** DRF include veterans (ORS 294.187). ~~, seniors over 65 years of age, persons with disabilities, farmworkers, and Native Americans.~~ Subgrantees/Subrecipients must expend a minimum of 25% of EHAP DRF ~~VET~~ funds ~~must be exclusively expended~~ on households that include a veteran. DRF Allocations in OPUS will require that funds for households with a veteran be provided for the purpose of program delivery and financial assistance and must equal 25% of the DRF award.

(C) *Housing Status*

~~Homeless~~Houseless households are eligible to receive **EHAP GF/**~~(~~DRF~~/DRF VET), ERA~~ and **SHAP** funded services and financial assistance.

~~; and u~~Unstably housed households ~~can~~ are eligible to receive **EHAP GF/**~~(~~DRF~~/DRF VET)~~ **and ERA** funded services and financial assistance.

Eligible applicants ~~for program~~OHCS-funded services must meet one of the following categorical definitions of homeless or unstably housed ~~and at risk of homelessness~~:

Category 1: Literally Homeless—An ~~i~~individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

- Living in a primary nighttime residence that is a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human being, ~~human habitation (~~including~~, but not exclusive to,~~ a car, park, abandoned building, bus or train station, airport or camping ground~~)~~; **OR**
- Living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional ~~shelter~~housing, and hotels ~~or~~ and motels paid for by charitable organizations or by federal, state or local government programs for low-income individuals); **OR**
- Exiting an institution where he or she ~~has~~ resided for 90 days or less **AND** who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.

Category 2: Imminent Risk of Homelessness—Individual or family who will imminently lose their primary nighttime residence provided that:

- The primary nighttime residence will be lost within ~~21~~ 14 days of the date of application for homeless assistance; **AND**
- No subsequent residence has been identified; **AND**
- The individual or family lacks the resources or support networks (e.g., family, friends, faith-based or other social networks) needed to obtain other permanent housing.

Category 3: Homeless Under Other Federal Statutes—Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, ~~(literally homeless, imminent risk of homelessness or fleeing/attempting to flee domestic violence)~~ but who:

- Are defined as homeless under Section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)) or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)~~Are defined as under other listed federal statutes~~; **AND**
- Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance~~prior to the program assistance application~~; **AND**
- Have experienced persistent instability as measured by two moves or more during the ~~preceding~~ 60 day period immediately preceding the date of applying for homeless assistance~~s~~; **AND**
- Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment.~~due to special needs or barriers~~.

~~1. Other Federal Statutes include:~~

- ~~11434a)Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.),~~
- ~~Head Start Act (42 U.S.C. 9831 et seq.),~~
- ~~Subtitle N of the Violence against Women Act of 1994 (42 U.S.C. 14043e et seq.) (VAWA),~~
- ~~Section 330 of the Public Health Service Act (42 U.S.C. 254b),~~
- ~~Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),~~
- ~~Section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), and~~
- ~~Subtitle B of title VII of the McKinney-Vento Act (42 U.S.C. 11431 et seq.)~~

Category 4: Fleeing/Attempting to Flee Domestic Violence—Individual or family who:

- Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence; **AND**
- Has no other ~~safe~~ residence; **AND**
- Lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, to obtain other permanent housing.

Category 5: Unstably Housed—Individual or family who:

- Is rent-burdened, defined as paying more than 30% of their gross income in rent (documented income/rent amount); **OR**
- Is currently paying more than the Fair Market Rent, defined by HOME FMRs (https://www.oregon.gov/ohcs/compliance-monitoring/Pages/rent-income-limits.aspx) or Small Area FMRs, as applicable (with documented income/rent amount); **OR**
- Is at risk of losing their housing, and does not otherwise qualify as homeless or imminent risk under the above listed (1-4) categories, provided that:
  - They have been notified to vacate current residence or otherwise demonstrate high risk of losing current housing (rationale for high risk of losing current housing must be documented and kept in the client file); **AND**
  - Lack the resources or support networks to obtain other permanent housing (must be evidenced by documentation in the client file).

(D) *Income*

If a person is assisted with **EHAP GF/DRF** and is residing in shelter, ~~T~~there is no income eligibility requirement.

For persons assisted with **EHA GF/DRF or ERA** that are not in shelter, ~~for **SHAP** funded assistance~~such persons are required to meet income eligibility requirements.

If a person is assisted with **SHAP,** regardless of whether sheltered or unsheltered, such persons are not subject to income eligibility requirements.

If a person, not residing in shelter, is/was employed and fleeing domestic violence, but leaving behind earned income to do so, the client file must have documentation of the loss of employment to qualify for a no-income eligibility criteria; otherwise, they must meet **EHAP GF/DRF** income eligibility requirements as identified below (if residing in shelter, no income eligibility requirement apply):

EHAP GF/DRF-provided services require applicants to be low-income; i.e., gross household income at or below 80% of area median income (as determined by HOME AMI limits located at: https://www.oregon.gov/ohcs/compliance-monitoring/Pages/rent-income-limits.aspx).

ERA-provided houseless prevention services require applicants to be very-low-income; i.e., gross household income at or below 50% of area median income (as determined by HOME

AMI limits located at: https://www.oregon.gov/ohcs/compliance-monitoring/Pages/rent-income-limits.aspx).

Income includes the current gross income of all adult household members. Income earned by household members who are minors or full-time students **and** are not considered heads of household is excluded.

~~While household assets must be identified to determine that a program applicant lacks the resources to obtain or retain permanent housing, if using the unstably housed housing status, they are generally not counted as income, unless an income is derived from such assets dividends on investments, stocks, bitcoins, etc., which must be counted as part of the household's available income.~~

Subgrantee's process for determining income eligibility and the documentation required must be consistent with OHCS program requirements.

Subgrantees' policies and procedures must identify what method they will use to calculate income eligibility and income eligibility must be calculated consistently between applicants of the same program. 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.

Documentation methods may include:

- Previous 12 months of income;
- Year-to-date income divided the number of months included in the year-to-date income; or
- Previous 30 days (or the previous 60 days or other specified period of days) of income.

Convert periodic wages to annual income by multiplying:

1. *Hourly wages by the number of hours worked per year (2,080 hours for full-time employment with a 40-hour week and no overtime);*
2. *Weekly wages by 52;*
3. *Bi-weekly wages (paid every other week) by 26;*
4. *Semi-monthly wages (paid twice each month) by 24; and*
5. *Monthly wages by 12.*

To annualize other than full-time income, multiply the wages by the actual number of hours or weeks the person is expected to work.

A "Snapshot" of current income can be used **as an exception** to subgrantee's policies and procedures, when warranted and documented in the client file. **"Snapshot" Method** means the process of determining the estimated annual income that uses a "snapshot" of the household income at the time of application. It does not rely on a specific period in the past to determine the annual income amount. The method must only be used when a household's income has recently changed drastically and is not expected to change from the time of the

snapshot (such as in a recent job loss) or when income tends to be very volatile. The snapshot method **cannot** be used to avoid accounting for income.

(1) Standardization: Subgrantees/subrecipients have the discretion to calculate income standards in a manner best suited for the organization, based on their own policies/procedures. Example policies/procedures include using a year-to-date amount divided by the number of months in the year-to-date amount; using the last 30 days of paystubs or the last 60 days of paystubs. The main requirement is that the way income is calculated is consistent between clients. Exceptions to the standard way of calculating income must be identified in policy/procedure (such as circumstances in which a snapshot method is used).

(2) Consistency: Subgrantee/subrecipient must be consistent in how income calculation standards are applied, even if that means it excludes someone from being able to be assisted. Subgrantee/subrecipient cannot use the most current paystub for one person, the last 30 days for another, and a year-to-date for someone else, especially if the fluctuating use shows that it is being done to under-calculate income. Income calculation standards must be documented in policy/procedure and such policy/procedure will be subject to OHCS monitoring.

(3) Client quit a job: If an applicant/client quits their job within the past 30 days and meets other eligibility, assistance may still be provided; however, the income can be calculated on the "snapshot" method. The snapshot method is an exception to a standardization of income calculation and must be identified in the subgrantee/subrecipient policy/procedure as well as documented in the client file as to why the exception was granted.

(4) Overtime and Bonuses cannot be excluded from income calculations. Income cannot be excluded just because it would put the applicant/participant over the income limit. Year-to-date income methodology is an effective way to determine income when income is varied and includes overtime or bonuses.

(5) Income from a live-in aide is not considered part of the income determination; however, a live-in aide must meet the following criteria:

a. Live-in aide means a person who resides with one or more elderly household member, or near-elderly household member, or member of the household with disabilities, and who:
    i. Is determined to be essential to the care and well-being of the household member;
    ii. Is not obligated for the support of the household member;
    iii. Would not be living in the unit except to provide the necessary supportive services; and
    iv. Provides documentation of payment for the live-in aide services provided to the household.

(6) Child tax credits, Earned Income Tax Credits, Stimulus Payment and Tax Refunds are not considered income.

(7) Self-employment: When calculating self-employment, use the previous year's tax information, if available. Use the gross income and subtract out the deductions claimed on Schedule C to get a net income. Schedule C is the Profit and Loss form used for a Business, which deducts expenses, such as their vehicle, supplies, offices expenses, travel, utilities, etc. The net income is then divided by 12 and the result is used for the household's monthly income.

More information on income can be found on the OHCS website in the Income Inclusions and Exclusions form.

(E) *Assets*

Unstably housed (category 5) housing status requires that households lack the resources to obtain or retain permanent housing. Documentation of assets must be completed when using category 5 housing status. ~~While household assets must be identified to determine that a program applicant lacks the resources to obtain or retain permanent housing, if using the unstably housed housing status, they are generally~~Such assets are not counted as income, unless an income is derived from such assets, i.e., ~~–~~dividends on investments, stocks, ~~bitcoins~~digital currency, etc., Income derived from assets ~~which~~ must be counted as part of the household's available income for eligibility purposes.

~~(E)~~(F) *Veteran Status*

Eligible applicants for **EHAP DRF** veterans funding ~~(EHA-DRF-VET)~~ must meet one of the following conditions as documented with original discharge papers or DD214 Identification or other acceptable Veteran's Affairs documentation:

(1) Served on active duty with the Armed Forces of the United States for an identifiable period of time as further defined in ORS 408.225 and was discharged or released from active duty under honorable conditions; **OR**

(2) Received a combat or campaign ribbon or an expeditionary medal for service in the Armed Forces of the United States and was discharged or released from active duty under honorable conditions; **OR**

(3) Is receiving a non-service-connected pension from the United States Department of Veterans Affairs; **OR**

(4) Includes a person who served in the military, naval, or air service that has been discharged or released from that service and has been determined by the United States Department of Veteran's Affairs to be eligible to receive any benefit from that Department.

Documentation of veteran status may include evidence of receiving any benefit from the Veteran's Affairs Department, such as a signed statement on the letterhead of a Supportive Services for Veteran Families (SSVF) provider. Veterans have up to 12 months from the date of application in which to provide documentation of eligible veteran status. If desired, a template ~~extension~~ "Veteran Status Documentation Extension" form is available to subgrantees/subrecipients on the OHCS ~~dashboard.~~website If documentation is not received within 12 months of the date of application, EHAP ~~VET~~ DRF funds drawn from the veteran set-aside cannot be used for assistance/services and subgrantee must rebook the costs with

another allowable funding source, such as regular EHA DRF or EHAP GF. If funds cannot be rebooked, they must be repaid to OHCS within 30 days.

~~(F)~~(G) *U.S. Citizenship*

There is no applicant/participant United States citizenship requirement to be eligible for **EHAP GF/ ~~(~~DRF~~/DRF VET)~~-, ERA**- and **SHAP**-funded assistance.

~~(G)~~(H) *Oregon Residency*

Services must be provided to those residing and intending to reside within the state of Oregon; however, there is no length of time prior to receiving services or financial assistance in which a participant had to have been a resident in the state of Oregon.

If a household's documented housing status is Category 4, Fleeing Domestic Violence, **EHAP GF/~~(and EHA~~ DRF~~/EHA DRF VET)~~** and **SHAP** can be used for eligible categorical costs associated with moving out of Oregon to a safe location, providing that there is documentation in the client's service/housing plan, indicating that the client's destination has been confirmed as an available safe, housing option and that no funds are used for rent, hotel/motel, utilities or other services in a state other than Oregon. Such allowable costs are restricted to moving costs.

OHCS does not require strict adherence to an organization's service boundaries within Oregon; however, some clients may start intake and assessment with one organization and then find housing or move to another organization's jurisdiction. OHCS recommends that organizations coordinate with one another ~~and work together~~ to meet the needs of the client, or one organization can provide a soft hand-off to another organization for continued support. Roles and responsibilities should be clearly identified between the organizations to effectively support the client.

~~(H) *Eligibility Documentation*~~

~~*[also see Records Section of this Manual]*~~

~~(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. 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 assistance.~~

~~(2) **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 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 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 that in its determination does not meet basic principles or requirements of such a policy.

The subgrantee's Remote Application and Documentation policy 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.

(3) **Order of Preference**

OHCS requires program staff to comply with the following general documentation standards listed in order of preference:

- **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 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. 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.

(4) **Simplified Documentation Option**

When a subgrantee or subrecipient moves an active client from the Housing Stabilization Program (HSP) to EHA (DRF/DRF VET), SHAP or Elderly Rental Assistance (ERA) programs or between state funds (EHA (DRF/DRF VET), SHAP, ERA), they can choose to use a simplified documentation process for the client's homeless status and income; whereby the subgrantee or subrecipient case manager verifies that the client meets the homeless 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) will still remain requirements that must documented when using a simplified documentation option 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) funds still require separate documentation and are not subject to a simplified documentation option.

4. Allowable Program Components and Expenditures

Emergency Housing Assistance (EHAP GF/EHA DRF/EHA VET DRF)	State Homeless Assistance Program (SHAP)	Elderly Rental Assistance (ERA)
• Street Outreach • Emergency Shelter & Transitional ShelterHousing Operations • Transitional HousingFinancial Assistance	• Street Outreach • Emergency Shelter & Transitional ShelterOperations • RRH Financial Assistance • RRH Program Delivery	• Transitional Housing • HP/RRHHP Financial Assistance • HP Program Delivery • Supportive In-Home Services

• ~~HP/RRH~~Program Delivery • ~~Supportive In-Home Services~~ • ~~Acquisition/~~Rehab, Renovation • ~~Community Capacity Building~~Emergency System and Strategy Strengthening • ~~Data System Expenses~~ • Engagement Incentives	• ~~Acquisition/~~Rehab, Renovation • ~~Data System Expenses~~	• ~~Data System Expenses~~ • ~~Rental Subsidy~~

(A) *General Guidance*

Follow requirements identified in the HSS Program Standards Guidance. ~~Documentation of allowable program components and expenditures must identify how an expense or service helped a participant maintain or attain permanent housing. OHCS-funded assistance provided 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. Allowable component expenditures do not include costs associated with residential treatment facilities, residential homes, nursing, memory care or assisted living facilities, permanent supportive housing, hospital, jails and other similar institutions.~~

Twenty-Five (25%) percent of DRF award must be expended on the veteran population for program delivery and financial assistance and will require that subgrantee's draw funds from separate OPUS categories for tracking purposes

~~**EHA (inclusive of EHA Document Recording Fee (DRF) and EHA DRF VET), ERA** and **SHAP** can be used in **one or more** of the following program components, where the program allows:~~

~~(A) Street Outreach~~
~~(B) Emergency & Transitional Shelter~~
~~(C) Transitional Housing~~
~~(D) Homelessness Prevention & Rapid Re-Housing~~
~~(E) Supportive In-Home Services~~
~~(F) ERA Rental Subsidy~~
~~(G) Shelter or Transitional Housing Facilities Acquisition. Rehab/Conversion~~
~~a. Distinguishing Between Maintenance and Rehab/Conversion~~
~~(I) Community Capacity Building~~
~~(J) Data System Expenses~~
~~(K) Gift Cards~~
~~(L) Engagement Incentives~~

~~(A)~~(B) *Street Outreach (Program Delivery)*

EHAP GF/(DRF~~/DRF VET)~~ and **SHAP** funding can pay for street outreach services. Street Outreach is service delivery that targets unsheltered ~~homeless~~houseless individuals and households. Street Outreach is drawn from the Program Delivery category of the grant. Street outreach includes reaching out to people who **do not otherwise seek assistance**. Street outreach involves going outside of the agency to connect with individuals and households (non-clients) where they build rapport and meaningfully engage with unhoused individuals and families for assessment, eligibility screening, and case management so that subgrantee/subrecipient can assist them in obtaining permanent housing. Street outreach includes connecting with individuals and households experiencing ~~homeless~~houselessness who may be disconnected or alienated from supports and services and is focused on moving people into permanent housing without preconditions for receiving assistance.

OHCS encourages the use of multi-disciplinary approaches and partnerships with culturally responsive, healthcare-focused, or other specialty outreach services. Leveraging various fund sources to pay for health services, such as through Medicaid, should be explored whenever possible. It is expected that any health professionals providing specialty outreach services have proper credentialing and licensure through relevant governing bodies (e.g., Oregon Health Authority, Mental Health and Addiction Certification Board of Oregon).

1) **Requirements for the delivery of Street Outreach:**
   a) Employs engagement strategies focused on building rapport as identified in this Section.
      - Includes basic assessment of needs that engages with the individual or household to get an understanding of factors related to immediate health and basic needs, vulnerabilities, and risks, and any other related factors. This does not necessarily need to be a formalized assessment tool and completing an assessment tool (such as coordinated entry assessment) is not a precondition for receiving street outreach services.
   b) Safety in service delivery – the subgrantee must have a written policy/procedure (such policy/procedure must be made available to OHCS upon request, 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) regarding staff safety in service delivery, which may include the following:
      - Never go out alone. Teams of two should be considered the absolute minimum.
      - Establish a system in which threats to safety to teammates are identified unbeknownst to others while conducting street outreach.
      - The office or clinic (e.g., team members not in the field) should always know the location of outreach teams. Keep to a set schedule and use Smartphones that have GPS functionality built-in.

- Wear matching clothing, ideally in bright colors, so the street outreach team is easily identified as the street outreach workers.
- Linkages with crisis response teams and behavioral health support are essential, especially if outreach teams lack a behavioral health provider.
- Use trauma-informed de-escalation training for outreach staff.
- Use harm reduction principles: safety and comfort are two different things, as are perceived threats to safety and actual threats. Witnessing drug use is not necessarily a threat to safety, for example.
- Create time and space for street outreach teams to debrief and process any threatening events. Trauma-informed supervision of outreach personnel is essential.

c) Works toward connecting participants with local coordinated entry (CE) systems and as a means of connecting participants to available permanent supportive housing opportunities, if participant has this need. If participant agrees, this will include completing a CE assessment or referring them for a CE assessment/enrollment. Coordinated Entry is not a requirement of EHAP GF/~~(EHA~~ DRF~~/EHA VET)~~ or SHAP).

~~c)~~d) Street Outreach is only eligible for non-clients. Once a person is officially a client, funds for continued financial assistance and program delivery support must be funded under other eligible components (shelter, prevention, rapid rehousing).

~~d)~~e) Services are person centered, trauma informed, culturally responsive and meet requirements of non-discrimination guidelines.

~~e)~~f) Staff receive appropriate training, that at least covers minimum training requirements, as identified in the Training Section of ~~this manual~~the Program Standards Guidance.

~~f)~~g) Use of street outreach funds to provide ~~safety/comfort resources~~Street Outreach Consumable Purchases for non-clients (such as food, tarps, sleeping bags, clothing, blankets, tents, toiletries, propane tanks, pet food, pet supplies/leashes, pet crates, etc., (veterinary services are allowable for sheltered and unsheltered clients only under Shelter Operations and require HMIS entry) is allowable as a means of building rapport and encouraging program participation. Consumable Purchases must be delivered to the non-client where they are at and does not require them to travel or use a voucher or gift card to obtain the item (gift cards or cash equivalents, such as a pre-paid laundry card) are not allowable in street outreach). ~~, however, t~~The goal must be the connection to permanent housing and subgrantee/subrecipient must utilize donations and other available resources for obtaining these consumable supplies prior to using state funds. ~~and such e~~Efforts to obtain these consumable supplies outside of using state funds must be documented and such document must be available to OHCS, upon request or the subgrantee/subrecipient must be able to articulate appropriate measures taken that align with OHCS' intent identified in this manual. Consumable purchases must meet the intent of street outreach, which is to build rapport sufficiently so that the houseless person(s) receives an assessment, eligibility screening, and case management as a client (see definitions section) to assist them in obtaining permanent housing. This use of funds should be limited and applies only when other donations or resources are not available. Once a person is a client, they no longer receive street outreach services and

are entered into other eligible categories for financial assistance and program delivery services. Subgrantee/subrecipient may track the distribution of Consumable Purchases to houseless individuals through an HMIS service transaction.

~~g)~~h) Data entry - all street outreach events and services must be entered into HMIS

2) Allowable Costs for Street Outreach include:

a) Assessment, enrollment, data entry – conducting an initial assessment of applicant basic needs and eligibility, conducting a CE entry assessment and data entry into HMIS;

b) ~~Safety & Comfort~~ Street Outreach ~~Resources~~ Consumable Purchases ~~such as food, tarps, sleeping bags, clothing, blankets, tents, toiletries, propane tanks are allowed; however, this must not be the sole strategy for street outreach services and such items must be limited and provided as a means of building rapport with homeless individuals to connect them to shelter, permanent housing options and additional health and human services~~(see requirements in (1)(g) above);

c) Providing crisis counseling;

d) Assessing emergent health, behavioral and mental health needs and connecting and/or referring participants to these services;

e) Collaboration with health, behavioral and mental health service providers to connect with street outreach households in the field;

f) Connect street outreach households to appropriate shelter services where basic needs can be met, such as access to shower, laundry, food services and other shelter resources and services;

g) Organizational costs for developing Homeless Connect events;

h) Marketing and outreach costs inclusive of written materials, translation and interpretation services (promotion and marketing must be program specific to EHAP, SHAP and/or ERA and cannot be general promotion or marketing of the organization or of emergency assistance in general);

i) Cell phone costs for outreach workers; and

j) Travel expenses incurred by outreach workers or in conjunction with outreach workers, social workers, medical professionals, or other service agency employees during the provision of allowable street outreach services (Street Outreach program delivery travel expenses must be expended and documented in accordance with guidance for travel identified in the Administration Section of this manual)

3) Unallowable Costs for Street Outreach include:

a) Cash or cash-equivalent funds provided to applicants/participants

b) Use of vouchers or gift cards/cash equivalents

c) Stipend or direct payment to client for any purpose

d) Personal solar or other powered generators

e) Phone purchases for clients

~~a)~~ Veterinary or animal behavioral health services (see Shelter Operations)

~~(B)~~(C) *Emergency ~~and Transitional~~ Shelter and Transitional Housing Operations*

~~(1) Shelter Facility Operations~~

~~**EHA (and DRF/DRF-VET)** and **SHAP** funding can pay for emergency and transitional shelter facility operations.~~ **EHAP GF/DRF** funding can be used for transitional housing facility operations. **EHA GF/DRF** and **SHAP** funding can be used for emergency shelter facility operations.

Emergency~~/Transitional~~ Shelter/Transitional Housing Operations are those costs associated with maintaining and operating emergency ~~or transitional~~ shelter and transitional housing facilities whose primary purpose is to provide temporary ~~or transitional~~ shelter and housing to ~~the general homeless~~houseless or specific populations of ~~the homeless~~houseless households. ~~Use of **EHA DRF VET** funds for emergency and transitional shelter, must include a requirement that recipients of such shelter meet the definition of "veteran" as outlined in this manual.~~

Program delivery services and financial assistance to clients residing in emergency shelters or transitional housing can be provided through Rapid Rehousing activities.

Emergency Shelter (EHAP/DRF, SHAP) means a facility whose primary purpose is to provide emergency shelter to houseless households or specific populations of the houseless and which do not require occupants to sign leases or occupancy agreements (inclusive of transitional shelter; however, not transitional housing). Shelters act as the "front door" of a houseless system of care. They provide emergency services including hygiene, nutrition, and safe sleep, while also helping to connect families and individuals to housing. Shelters may be congregate or non-congregate.

Emergency Shelter must:

- provide protection from the elements;
- provide space to live and securely store belongings (including ability to securely store required prescription medications);
- include kitchen/meal preparation facilities;
- include bathroom (toilet/shower) facilities;
- be free of accumulated trash and debris and all trash kept securely in closed/covered bins;
- receive regular cleaning and areas of high traffic must be regularly disinfected to reduce the spread of germs. Areas such as bathrooms, door handles and light switches must be cleaned daily and bathrooms free of trash/debris;
- receive frequent broom/mop cleaning, particularly in areas in which pets reside;
- appropriately dispose of hazardous materials, such as needles;
- provide access to refrigeration for required prescription medication that is needed for a resident or their pet; and
- not charge residents a fee for such shelter or shelter services.

Any building that uses OHCS funds for the purpose of shelter must meet basic habitability standards as follows (this is not the same as an NSPIRE or HQS inspection and can be performed by subgrantee/subrecipient staff; however, documentation must be on file that such an inspection was performed at a minimum of once every funding cycle – a habitability standards checklist is available on the OHCS website, if desired):

- ***Structure and materials.*** The shelter building must be structurally sound to protect residents from the elements and not pose any threat to health and safety of the residents.
- ***Access.*** The shelter must be accessible to those with disabilities.
- ***Space and security.*** Except where the shelter is intended for day use only, the shelter must provide each program participant in the shelter with an acceptable place to sleep and adequate space and security for themselves and their belongings.
- ***Interior air quality.*** Each room or space within the shelter must have a natural or mechanical means of ventilation. The interior air must be free of pollutants at a level that might threaten or harm the health of residents.
- ***Water supply.*** The shelter's water supply must be free of contamination and contaminates.
- ***Sanitary facilities.*** Each program participant in the shelter must have access to sanitary facilities that are in proper operating condition, are private, and are adequate for personal cleanliness and the disposal of human waste.
- ***Thermal environment.*** The shelter must have any necessary heating/cooling facilities in proper operating condition. This does not mean that a shelter must have air conditioning, but that any heating/cooling system being used is in proper operating condition and minimally, provides adequate heat and cooling functions.
- ***Illumination and electricity.*** The shelter must have adequate natural or artificial illumination to permit normal indoor activities and support health and safety. There must be sufficient electrical sources to permit the safe use of electrical appliances in the shelter.
- ***Food preparation.*** Food preparation areas, if any, must contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.
- ***Sanitary conditions.*** The shelter must be maintained in a sanitary condition.
- ***Fire safety.*** There must be at least one working smoke detector in each occupied unit of the shelter. Where possible, smoke detectors must be located near sleeping areas. The fire alarm system must be designed for hearing-impaired residents. All public areas of the shelter must have at least one working smoke detector. There must also be a second means of exiting the building in the event of fire or other emergency.

Shelters may require that residents sign or agree to a Code of Conduct, which is not the same as an occupancy agreement (see Definitions section of this manual).

Low-Barrier Shelters are a priority at OHCS. Low-barrier shelters have limited entry requirements that enable people, who otherwise are not willing or able to access shelter

services, to be off the streets. Low barrier shelters must not expect residents to abstain from using alcohol or other drugs while living on-site and residents must not engage in these activities in common areas of the house. Low barrier shelters allow pets, allow couples/families to stay together, and can provide secure storage space for personal items. Low barrier shelters do not require documentation of identification, custody, citizenship, or gender and comply with Equal Access requirements. Low-barrier shelters are a state priority and should be implemented whenever feasible. Low-barrier shelters must maintain the same standards for cleaning/sanitation and habitability as emergency shelters as identified above.

Hotel/Motel Vouchers can be used as an emergency shelter strategy in those areas and times when no appropriate emergency shelter is available or to meet the medical needs of the shelter resident(s). Subgrantee/subrecipient must have documentation on file and available for monitoring purposes, that identifies that due diligence has been performed to determine that no appropriate emergency shelter is available or that the client meets a need for non-congregate sheltering options. Hotel/motels do not have to perform inspections for habitability standards related to EHA GF/DRF or SHAP.

~~**Warming/Cooling**~~**Inclement Weather Centers** are a short-term, drop-in and/or overnight facility that operates when temperatures or a combination of precipitation, wind chill, wind, air quality and/or temperature become dangerously inclement. Their paramount purpose is the prevention of death and injury from exposure to the elements and are an allowable use of Emergency Shelter Operation funding. When operated by a subrecipient, such subrecipient must be identified in the subgrantee's Funding Application and must be prior approved by OHCS before receiving OHCS funds. The resulting contract/agreement between the subgrantee and subrecipient must contain all required provisions from the OHCS Subgrantee Agreement/Contract. Subaward agreements must cite the correct regulations and the correct grant(s). 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 Program Element: Scope of Work.

Safe Sleep Sites are locations in which the subgrantee/subrecipient provides houseless individuals/households a safe and lawful place to temporarily place a vehicle and/or tent in which they live and provides access to human and social services.

Safe Sleep Sites must be a strategy taken when no other sheltering options are available to meet the need of housing unsheltered households. There must be documented evidence available for review at OHCS' request, such as a community needs assessment or other analysis that identifies a gap in sheltering options that only Safe Sleep Site are able to fill.

To be an eligible use of Shelter Operations funds, these shelters **must** adhere to local zoning requirements and meet minimum requirements of which the end goal is to be permanent housing and subgrantee/subrecipient **must** have a written plan of operation for each site or policies and procedures that meet the same standard.

The written plan of operation (policy/procedure) of Safe Sleep Sites must be available during monitoring. Safe Sleep Sites must have a minimal level of onsite management that ensures:

1) timely and appropriate responses to compliance with zoning requirements, when identified by state, local or county officials;
2) the safety of participants, such as security personnel or other measures that ensures participant safety;
3) site cleanliness/janitorial services for regular clean-up of the site;
4) garbage collection, inclusive of "sharps" and other bio-hazard disposal;
5) sanitation options, such as portable toilets or access to toilet facilities;
6) access to a potable water source;
7) removal/towing of inoperable and/or abandoned vehicles;
8) waste management that may include plan to address spills and RV waste water disposal
9) provision of subgrantee/subrecipient services to residents, such as case management, rehousing options, housing navigation, links to employment, and needed medical services, etc.; and
10) that site rules are posted at the site and must include contact information for the subgrantee/subrecipient in case of emergency.

~~**EHA** and **SHAP** Shelter Operations can be used to support the operations performed by partners of subgrantees when such partners are operating a warming/cooling center during periods of inclement weather. To provide~~ Shelter

~~a)~~**b)** ~~Operation funds to a partner organizations, such partner organizations must be identified as a subrecipient of the subgrantee and must follow general EHA and SHAP guidance and specific requirements related to the delivery of Shelter Operations as identified in Section (B)(1)(a) and (b) below.~~**Requirements for the delivery of Shelter Operations:**

1) Subgrantees must have an animal policy in place to ensure the safety and welfare of all residents and animals, if animals are accepted at the shelter facility, and such policy must be available to OHCS upon request. Shelters must not implement specific dog breed restrictions. Pets may include service animals and companion animals as defined in ORS 609.500(4). 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. An animal safety policy/procedure must include:
   i. What type of pet is acceptable (dog breed restrictions are prohibited);
   ii. How many pets are acceptable (per person or per shelter limitation);
   iii. Whether muzzles or leashes are required, when and where;
   iv. Requirements on waste clean-up;

v. What happens when guidelines are not met;

vi. If there are any animal facilities (such as kennels) available, what are the rules to use them; and

vii. If there are any requirements for cleanliness of animal or proof of current vaccinations/shots and what are those requirements (or process by which clients could obtain services for these issues?).

viii. What is the process for addressing pet aggression behavior or other pet concerns raised by staff or shelter users/residents?

2) ~~Hotel/Motel vouchers can be used as an emergency shelter strategy when there is a lack of available emergency shelters in the subgrantee's/subrecipient's service area. Use of hotel/motel vouchers for this purpose must be specifically identified in the subgrantee's annual report and funds used for this purpose must be identified in the hotel/motel category of the subgrantee's budget.~~

3) Emergency shelter participants and persons receiving hotel/motel vouchers as an emergency shelter strategy must have the same access to essential services delivered by the subgrantee and subrecipient and/or provision of information and referral to other service providers. Essential services include: case management; child care; education services, employment assistance and job training; outpatient health services; life skills training; mental health services; substance abuse treatment services; transportation; services for special populations and mainstream income and health benefits where appropriate.

4) When hotel/motel voucher is used as an emergency shelter strategy, damages to a hotel/motel unit that occurred while the participant was in residence of that unit can be an allowable cost of shelter operation when expenses are **reasonable and specifically itemized** by the hotel/motel voucher facility and would not be allowable if such expenses were not reasonable and specifically itemized. Such documentation must be kept in the participant's file (for example, it is not reasonable to cover the replacement of carpet over 8 years old if damaged by the guest).

5) Hotel/motel costs, when used as an emergency shelter strategy, includes wi-fi costs as part of the room fee, if charged separately; however, no other incidental costs are covered, such as movie rentals, room service, long-distance phone calls, etc.

6) Food costs, when used to prepare congregate meals is allowed.

7) Childcare services for residents in shelters: Childcare can be provided when needed to allow residents in shelters to attend meetings, appointments or do job search activities. Childcare service providers should be licensed. Shelters can become licensed, see OAR 413-215 for more information. Shelters can also enter into agreements with licensed childcare facilities for drop-in childcare services. Subgrantees must develop policies/procedures that identify how they will provide childcare services that mitigate liability and details when and how clients may access childcare services while they are residents of shelter. Such policy/procedure must be available to OHCS upon request. 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.

8) Costs to board and care for shelter residents' animals, such as boarding costs, kennels, leashes, pet food, pet toys, pet licenses, behavioral services for pets, basic veterinary services not available or inaccessible within the community (such as vaccinations, flea treatment, spay/neuter operations and costs must be limited and reasonable), as well as transportation costs to transport an eligible pet to and from veterinary care or boarding/kennel care. Note: Veterinary or behavioral services provided must have an HMIS record of the service transaction and households must meet the definition of "client" to receive these benefits, whether the client is sheltered or unsheltered.

~~7)~~

~~8) All Emergency Shelter events and services must be entered into HMIS.~~

9) Bed Inventory must remain current in HMIS.

10) Free-Standing Temporary Shelter (FSTS), also known as tiny homes and "Pallet™" shelters, are a type of alternative shelters that do not include a foundation and are allowed under Shelter Operations as an equipment purchase. Any purchase of FSTS, regardless of procurement limitations, must be prior-approved by OHCS before purchase. Funds may also be used for the operations of FSTS.

FSTS are not considered Safe-Sleep Sites, but are physical shelters and are held to a different standard for operation. Prior OHCS approval of the purchase of FSTS is required. Complete a FSTS Pre-Approval Form, located on the HSS Dashboard. The FSTS Pre-Approval Form includes completing information on your purchase process, site location, amenities on site which is inclusive of utilities, waste management, food service, and public safety strategy, as well as your shelter operation plan.

Using OHCS funds for bringing utilities to a site, requiring ground disturbance, for the purpose of operating FSTS, is unallowable.

Regardless of whether FSTS is a purchase request or if funds are used for the operations of these shelters, each FSTS location must include the following:

- Heat in each unit;
- Electricity in each unit;
- Hard-surface walls and roofing in each unit;
- The ability to close and lock a unit door;
- Showers and toilets onsite;
- Potable water onsite;
- Site cleanliness/janitorial services for regular clean-up of the site;
- Garbage collection, inclusive of "sharps" and other bio-hazard disposal;
- Food preparation facilities available onsite **or** an action plan to provide meals to shelter residents;

- Provision of subgrantee/subrecipient services to residents, such as case management, rehousing options, housing navigation, links to employment, and needed medical services, etc.; and
- That site rules are posted at the site and must include contact information for the subgrantee/subrecipient in case of emergency.

For information and instruction and a How To Guide on Building a Shelter Community, visit www.palletshelter.com.

f) Transitional Housing (EHAP/DRF) Transitional Housing provides temporary housing with supportive services to individuals and families experiencing homelessness with the goal of interim stability and support to successfully move to and maintain permanent housing. TH projects can cover housing costs and accompanying supportive services for program participants for up to 24 months TH requires clients to pay some portion of the rent. Transitional Housing is not the same as "transitional shelter", which requires no lease/occupancy agreement.

a) Requirements for the delivery of Transitional Housing Operations:

1) Transitional Housing tenancy should be limited to less than 24 months. If more than 24 months of tenancy is needed, the client file must document the reason and a clear plan of action to move the client to permanent housing which includes time-bound activities.

2) Participants in a TH projects must have a signed lease, sublease, or occupancy agreement with the following requirements:

- An initial term of at least one month
- Automatically renewable upon expiration, except by prior notice by either party
- A maximum term of 24 months

3) Transitional Housing facilities may charge a resident tenant) a portion of a reasonable rent, based on the resident's (tenant's) household income; however, EHA GF/DRF cannot be used to pay the tenant's portion of such rent.

4) Transitional Housing require residents (tenants) to sign a rental or occupancy agreement (this is not the same as a Code of Conduct – see Definitions section of this manual).

5) Transitional Housing must follow the same habitability standards as emergency shelter (see the Emergency Shelter section of this manual).

~~9)~~

c) Allowable Costs for Shelter and Transitional Housing Operations:

Allowable Cost	Shelter Operations (EHAP/DRF, SHAP)	Transitional Housing Operations (EHAP/DRF)
Lease or rent payments for facility	X	X
Utilities (includes water, sewer, garbage, gas, electricity, internet, phone) for facility	X	X

Security equipment, personnel or service to operate facility	X	X
Janitorial supplies, personnel and service to operate facility	X	X
Facility management (staff costs for a facilities manager to manage day-to-day operations necessary to ensure a physical environment that supports the facilities needs and core function)	X	X
Minor maintenance/repairs to facility (see Definitions, Appendix A and Rehabilitation Sections of this manual for more information)	X	X
Furnishings and appliances for shelter facility (televisions are allowable when placed and used in common spaces)	X	
Furnishings and appliances for transitional housing facility, **if** included as part of the unit and not retained by client upon move-out		X
Hotel/Motel costs as shelter operation strategy	X	
Signage that is for the purpose of providing information to users of the shelter. When signage is for the purpose of advertising or public relations, it is allowable as an administrative costs, but only when following OMB 200.421 guidance for such costs.	X	
Food for congregate shelter facility settings	X	
Childcare services for residents	X	
Pet costs	X	

~~**b)**~~

1) ~~Lease or rent payments for shelter facility~~;
2) ~~Utilities (includes water, sewer, garbage, gas, electricity, internet, phone) for shelter facility~~;
3) ~~Security equipment or service to operate shelter facility~~;
4) ~~Janitorial supplies and service to operate shelter facility~~;
5) ~~Facility management (staff costs for a facilities manager to manage day to day operations necessary to ensure a physical environment also supports a shelter's needs and core function)~~;

~~5)~~6)

~~6)~~7) ~~Minor maintenance/repairs to facility (see Definitions, Appendix A and Acquisition/Rehabilitation Sections of this manual for more information)~~;

~~7)~~8) ~~Furnishings and appliances for shelter facility (televisions are allowable when placed and used in common spaces)~~;

~~8)~~9) ~~Signage that is for the purpose of providing information to users of the shelter. When signage is for the purpose of advertising or public relations, it is allowable as~~

~~an administrative costs, but only when following OMB 200.421 guidance for such costs~~.

~~9)~~10) ~~Food for congregate shelter facility settings~~;

~~10)~~11) ~~Childcare services for residents~~; and

12) ~~Costs to board and care for shelter residents' animals, such as boarding costs, kennels, leashes, pet food, pet toys, pet licenses, behavioral services for pets, basic veterinary services not available or inaccessible within the community (such as vaccinations, flea treatment, spay/neuter operations and costs must be limited and reasonable)~~.

d) Unallowable Costs for Shelter Operations

1) The purchase of recreational vehicles as a form of shelter is not allowable.

~~11)~~

~~(2) SHELTER FINANCIAL ASSISTANCE~~

~~**EHA (and DRF/DRF VET)** and **SHAP** funding can be used for Financial Assistance. Financial assistance are those costs paid on behalf of the participant and that meet the financial needs of the participant to facilitate transitioning out of shelter into more stable housing.~~

~~a) **Requirements for the delivery of Shelter Financial Assistance**~~

~~1) **Client Non-Categorical Services** are the rare provision of goods or payments of expenses not included in other allowable expense categories, which directly help a household obtain or maintain permanent housing or meet a unique **essential** household need, as documented in the client service or housing plan. Consumer debt payments are not allowed as a client non-categorical service. Client Non-Categorical Service payment cannot be made for expenses already allowed in a program category and cannot be used as a means of giving funds directly to a client when a landlord or utility is uncooperative or as a means of covering an unallowable expense. Client Non-Categorical Services is not a cash or cash equivalent payment to a client and such use is unallowable, except where expressly identified in this manual. Prior approval by the case manager's supervisor is required before goods or payments are delivered.~~

~~2) **Food** costs associated when facilitating a client out of shelter and into permanent housing is allowable as a one-time emergency benefit, when other resources are not available for this service and at a maximum amount of the standard for SNAP benefit (https://www.fns.usda.gov/snap/recipient/eligibility) for one month, based on household size, inclusive of any grocery delivery fees. Clients receiving this service must be connected to SNAP benefits and if needed, assistance must be given to help a client apply for SNAP benefits. Client file must document steps taken to ascertain that other food resources were not available to meet the emergent need. Gift cards can only be used when a gift card policy has been pre-approved by OHCS and the limitation for food costs are identified in such policy and cannot exceed the limitation stated above. This service cannot be duplicated in the rapid re-housing category.~~

3) **Pet Deposit** means a security deposit required by a landlord to house an individual or family with a pet. This may be referred to as a one-time pet fee at move in or a non-refundable pet deposit. This does not include a pet deposit for clients during an existing rental/lease agreement. Pet deposits are limited to one pet. Pet deposit does not include repayment of any damages caused by a pet. Other sources of non-OHCS funding must be deferred to first and pet deposit assistance is only eligible when other sources of non-OHCS funds cannot be obtained and providing a pet deposit is necessary, and documented in the participant file, to ensure stability in housing.

4) **Pet Rent** means a monthly rent charged for a pet and required by the landlord through a rental/lease agreement, which must be included in the client file for purposes of documentation.

5) **Rent arrearage** means past due rent owed to a current landlord. Payment of arrears is restricted to 6 months past due rent, per calendar year. Subgrantees have the discretion to limit payments for rent arrearage with a policy that details such further restrictions and their purpose, and identification of how those restrictions are communicated to the participants (such policy must be made available to OHCS upon request). Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

6) **Rental-related expenses** include other expenses incurred such as filing fees, property damage, court fees or lease-break fees to a previous landlord (or collection agency) **when being required by a prospective landlord**, with a case manager's supervisor's approval. Fund cannot be used for debt payment. There must be **documented evidence** from the prospective landlord that payment of the arrears is necessary for the participant to obtain permanent housing and maintain stability in that housing and a unit must be lined up and available for the participant's occupancy if such expenses are to be paid.

7) **Utility arrearage** assistance is past due utilities and can only be provided when there is documented evidence of a utility bill in the participant's name. If arrears are owed to a previous utility company or to a collection agency, these arrears can be paid, but only when there is **documented evidence** that payment of the arrears is necessary for the participant to obtain or retain utility service. Payment of utility arrears to a previous utility company or to a collection agency must result in the utilities remaining on or the connection/reconnection of utility service. Documentation in the client file must show the steps taken to defer to other utility assistance first. Utility deposit assistance may only be provided when there is documented evidence of the requirement of the deposit, the utility will be in the client's/participant's name and client file shows the steps taken to defer to other utility assistance first.

8) If using funds for **storage fees** of personal items, such use of funds must be not more than three months of storage rent and provided as a means of securing a homeless person's belonging while obtaining permanent housing. Costs can include arrears, current or future costs or any combination of those costs for the maximum total assistance of 3 months and costs may not be duplicated with rapid re-housing

financial assistance. Such households must be actively in the process of obtaining permanent housing and are awaiting placement in their home.

9) **Moving costs** can be provided to secure the rental of a moving van/truck and could include a transportation payment in alignment with transportation guidelines. In cases where need is demonstrated, moving costs can cover the professional expenses of a contracted moving company. Moving costs do not include cash or gift cards, except as provided in the transportation guidelines. In circumstances in which a client meets the definition of fleeing domestic violence and there are safety concerns with remaining in Oregon, moving costs can be used to assist the client to safely move to another state; however, the client file must have written documentation that a safe place is available in the destination state and such allowability must be in alignment with the client's service/housing plan. This allowability does not extend to paying an out-of-state landlord for rent, security deposit, application fees, etc., and only encompasses moving costs.

10) **Transportation**: costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repairs/insurance are allowable. Payments that allow participants to use public transportation are the highest priority and must be considered first for the purpose of attending required appointments, job search or other critical services. Case managers have the discretion to provide repairs/gas/insurance for a client's personal vehicle. Case managers must document why a client's personal vehicle option is preferred over public transportation options and that the expense will lead to the stabilization of housing. Costs associated with a vehicle not owned by the client are not allowed. Client must have a valid driver's license.

OHCS funds cannot be used to build assets, such as the purchase of a vehicle or loan payments and cannot be used for debt payments, such as traffic violations/fines to obtain a license. Private transportation options can include minor vehicle repair, car insurance, and the least costly option for vehicle registration, with written subgrantee policy on use of funds for these services and such policy must be available to OHCS upon request. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy. For example, repair to a vehicle might be preferable to a bus pass if the community does not have public transportation or if the client works at night when public transportation is not operational.

Transportation does not include insurance to pay for roadside assistance (such as a membership to AAA) or traffic violations or any collection costs associated with these fines. Insurance includes only general liability insurance as required by the State of Oregon; however, comprehensive/collision coverage, can be allowed, but only when there is documented evidence that such coverage is a requirement of a vehicle loan. Insurance is paid before the period of service and vehicle owners have 10 days in which to make payment; therefore, insurance arrears is not a factual cost and is unallowable.

A Private Vehicle Costs policy must include:

I. Dollar limitation per participant and frequency of such limitation (e.g., once per biennium);

II. Number of months limitation per participant for insurance costs;

III. Identification on what factors are used to determine whether such costs are preferable to public transportation; and

IV. Identification of how justification of expense and documentation of that justification is performed. Client files must include such documentation.

b) Allowable Costs for Shelter Financial Assistance:

1) Housing relocation (e.g., rent payments (inclusive of first, last, rent arrears, pet rent, and if accepted by landlord as an incentive, forward rent), manufactured home rental space "lot rent", application fee, security deposit, pet deposit, utility arrears, utility deposit, storage fees);

2) Rental-related expenses;

3) Moving costs (van/truck rental);

4) Purchase of identification and driver's license;

5) Purchase of birth certificates;

6) Food, inclusive of delivery fee;

7) Transportation costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repairs/insurance; and

8) Client non-categorical services.

c) Unallowable Costs for Shelter Financial Assistance:

1) Cash;

2) Cash equivalent funds provided to applicants/participants, except through an OHCS approved gift card policy; and

3) Participant debt payment

(3) SHELTER PROGRAM DELIVERY

EHA (and DRF/DRF VET) and **SHAP** funding can be used for Shelter Program Delivery. Shelter Program Delivery are those costs associated with providing services to facilitate shelter resident's transition out of shelter into more stable housing.

a) Requirements for the delivery of Shelter Program Delivery services

1) Food costs associated with disseminating technical information necessary and reasonable for successful performance of shelter participant education opportunities, such as tenant readiness education, financial/budgeting education and other client educational services is allowable as identified in OMB 200.432 and Oregon Accounting Manual 10.40.10.

2) Case management is one of the primary services offered to individuals and families who face multiple challenges, including severe mental illness, addiction, and homelessness. Effective case management includes **assessment, planning, implementation, coordination and evaluation**. Best practices in case management skills are available on the OHCS Homeless Services Section dashboard.

b) Allowable Costs for Shelter Program Delivery

1) Intake, data entry into HMIS;
2) Case management including pre-eligibility determination for housing and other needed services;
3) Housing navigation assistance;
4) Crisis intervention/counseling;
5) Education and training in such areas as personal finance and budgeting, job search and access to job training, life skills, and literacy;
6) Assistance in completing/submitting applications for other state/federal benefits (SSI/SSDI, TANF, SNAP, Unemployment, etc.);
7) Referrals and/or "warm hand-offs" to counseling, addiction and mental health services;
8) Mediation between client and landlord;
9) Tenant readiness education; and
10) Maintenance costs associated to assist a unit pass an HQS inspection, this does not include major repair/rehabilitation costs (see the Acquisition/Rehabilitation Sections of this manual).

(C) *Transitional Housing*

EHA (and DRF/DRF VET) and **ERA** funding can be used for Transitional Housing. Transitional Housing facilitates a homeless household's transition to permanent housing and is offered to participants for a reasonable amount of time (usually less than 24 months). Transitional Housing is designed to provide interim support to successfully move a participant to, and help them maintain, permanent housing. Transitional Housing will require program participants to sign either a lease or an occupancy agreement and requires participants to pay some portion of the rent. Transitional Housing is not the same as Transitional Shelter, which requires no lease/occupancy agreement.

(1) TRANSITIONAL HOUSING OPERATIONS

EHA (and DRF/DRF VET) and ERA funding can be used for Transitional Housing Operations. Transitional Housing Operations are those costs associated with maintaining and operating Transitional Housing facilities whose primary purpose is to provide housing to the general homeless or specific populations of the homeless while they perform activities that increase their ability to obtain permanent housing.

a) Requirements for the delivery of Transitional Housing Operations:

1) Transitional Housing tenancy should be limited to less than 24 months. If more than 24 months of tenancy is needed, the client file must document the reason and a clear plan of action to move the client to permanent housing which includes time-bound activities.
2) All Transitional Housing events and services must be entered into HMIS.

b) Allowable Costs for Transitional Housing Operations

1) Lease or rent payments for transitional housing facility;
2) Utilities (includes water, sewer, garbage, gas, electricity, internet, phone) for transitional housing facility;
3) Security equipment or service to operate transitional housing facility;
4) Janitorial supplies and service to operate transitional housing facility;
5) Facility management (staff costs for a facilities manager to manage day to day operations necessary to ensure a physical environment supports a transitional housing's needs and core function);
6) Minor maintenance/repairs to facility (see the Definitions Appendix A, and Acquisition/Rehabilitation Sections of this manual); and
7) Furnishings and appliances for transitional housing facility, if included as part of the unit and not retained by client upon move-out.

(2) TRANSITIONAL HOUSING FINANCIAL ASSISTANCE

a) **EHA (and DRF/DRF VET) and ERA** funding can be used for Financial Assistance. Financial Assistance are those costs paid on behalf of the participant and that meet the financial needs of the participant to facilitate transition out of transitional housing and into permanent housing. **Requirements for the delivery of Transitional Housing Financial Assistance**

1) Paying a **tenant's share** of transitional housing placement is not allowed. A purpose of the transitional housing service model is working with participants on building ownership and responsibility in paying housing costs which means having the income necessary to do so. Programs often have graduated rent share levels or do income proportional requirements, etc., so outright paying the tenant's portion of rent is counterproductive to service delivery. Subgrantees and subrecipients can employ different degrees and approaches for flexibility so if there's a month where a participant is unable to pay rent, the transitional housing provider can reassess the current participant's income/rent ration. Subgrantees must have a policy in place on income/rent formula reassessments and such policy must be available to OHCS upon request. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy

   A Transitional Housing Formula Reassessment policy must include:

   I. Frequency of income/rent ratio formula reassessments or what event(s) trigger a reassessment;
   II. Any limitation on frequency of reassessments;
   III. Methodology of formula for reassessment; and
   IV. A statement that formula reassessments are used consistently between participants.

2) **Client Non-Categorical Services** are the rare provision of goods or payments of expenses not included in other allowable expense categories, which directly help a household to obtain or maintain permanent housing or meet a unique **essential** household need, as documented in the client service or housing plan. Consumer debt

payments are not allowed as a client non-categorical service. Client Non-Categorical Service payment cannot be made for expenses already allowed in a program category and cannot be used as a means of covering an unallowable expense. Client Non-Categorical Service is not a cash or cash equivalent payment to a client and such use is unallowable, except where expressly identified in this manual. Prior approval by the case manager's supervisor is required before goods or payments are delivered.

3) **Food** costs when facilitating a client out of transitional housing and into permanent housing as a one-time emergency benefit, when other resources are not available for this service and at a maximum amount of the standard for SNAP benefit (https://www.fns.usda.gov/snap/recipient/eligibility) for one month, based on household size, inclusive of any grocery delivery fees. Clients receiving this service must be connected to SNAP benefits and if needed, assistance must be given to help a client apply for SNAP benefits. Client file must document steps taken to ascertain that other food resources were not available to meet the emergent need. Gift cards can only be used when a gift card policy has been pre-approved by OHCS and the limitation for food costs are identified in such policy and cannot exceed the limitation stated above.

4) **Pet Deposit** means a security deposit required by a landlord to house an individual or family with a pet. This may be referred to as a one-time pet fee at move in or a non-refundable pet deposit. This does not include a pet deposit for clients during an existing rental/lease agreement. Pet deposits are limited to one pet. Pet deposit does not include repayment of any damages caused by a pet. Other sources of non-OHCS funding must be deferred to first and pet deposit assistance is only eligible when other sources of non-OHCS funds cannot be obtained and providing a pet deposit is necessary, and documented in the participant file, to ensure stability in housing.

5) **Pet Rent** means a monthly rent charged on a pet and required by the landlord through a rental/lease agreement, which must be included in the client file for purposes of documentation.

6) **Rent arrearage** means past due rent owed to a current landlord. Payment of arrears is restricted to 6 months past due rent, per calendar year. Subgrantees have the discretion to limit payments for rent arrearage with a policy that details such further restrictions and their purpose, and identification of how those restrictions are communicated to the participants (such policy must be made available to OHCS upon request) Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

7) **Rental-related expenses** include other expenses incurred such as filing fees, property damage, court fees or lease break fees to a previous landlord (or collection agency) **when being required by a prospective landlord**, with a case manager's supervisor's approval. There must be **documented evidence** from the prospective landlord that payment of the arrears is necessary for the participant to obtain permanent housing and maintain stability in that housing and a unit must be lined up and available for the participant's occupancy if such expenses are to be paid.

8) **Utility arrearage** assistance is past due utilities and can only be provided when there is documented evidence of a utility bill in the participant's name. If arrears are owed to a previous utility company or to a collection agency, these arrears can be paid, but only when there is documented evidence that payment of the arrears is necessary for the participant to obtain or retain utility service. Payment of utility arrears to a previous utility company or to a collection agency must result in the utilities remaining on or the connection/reconnection of utility service. Documentation in the client file must show the steps taken to defer to other utility assistance first. Utility deposit assistance may only be provided when there is documented evidence of the requirement of the deposit, the utility will be in the client's/participant's name and shows the steps taken to defer to other utility assistance first.

9) **Transportation:** costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repairs/insurance are allowable. Payments that allow participants to use public transportation are the highest priority and must be considered first for the purpose of attending required appointments, job search or other critical services. Case managers have the discretion to provide repairs/gas/insurance for a client's personal vehicle. Case managers must document why a client's personal vehicle option is preferred over public transportation options and that the expense will lead to the stabilization of housing. Costs associated with a vehicle not owned by the client are not allowed. Client must have a valid driver's license.

OHCS funds cannot be used to build assets, such as the purchase of a vehicle or loan payments and cannot be used for debt payments, such as traffic violations/fines to obtain a license. Private transportation options can include minor vehicle repair, car insurance, and the least costly option for vehicle registration, with written subgrantee policy on use of funds for these services and such policy must be available to OHCS upon request. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy. For example, repair to a vehicle might be preferable to a bus pass if the community does not have public transportation or if the client works at night when public transportation is not operational.

Transportation does not include insurance to pay for roadside assistance (such as a membership to AAA) or traffic violations or any collection costs associated with these fines. Insurance includes only general liability insurance as required by the State of Oregon; however, comprehensive/collision coverage, can be allowed, but only when there is documented evidence that such coverage is a requirement of a vehicle loan. Insurance is paid before the period of service and vehicle owners have 10 days in which to make payment; therefore, insurance arrears is not a factual cost and is unallowable.

A Private Vehicle Costs policy must include:

I. Dollar limitation per participant and frequency of such limitation (e.g., once per biennium);

II. Number of months limitation per participant for insurance costs;

III. Identification on what factors are used to determine whether such costs are preferable to public transportation; and

IV. Identification of how justification of expense and documentation of that justification is performed. Participant files must include such documentation.

b) Allowable Costs for Transitional Housing Financial Assistance:

1) Housing relocation (upfront housing costs related to relocation such as rent arrears, first/last month's rent, application fee, security deposit, pet deposit, pet rent, utility arrears, utility deposit);

2) Rental-related expenses;

3) Purchase of identification and driver's license;

4) Purchase of birth certificates;

5) Food, inclusive of delivery fee;

6) Transportation costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repair/insurance; and

7) Client non-categorical services.

c) Unallowable Costs for Transitional Housing Financial Assistance:

1) Cash

2) Cash equivalent funds provided to applicants/participants, except through an OHCS-approved gift card policy; and

3) Participant debt payment.

(3) TRANSITIONAL HOUSING PROGRAM DELIVERY

EHA (DRF/DRF-VET) and **ERA** funding can pay used for Transitional Housing Program Delivery. Transitional Housing Program Delivery are those costs associated with providing services that facilitate a participant's transition out of transitional housing and into permanent housing.

a) Requirements for the delivery of Transitional Housing Program Delivery services

1) Food costs associated with disseminating technical information necessary and reasonable for successful performance of transitional housing participant education opportunities, such as tenant readiness education, financial/budgeting education and other client educational services is allowable as identified in OMB 200.432 and Oregon Accounting Manual 10.40.10.

2) Case management is one of the primary services offered to individuals and families who face multiple challenges, including severe mental illness, addiction, and homelessness. Effective case management includes **assessment, planning, implementation, coordination and evaluation**. Best practices in case management skills are available on the OHCS Homeless Services Section dashboard.

b) Allowable Costs for Transitional Housing Program Delivery

~~1) Intake, data entry into HMIS;~~

~~2) Case management including pre-eligibility determination for housing and other needed services;~~

~~3) Housing navigation assistance;~~

~~4) Crisis intervention/counseling;~~

~~5) Education and training in such areas as personal finance and budgeting, job search and access to job training, life skills, and literacy;~~

~~6) Assistance in completing/submitting applications for other state/federal benefits (SSI/SSDI, TANF, SNAP, Unemployment, etc.);~~

~~7) Referrals and/or "warm hand-offs" to counseling, addiction and mental health services;~~

~~8) Mediation between client and landlord;~~

~~9) Tenant readiness education; and~~

~~10) Maintenance costs associated to assist a unit pass an HQS inspection, this does not include major repair/rehabilitation costs (see the Acquisition/Rehabilitation Sections of this manual).~~

(D) ~~*Homelessness Prevention and Rapid Re-Housing*~~*Financial Assistance*

EHAP **GF/~~(and~~ DRF~~/DRF VET)~~** ~~and ERA~~ can be used to support ~~Homeless~~Houselessness Prevention and Rapid Re-Housing activities.

ERA can only be used to support Houselessness Prevention activities.

SHAP can only be used to support Rapid Re-Housing activities.

~~**Homeless**~~**Houselessness Prevention** are ~~those services performed~~funds used to prevent ~~homeless~~houselessness and assist a participant in remaining in their current housing. ~~Homeless~~houselessness Prevention is used when a household's housing status is at imminent risk of ~~homeless~~houselessness (category 2) or unstably housed (category 5). ***ERA*** *only allows for houselessness prevention activities. Houselessness Prevention activities are unallowable in* ***SHAP****.*

Rapid Re-Housing are ~~those services performed~~funds used to enable households to obtain permanent housing when they are currently ~~homeless~~houseless. Rapid Re-Housing is used when a household's housing status is literally ~~homeless~~houseless (category 1), ~~homeless~~houseless under other federal statutes (category 3) or when a household is fleeing or attempting to flee a domestic violence situation (category 4). *SHAP only allows for rapid rehousing activities. Rapid rehousing activities are unallowable in* ***ERA****.*

Financial Assistance are those costs paid on behalf of a client to the meet the financial need(s) of the client. Financial Assistance can be provided to participants residing in Emergency Shelter or clients residing in Transitional Housing and can be provided to those who are Rapidly Re-Housed or to prevent Houselessness.

Twenty-five (25%) percent of DRF awards must be expended on the veteran population for financial assistance and program delivery and will require that subgrantee's draw funds from separate OPUS categories for tracking purposes. Both Houselessness Prevention and Rapid Re-Housing can be used under the DRF grant for the purpose of assisting veterans.

1) ~~HP/RRH Financial Assistance~~Requirements of Financial Assistance

~~HP/RRH FA are those costs paid on behalf of a participant to meet the financial need of the participant.~~

~~**a) Requirements of HP/RRH Financial Assistance**~~

a) Paying a **tenant's share** of transitional housing placement is not allowed. A purpose of the transitional housing service model is working with participants on building accountability and responsibility in paying housing costs which means having the income necessary to do so. Programs often have graduated rent share levels or income proportional requirements, etc., so outright paying the tenant's portion of rent is counterproductive to service delivery. Subgrantees and subrecipients can employ different degrees and approaches for flexibility so if there's a month where a participant is unable to pay rent, the transitional housing provider can reassess the current participant's income/rent ration. Subgrantees must have a policy/procedure in place on income/rent formula reassessments and such policy/procedure must be available to OHCS upon request. 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.

A Transitional Housing Formula Reassessment policy/procedure must include:

- Frequency of income/rent ratio formula reassessments or what event(s) trigger a reassessment;
- Any limitation on frequency of reassessments;
- Methodology of formula for reassessment; and
- A statement that formula reassessments are used consistently between participants.

b) **Rent payments** for a client's primary residence in which the lease/rental agreement is verified (lease/rental agreement with signature, if digital, must follow requirements for a digital signature) and/or through a past due notice from the landlord. Rent payments may include a tenant's portion of a Housing Assistance Payment/Voucher rent amount when there is proof of need. A tenant's portion of a Transitional Housing rent amount is not eligible with OHCS funds.

c) **Mortgage payments** (inclusive of property tax) for a client must be for the client's primary home and requires third-party documentation. Arrears for mortgage payments (inclusive of property tax) cannot exceed six months and must be for the purpose avoiding foreclosure.

d) **"Roommate"** situations are areas of high fraud probability and due diligence is needed to ensure that such situations are adequately documented. Self-certifications or dependence on a client's statement **are not** valid methods of meeting documentation requirements for roommate situations. For example, Tenant A is the "landlord" tenant,

Tenant B is the "roommate" tenant. Whether Tenant B will be placed into Tenant's A unit or whether Tenant B currently lives with Tenant A, if OHCS funds are to be used for Tenant B, Tenant B must provide evidence that Tenant A has the authority to enter into a roommate agreement. Such documentation may be a copy of the amended rental agreement providing approval of the tenancy arrangement or it may be evidence that Tenant B paid an application fee to the landlord to be placed as an occupant in the unit. If a lease/rental agreement includes prohibitions for subleasing or unauthorized occupants, this could denote a fraud attempt.

Placing Tenant B into a roommate situation must not jeopardize Tenant A's housing stability with an unauthorized occupant.

If Tenant A is seeking assistance, Tenant A must declare the income received from Tenant B as part of their income for eligibility requirements.

Payments made directly to the landlord must adhere to rent, rent-related and rent arrears standards.

~~a)~~ If paying rent/utilities in a roommate situation whereby the rent/utilities is being paid to Tenant A and not the actual landlord, ~~C~~clear documentation of a roommate arrangement includes the authority document listed above, ~~both~~ a lease/rental agreement with wet signatures (or valid digital signature) demonstrating the tenant/landlord relationship between ~~the two parties~~Tenant A and Tenant B **AND** documented financial records showing a pattern of financial transactions (bank statements, money order receipts, Paypal/Venmo statements, etc.) ~~are needed~~from Tenant B to Tenant A for rent/utility payments, otherwise payments should be made directly to the landlord/utility company rather than to Tenant A. Hand-written receipts **are not** allowed for this purpose, due to the high risk of fraud. All records must be kept in the client file for monitoring purposes.

~~b)~~e) **Utility assistance** programs **must be deferred to first**, utility assistance is only eligible when other utility assistance cannot be obtained and payment of utility assistance is in the context of, and documented in, an action plan or goal designed to increase housing stability, along with documentation of the steps taken to defer to other utility assistance first. There must be documented evidence of a utility bill in the participant's name. If paying a utility deposit for a client to obtain or retain services, there must be documented evidence of the need to pay such a deposit.

~~c)~~f) **Utility arrearage** assistance is past due utilities and can only be provided when there is documented evidence of a utility bill in the participant's name. If arrears are owed to a previous utility company or to a collection agency, these arrears can be paid, but only when there is documented evidence that payment of the arrears is necessary for the participant to obtain or retain utility service by the current utility company. Payment of utility arrears to a previous utility company or to a collection agency must result in the utilities remaining on or the connection/reconnection of utility service. Documentation in the client file must show the steps taken to defer to other utility assistance first. Utility deposit assistance may only be provided when there is documented evidence of the requirement of the deposit, the utility will be in the client's/participant's name and shows the steps taken to defer to other utility assistance first.

~~d)~~g) **Phone services** must be in the participant's name and must only be provided for one line of service (either landline or cellular line) per household and only when such billing statement clearly identifies the costs of a single line of service, or such cost can be ascertained from the phone service provider. Arrearages are allowed, up to 6 months of service, in alignment with the limitation of a single line of service. Purchases of phones are unallowable. Connect ~~and~~ clients ~~can be connected~~ to ~~the Affordable Connectivity Program (https://www.affordableconnectivity.gov) or through~~ Oregon LifeLine (~~https://www.oregon.gov/puc/pages/oregon-lifeline.aspx~~www.lifeline.oregon.gov) to meet the need.

~~e)~~h) **Internet-related fees and taxes, equipment** (modem/router) rental fees are allowed and must be capped at no more than $300 per biennium and must be in the participant's name. Subgrantees and subrecipients must attempt to obtain a participant's documentation or perform outreach to the internet provider to acquire monthly internet service costs; however, if either of these options are unduly burdensome, the subgrantee must have a policy/procedure that applies a reasonable process to determine the amount of the bill that is applicable to the internet costs; however, total internet assistance cannot exceed $300 per funding biennium. Such policy/procedure must be available to OHCS upon request. 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.

Internet providers retain a "price list" which can be requested to determine the separate costs for each type of service which will provide subgrantees/subrecipients a reasonable process to determine the amount to be paid.

~~In addition, the Affordable Connectivity Program (ACP) is a Federal Communications Commission (FCC) program that helps low-income households pay for internet service and connected devices. If eligible, a household can receive up to $30/month discount on internet service; up to a $75/month discount if the household is on qualifying tribal lands; and a one-time discount of up to $100 for a laptop, tablet, or desktop computer (with a co-payment of more than $10, but less than $50. More information can be found at: https://acpbenefit.org/~~Connect clients to Oregon Lifeline to help meet the need for internet services (www.lifeline.oregon.gov).

The costs of internet-related fees and taxes, equipment rental fees can only be provided when there is documented evidence in a client service/housing stability plan that such payment of the expense is needed for the purpose of obtaining/retaining permanent housing as a means of accessing needed services, attending required appointments or needed as part of job search.

~~f)~~i) **Pet Deposit** means a security deposit required by a landlord in order to house an individual or family with a pet. This may be referred to as a one-time pet fee at move in or a non-refundable pet deposit. This does not include a pet deposit for clients during an existing rental/lease agreement and is not allowable under ~~homeless~~houselessness prevention. Pet deposits are limited to one pet. Pet deposits for multiple pets is

unallowable. Pet deposit does not include repayment of any damages caused by a pet. ~~Other sources of non-OHCS funding must be deferred to first and pet deposit assistance is only eligible when other sources of non-OHCS funds cannot be obtained and providing a pet deposit is necessary, and documented in the participant file, to ensure stability in housing~~.

~~g)~~i) **Pet Rent** means a monthly rent charged on a single pet and required by the landlord through a rental/lease agreement, which must be included in the client file for purposes of documentation. Pet rents for multiple pets is unallowable.

~~h)~~k) **Rent arrearage** means past due rent owed to a current landlord. Rent arrears is only allowable for ~~Homeless~~Houseless Prevention. Payment of rent arrears is restricted to 6 months past due rent, per calendar year. A copy of the lease/rental agreement may be necessary in order to determine that any lump-sum past due amount does not exceed the 6-month limitation and to validate the tenancy. Any equity/interest/tax payments within a lease-to-own agreement are unallowable and rent arrearage would apply only to the past-due rental portion amount. Third-party documentation must be included in file for lease-to-own agreements identifying the portion of rent arrears applicable to rent and equity payments when paying for rent arrearages in a lease-to-own agreement. Subgrantees have the discretion to limit payments for rent arrearage with a policy that details such further restrictions and their purpose, and identifies how those restrictions are communicated to the participants (such policy must be made available to OHCS upon request) 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.

~~i)~~l) **Previous Landlord Rental-related expenses** include other expenses incurred such as rent, filing fees, property damage, court fees, late fees, lease break fees or unpaid rent owed to a previous landlord (or collection agency) **when being required by a prospective landlord**, with a case manager's supervisor's approval; however, total expenses cannot exceed 6 months of the rent amount charged at the previous unit. There must be **documented evidence** from the prospective landlord that payment of the arrears is necessary for the participant to obtain permanent housing and maintain stability in that housing and a unit must be lined up and available for the participant's occupancy if such expenses are to be paid.

~~j)~~m) **Rent/Lease-to-Own.** Rent payments (inclusive of late fees) are allowable when there is documented evidence of the amount owed and an active lease/rental agreement with the landlord. When a ~~homeless~~houselessness prevention tenant is under a rent/lease-to-own contract, a contractual monthly payment (or arrears per this manual's guidance) is allowable to keep a tenant from being ~~homeless~~houseless; however, program funds may not be used to enter into a rent/lease-to-own contract and cannot pay the portion of the rent/lease-to-own agreement applicable to an equity/interest/tax payment. OHCS program funds cannot be used for potential asset building. Client file must include third-party documentation that identifies the portion

of payment applicable to both rent and equity payments to ensure payment covers only the rent portion.

~~k)~~n) Rapid Re-Housing funds can be used for **storage fees** – these costs are not allowable under ~~Homeless~~Houselessness Prevention. If using funds for storage fees of personal items, such use of funds must be not more than three months of storage rent and provided as a means of securing a ~~homeless~~houseless person's belonging while obtaining permanent housing for the purpose of rapid re-housing only. Costs can include arrears, current or future costs or any combination of those costs for the maximum total assistance of 3 months a~~nd costs may not be duplicated with shelter financial assistance.~~ Such households must be actively in the process of obtaining permanent housing and are awaiting placement in their home. Such cost is not allowable through ~~homeless~~houselessness prevention.

~~l)~~o) **Moving costs** within the state of Oregon, provided to secure the rental of a moving van/truck and could include a transportation payment in alignment with transportation guidelines. Moving costs do not include cash or gift cards/cash equivalents, except as provided in the transportation guidelines. In circumstances in which a client meets the definition of fleeing domestic violence and there are safety concerns with remaining in Oregon, moving costs can be used to assist the client to safely move to another state; however, the client file must have written documentation that a safe place is available in the destination state and such allowability must be in alignment with the client's service/housing plan. This allowability does not extend to paying an out-of-state landlord for rent, security deposit, application fees, etc., and only encompasses moving costs. Moving costs do not include cleaning of the unit which the client is leaving, disposing of trash/furnishings or other costs associated with moving out of the unit.

~~m)~~p) In ~~Homeless~~**Houseless Prevention**, **Food** costs as a one-time (per fiscal year) emergency benefit, when other resources are not available for this service and at a maximum amount of the standard for SNAP benefit (https://www.fns.usda.gov/snap/recipient/eligibility) for one month, based on household size, inclusive of any grocery delivery fees (for those clients that are home-bound). Clients receiving this service must be connected to SNAP benefits and if needed, assistance must be given to help a client apply for SNAP benefits. Client file must document steps taken to ascertain that other food resources were not available to meet the emergent need. Gift cards/cash equivalents can only be used when a gift card policy/procedure has been pre-approved by OHCS and the limitation for food costs are identified in such policy/procedure and cannot exceed the limitation stated above.

q) In **Rapid Re-Housing**, **Food** costs when facilitating a client out of ~~homeless~~houselessness and into permanent housing as a one-time emergency benefit, when other resources are not available for this service and at a maximum amount of the standard for SNAP benefit (https://www.fns.usda.gov/snap/recipient/eligibility) for one month, based on household size, inclusive of any grocery delivery fees (for clients that are home-bound). Clients receiving this service must be connected to SNAP benefits and if needed, assistance must be given to help a client apply for SNAP

benefits. Client file must document steps taken to ascertain that other food resources were not available to meet the emergent need. Gift cards/cash equivalents can only be used when a gift card policy/procedure has been pre-approved by OHCS and the limitation for food costs are identified in such policy/procedure and cannot exceed the limitation stated above. This benefit cannot be duplicated in the shelter financial assistance category.

r) **Clothing** as needed for employment or when fleeing domestic violence and participant had no options to leave the situation with clothing. Clothing purchases are only allowable when other donations or community resources cannot be obtained and where client file identifies steps taken to ascertain that other resources are not available to meet this need (documentation of how the subgrantee/subrecipient was unable to obtain other donations or community resources to meet this need);

s) Financial assistance to provide for the installation of **housing modifications** such as temporary ramps or grab bars or rails to assist physically challenged households. When used in a rental home, devices must be able to be removed without creating damage to the property.

t) Purchases of **identification, driver's license and birth certificates** are allowable when needed as a support to clients that are assisted with housing stability as documented in the client's service or housing stability plan.

~~n)~~u) **Transportation:** costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repairs/insurance are allowable. Payments that allow participants to use public transportation are the highest priority and must be considered first for the purpose of attending required appointments, job search or other critical services. Case managers have the discretion to provide repairs/gas/insurance for a client's personal vehicle. Case managers must document why a client's personal vehicle option is preferred over public transportation options and that the expense will lead to the stabilization of housing. Costs associated with a vehicle not owned by the client are not allowed. Client must have a valid driver's license to allow any cost related to a client's personal vehicle.

OHCS funds cannot be used to build assets, such as the purchase of a vehicle or vehicle loan payments and cannot be used for debt payments, such as traffic violations/fines to obtain a license. Private transportation options can include minor vehicle repair, car insurance, and the least costly option for vehicle registration, with written subgrantee policy/procedure on use of funds for these services and such policy/procedure must be available to OHCS upon request. 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. For example, repair to a vehicle might be preferable to a bus pass if the community does not have public transportation or if the client works at night when public transportation is not operational.

Transportation does not include insurance to pay for roadside assistance (such as a membership to AAA) or traffic violations or any collection costs associated with these

fines related to traffic violations. Insurance includes only general liability insurance as required by the State of Oregon; however, comprehensive/collision coverage, can be allowed, but only when there is documented evidence that such coverage is a requirement of a vehicle loan. Insurance is paid before the period of service and vehicle owners have 10 days in which to make payment; therefore, insurance arrears is not a factual cost and is unallowable.

A Private Vehicle Costs policy/procedure must include:

I. Dollar limitation per participant and frequency of such limitation (e.g., once per biennium);

II. Number of months limitation per participant for insurance costs;

III. Identification on what factors are used to determine whether such costs are preferable to public transportation; and

IV. Identification of how justification of expense and documentation of that justification is performed. Participant files must include such documentation.

~~o)~~v) **Client Non-Categorical Services** are the **rare** provision of goods or payments of expenses not included in other allowable expense categories, which directly help a household to obtain or maintain permanent housing or meet a unique **essential** household need, as documented in the client service or housing plan. Consumer debt payments are not allowed as a client non-categorical service. Client Non-Categorical Service payment cannot be made for expenses already allowed in a program category and cannot be used as a means of covering an unallowable expense. Client Non-Categorical Services is not a cash or cash-equivalent payment to a client and such use is unallowable, except where expressly identified in this manual. Prior approval by the case manager's supervisor is required before goods or payments are delivered.

~~p)~~w)There are no **duration or amount of assistance** limitations imposed on subgrantees/subrecipients, with the exception of any specific limitations for particular types of services or expenses as identified in this manual (e.g., rent arrears). Subgrantees have the discretion to set a maximum number of months that a participant can receive assistance and a maximum dollar amount of assistance. The process for determining such conditions must be applied consistently for all households and, if subgrantee make any such limitation, they must have a policy/procedure describing these limitations and how such limitations are determined and monitored and communicated in advance to eligible participants. ~~, incorporated into the subgrantee's policies and procedures and communicated in advance to eligible participants.~~ Such policy/procedure must be available to OHCS upon request. Subgrantees must ensure that subrecipients have policies/procedures that align with OHCS requirements and are consistent with the intent of such a policy/procedures 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.

b) Allowable Costs for ~~HP/RRH~~ Financial Assistance:

~~Where allowable, expenses for HP/RRH Financial Assistance:~~

Expense ERA is excluded from al Rapid Rehousing Activities. SHAP is excluded from all Houselessness Prevention Activities.	HP Allowable	RRH Allowable
~~Housing costs such as mortgage~~Mortgage payment (inclusive of property taxes)/manufactured home payments ~~and arrearages (arrears limited to 6 months)~~ *[ERA is excluded from ~~this~~ mortgage payment allowability]*	X	
Housing relocation costs such as rent payments and security deposit (inclusive of first, last, pet rent, and if accepted by landlord as an incentive, forward rent)~~, and late fees~~	~~X~~	X
Rent/mortgage arrears (limited to 6 months and ERA is excluded for mortgage payment arrears allowability).	X	
Previous Landlord Rental-related expenses	~~X~~	X
Rent or~~/~~Lease-to-Own payments, inclusive of late fees. Lease to-Own payments do not include equity/interest/tax payment	X	
Subgrantee/Subrecipient share of a Transitional Housing portion of rent. *[SHAP is excluded from Transitional Housing activities]*		X
Manufactured home rental space "lot rent" or RV space lot if used for primary housing.	X	X
Utility payments and arrearages (utilities include water, sewer, garbage, gas, electricity, phone, internet),	X	~~X~~
Utility arrearages (utilities include water, sewer, garbage, gas, electricity, phone, internet),	X	
Utilities deposits.		X
Phone services.	X	X
Internet-related fees and taxes, equipment,	X	X
Moving costs (van/truck rental).		X
Storage costs.		X
~~Utilities deposits~~		~~X~~
Pet deposit, limited to one pet per household.		X
Pet rent, limited to one pet per household.	X	X

Application fees.		X
Clothing for employment, fleeing DV.	X	X
One-time Food benefit.	X	X
Installation of temporary modifications to housing for purposes of mobility.	X	X
ID, license, birth certificates.	X	X
Transportation costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repair/insurance.	X	X
Client non-categorical services.	X	X

c) Unallowable Costs for HP/RRH Financial Assistance:

1) Cash;
2) Cash-equivalent funds provided to applicants/participants except through an OHCS-prior approved gift card policy;
3) Hotel/motel expenses (emergency shelter costs are covered under the Emergency Shelter component);
4) ~~Participant~~ Consumer debt payment,
5) Home repairs and/or maintenance; ~~and~~
6) For **ERA,** mortgage payments are unallowable;~~.~~
7) Civil or criminal legal services;
8) Parking/carport/garage rent/fees;
9) Childcare/eldercare services/nursing care/cleaning services;
10) Renter's Insurance, even if required by landlord;
11) Personal solar or other powered generators;
12) Stipends or direct payment to client for any purpose;
13) Phone purchases for clients;
14) Property damages to a unit, except as otherwise provided in Previous Landlord Rental Related expenses
15) Loss mitigation programming; and
~~6)~~16) HOA fees

d) **Gift Card Usage in Financial Assistance**

Gift cards/cash equivalents (such as a prepaid laundry card) given to eligible clients for the purpose of purchasing items related to financial assistance must be in support of the client's written housing goals (client case/housing plan) and is allowable within **EHAP GF** and **SHAP** financial assistance funds, provided that adequate documentation exists to support the purpose and the expense and there is an OHCS-approved Gift Card Policy/Procedure with established policies and procedure in place to address the process. Such policy/procedure

must be submitted and approved by OHCS during each funding application process/cycle. (gift cards usage is not allowable in EHA DRF or ERA).

Use of gift cards/cash equivalents must be rare, for very specific housing-related goals and only when other options are not available. "Rare" means very unusual or not occurring often. It is not rare if, for example, 10% of your clients receive gift cards/cash equivalents, which would denote that gift cards/cash equivalents are used as a method of service delivery, which is unallowable. There are multiple alternatives to using gift cards/cash equivalents which are highly recommended:

- Partner[1] with bus or transportation services that bill for their eligible clients.
- Partner with stores for a voucher system. A voucher is a document which is worth a maximum dollar value, and which may be used only for specific items at a specific vendor. Vouchers are very similar to purchase orders. In advance, the organization establishes agreements with a vendor under which the vendor agrees to accept a "voucher" at the point of sale and then invoices the organization for the actual purchase. The voucher is created in multiple parts with one copy being sent to the vendor, one copy given to the individual making the purchase and at least one copy retained by the organization. The voucher must be uniquely numbered and must clearly detail the allowed item(s) and the maximum cost the purchaser is allowed to spend on the item(s). The vendor invoices for the actual amount of the purchase up to the maximum established cost listed on the voucher.
- Partner with clothing stores that will bill for clothing selected by eligible clients and the clothing can be picked up once the bill is paid (for example, Salem-Keizer Schools currently has this arrangement with Kohl's).
- Online purchases. Subgrantees can use a credit card to purchase the item through an online vendor and have the item shipped. Some online vendors (such as Walmart.com) also offer a same day pick up option for items currently available in local stores. Same day pick up allows an organization to make the purchase online and specify the name of an individual(s) authorized to pick the item up at their local store.
- Employee purchase. An employee goes to a store and purchases the needed items with either a company credit card or receives reimbursement by submitting detailed receipts for allowable costs.

1) Gift Card Requirements:

a) Subgrantee must have prior approval of a stand-alone gift card policy/procedure by OHCS **before incurring costs for gift cards/cash equivalents**. Prior approval must occur through the funding application only. Email, text or phone calls cannot be a method used for the approval of a Gift Card Policy/Procedure. Approval of a Gift Card Policy/Procedure in one biennium, does not mean approval is provided in a prior or subsequent biennium. The date in which a Gift Card Policy/Procedure is approved, is the date in which funds may begin to be used for such purpose and does not allow for purchases of gift cards/cash equivalents prior to the approval date, retroactively and will be disallowed. Approval runs through the end of the biennium in which the policy/procedure was

[1] CCB potential for increasing partnerships.

approved. The gift card policy/procedure must be prior-approved each biennium during the OHCS funding application. 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.

b) Subrecipients of a subgrantee **must** follow the provision of the subgrantee's approved gift card policy/procedure and all OHCS requirements for the use of gift cards/cash equivalents; however, subrecipients can create their own procedures for how they will implement the subgrantee's OHCS-approved policy (such as the position title of an approver, etc. – subrecipients cannot have a policy that does not comply with OHCS requirements and if funds are awarded under a policy not meeting OHCS requirements, costs will be disallowed).

c) Costs will be disallowed without a prior OHCS-approved Gift Card Policy/Procedure.

d) Gift cards/cash equivalents cannot be used as a standard way of delivering program services allowable under other components of OHCS funds, such as rent assistance, deposits, hotel/motel costs, etc.

e) Gift cards/cash equivalents cannot be used for events as a means of attracting applicants, but must be specific to clients receiving financial assistance and in support of a client's written housing goals (case/housing plan).

f) Subgrantees must document in their Gift Card Policy/Procedure the justification as to why they must use gifts cards rather than providing assistance through conventional means, such as partnerships with service providers, checks for goods/services to providers, or voucher options.

g) Subgrantee procurement policies/procedures must be followed when purchasing gift cards/cash equivalents.

h) Gift cards/cash equivalents must be purchased and issued to clients within the same grant period. For any gift cards/cash equivalent that are not issued within the same grant period in which they were purchased, subgrantees must submit a negative request for funds for the grant period in which the gift cards/cash equivalents were purchased totaling the amount of the unissued gift cards/cash equivalents and other non-OHCS funds must be used for the cost of the gift cards/cash equivalents. Such negative request for funds must be submitted within 60 days after the end of the performance period (Aug 30).

i) Subgrantee must maintain complete record of gift card/cash equivalent purchases and issuance and gift cards/cash equivalents must be kept in a secure location.

j) Issuance of a gift card/cash equivalent must be in the context of an action plan or goal designed to increase housing stability and such plan/goal clearly documents, in writing, how the purpose of the gift card/cash equivalent is helping the client obtain or maintain housing stability.

k) Documentation will be reviewed during monitoring and costs will be disallowed without sufficient documentation.

l) The cost must be allocable, within program guidelines and must adhere to internal controls (OMB 200.403, 200.303) and must clearly meet the intent of ORS 458.650(1), showing a connection to housing stabilization.

m) Gift cards/cash equivalents for the purchase of food must follow OHCS guidance for limitation of food expenses.

n) Subgrantee must identify the dollar limitation for gift cards/cash equivalents per client and the frequency limitation for a client's receipt of gift cards/cash equivalents and such limitations must be reasonable as determined by OHCS.

o) Client must receive documentation that identifies the purpose and intent of the gift card/cash equivalent and must acknowledge, by written, legible, wet signature, the same, and such documentation must be kept in the client's file. Gift cards/cash equivalents require an in-person exchange and must not ever be mailed to a client.

2) Gift Card Policy/Procedure must include the following:

a) Justification as to why the subgrantee must use gifts cards/cash equivalents rather than providing assistance through conventional means, such as partnerships with service providers, checks for goods/services to providers, or voucher options (i.e., why are other options of providing assistance not available?);

b) If gift cards/cash equivalents will be used for food purchases, policy must clearly identify the limitations as stated in this manual;

c) Identifies internal controls on how gift cards/cash equivalents are purchased and issued to clients within the same grant period;

d) Identifies internal controls on how gift cards/cash equivalents are securely maintained, who has access to gift cards, and how the issuance of gift cards/cash equivalents is tracked;

e) Identifies, per client, dollar limitation for gift cards/cash equivalents and frequency limitation for how often a client can receive a gift card/cash equivalent. Additionally, policy must identify internal controls on how these limitations are tracked to ensure compliance with the limitation;

f) Requirement that issuance of gift card/cash equivalent is in context to a client's action plan or goal designed to increase housing stability and that such plan is included in the client file; and

g) Written, legible, wet signature statement from client that identifies purpose and intent of gift card/cash equivalent and acknowledging and agreeing to the receipt of the gift card under the intended purpose.

~~2)~~(E) ~~*HP/RRH*~~ *Program Delivery*

Program Delivery~~HR/RRH PD~~ are those staffing costs associated with providing services ~~to help facilitate either maintaining a participant's current housing or assisting a participant to obtain permanent housing~~to clients residing in Emergency Shelter or Transitional Housing facilities. Program Delivery also applies to those who are Rapidly Re-Housed or to Prevent Houselessness. Program Delivery are costs determined necessary to enable a household to obtain/retain their housing and achieve housing stability as identified and documented in their client service/housing stability plan (when receiving more than one-time assistance).

a) Requirements for ~~the delivery of HP/RRH~~ Program Delivery ~~services~~activities:

1) Participant meal/refreshment ~~Food~~ costs associated with disseminating technical information necessary and reasonable for successful performance of HP/RRH participant education opportunities, such as tenant readiness education, financial/budgeting education and other client educational services is allowable as identified in OMB 200.432 and Oregon Accounting Manual 10.40.10.

2) Case management is one of the primary services offered to individuals and families who face multiple challenges, including severe mental illness, addiction, and ~~homeless~~houselessness or are unstably housed. Effective case management must include~~s~~ **assessment, planning, implementation, coordination and evaluation**. Best practices in case management skills are available on the OHCS Homeless Services Section dashboard.

3) ~~All events and services must be entered into HMIS~~Costs that can be directly attributed to program delivery can be paid with program funds, such as a direct staffing costs attributable to the delivery of the program (case worker, housing navigators, mediation, tenant readiness education, etc.). Indirect costs, by their nature (such as a subgrantee's utilities or maintenance of a copier used for many programs) are not a direct cost and may not be directly attributed to the delivery of program services. Indirect costs charged to program delivery must be in accordance with an organization's written cost allocation plan or Negotiated Indirect Cost Rate Agreement (NICRA) and must be consistently applied to all programs, whether OHCS-funded or not. See OMB 2 CFR 200 Subpart E for more information.

b) Allowable Costs for ~~HP/RRH~~ Program Delivery

1) Staffing costs for ~~I~~intake, needs assessment, data entry, data reporting, data mining and data analysis ~~into~~ relative to HMIS;

2) Staffing costs for ~~C~~case management including pre-eligibility determination for housing and other needed services;

3) Staffing costs for ~~H~~housing navigation assistance;

4) Staffing costs for ~~C~~crisis intervention/counseling;

5) Staffing, and participant meal/refreshment costs, associated with the delivery of ~~E~~education and training in such areas as personal finance and budgeting, job search and access to job training, life skills, and literacy;

6) Staffing costs associated with ~~A~~assistance in completing/submitting applications for other state/federal benefits (SSI/SSDI, TANF, SNAP, Unemployment, etc.);

7) Staffing costs associated with providing ~~R~~referrals and/or "warm hand-offs" to counseling, addiction and mental health services;

~~7)~~8) Staffing costs associated with assisting the client with linkages to family support and/or community social support networks or to perform welfare checks on clients in their own home (including travel) (Case management program delivery travel-related expenses must be expended and documented in accordance with guidance for travel identified in the Administration Section of this manual);

~~8)~~9) Staffing costs for ~~M~~mediation services between client and landlord;

~~9)~~10) Tenant readiness education staffing and material costs; and

11) Costs to cover a program-required NSPIRE (or similar) inspection, such as required in Home Tenant Based Rental Assistance and the Emergency Solutions Grant (does not include ~~Maintenance costs associated to assist a unit pass an~~ repair/rehabilitation costs ~~HQS inspection, this does not include major repair/rehabilitation costs~~ (see the ~~Acquisition/~~Rehabilitation Section~~s~~ of this manual~~)~~This Program Delivery cost is only allowable within EHA GF/DRF~~.~~

~~10)~~12) Costs related to HMIS, including user licenses, equipment upgrade, network system upgrades, training and technical assistance for the subgrantee and to support subrecipient organizations, reporting, data quality management and end-user support and troubleshooting.

~~(E) *Supportive In-Home Services*~~

~~**EHA (and DRF/DRF VET)** and **ERA** funding can be used for Supportive In-Home Services. Assistance is designed to provide supportive in-home service for clients who experience a short-term medical or disability need. Use of funds are allowable to meet the emergency and to support the client's recovery and facilitate the immediate needs to ensure their health and physical safety in situations when such services are not available or accessible in their community. Clients may reside in rental housing or own their own home.~~

~~**1) Supportive In-Home Services requirements:**~~

~~a) Supportive In-Home Services must be for clients who meet the housing status of imminent risk of homelessness (category 2) or unstably housed (category 5);~~

~~b) Clients receiving Supportive In-Home Services must be receiving case management services through another funding category or program of OHCS funds or a non-OHCS funding source;~~

~~c) Clients receiving Supportive In-Home Services must receive, as part of case management, minimally at time of application, a welfare/safety check to provide a needs assessment to appropriately identify needs in health care management and safety services. Additional welfare/safety checks should continue as needed;~~

~~d) Supportive In-Home Services must meet the needs of an emergency situation and efforts must be made to determine that other in-home service options are not available or accessible in the service area and such efforts must be documented in the client's file; and~~

~~e) Supportive In-Home Services cannot be used to make general unit repairs or to rehabilitate a unit.~~

~~**2) Allowable costs for Supportive In-Home Services:**~~

~~a) Housing maintenance to address mobility or safety barriers, such as temporary ramps, grab bars or rails with an approved reasonable accommodation request by the property manager or owner, or such maintenance can be permanent if there is documented evidence in the client's file that the client owns their home (no other home repair and/or maintenance is an allowable cost);~~

~~b) Short-term (less than six months) licensed personal care assistance for a medical condition or to recover from surgery when other such care is not available;~~

~~c) Performance of needs assessment and linkages to appropriate health care management and safety services;~~

d) Assisting the client with linkages to family support and/or community social support networks; and

e) Costs to cover emergency situations that threaten the health and safety of the household, such as an emergency payment for a life-saving prescription medication, rental of a hospital bed or other temporary durable medical equipment, dietary management by a registered nurse, temporary transportation to and from medical appointments, chore service for household cleaning during period of short term disability or injury recovery. Justification of such costs must be maintained in the client's file and such cost must not be covered as a cash payment; however, due to the emergency nature of the situation such cost can be covered under a subgrantee's OHCS-pre-approved gift card policy, if such policy exists at the time of need.

(F) *ERA Rental Subsidy Assistance*

ERA can be used to provide ERA clients a monthly rental subsidy to meet this population's ongoing rental assistance needs.

1) **ERA-Based Rental Subsidy Assistance Requirements:**

a) Subgrantee must have a stand-alone ERA Rental Subsidy policy, available for review by OHCS upon request and OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy. Subgrantees must ensure that subrecipients have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. Documentation will be reviewed during monitoring and costs will be disallowed without sufficient documentation of the ERA-Based Rental Subsidy Assistance requirements.

An ERA Rental Subsidy policy must identify:

i. How tenants will be selected to participate in the subsidy program;

ii. How often tenants will be assessed for continued assistance and what factors are considered in the assessment;

iii. The conditions under which a subsidy agreement is terminated;

iv. The notification process, and or remedies, of such termination;

v. Frequency of welfare checks or case management checks;

vi. What additional factors, if any, will be used in a formula that determines how much rental subsidy a client will receive. All tenants must be assessed using the same formula; and

vii. Limitation on the length of ERA Rental Subsidy, if any.

b) Clients must not pay more than 30% of their gross income in rent when using ERA Rental Subsidy, although, depending on factors identified in the subgrantee's policy, a client may pay less than 30% of their gross income in rent.

c) Clients receiving ERA Rental Subsidy Assistance must meet the housing status of imminent risk of homelessness (category 2) or unstably housed (category 5) and must meet ERA income and household composition requirements.

d) Routine welfare checks or case management checks must occur for tenants receiving ERA rental subsidy.

e) As part of case management (and an allowable cost under ERA HP), a client service/housing plan must be developed and monitored for specified goals for to assist clients in achieving long term stabilization.
f) There are no FMR or utility allowances.
g) Units must receive and pass a Habitability Standards inspection (a Habitability Standards Inspection form can be found on the OHCS website, specifically for ERA).
h) Landlord/tenant must have an executed lease/rental agreement.
i) Subgrantee/subrecipient must execute an Agreement for purposes of an ERA rental subsidy agreement. A sample template is available for this purpose on the OHCS website.
j) ERA HP can be used for costs associated with helping a unit pass a Habitability Standards inspection as part of minor repairs (this does not include rehabilitation, see the Acquisition/Rehabilitation section of this manual for more information).
k) Subsidy payments are allowable on a month-to-month rental agreement or a fixed term rental/lease agreement.
l) If a tenant moves to another unit, subgrantees/subrecipients are not required to enter into a new rental subsidy agreement with the tenant for the new location; however, they are not prohibited from doing so. ERA rental subsidy assistance cannot be paid for the same tenant in two separate dwelling units for the same period.
m) ERA Rental Subsidy cannot be used to replace other subsidy that the client already receives, nor can ERA Rental Subsidy be used to provide additional subsidy to a client that is already receiving other subsidy (such as Housing Choice Voucher Program).
n) ERA Rental Subsidy cannot be used in an Assisted Living Facility or cover the costs of discharge planning programs in mainstream institutions.

2) Termination of ERA Rental Subsidy Assistance

Landlord and/or Tenant must notify subgrantee in writing when terminating the tenancy and such termination must be done in compliance with state and local laws. Such termination would end the ERA Rental Subsidy Assistance and subgrantee/subrecipient must send notification of termination of the ERA Rental Subsidy Assistance to the Landlord and Tenant.

Subgrantee/subrecipient can terminate a subsidy agreement if:

a) Landlord/Tenant terminates the tenancy or tenant no longer occupies the unit;

b) Tenant has committed any fraud or misrepresentation in connection with any OHCS-funded program;

c) Subgrantee has determined tenant was non-compliant with ERA program requirements;

d) Landlord does not make needed health and safety repairs in a timely manner;

e) Unit is uninhabitable;

f) Landlord has committed any fraud or misrepresentation in connection with any OHCS-funded program;

g) Lack of available ERA funding or if required to terminate the agreement by OHCS; or

~~h) Other circumstances have occurred which are contrary to ERA program requirements. Subgrantee/subrecipient shall notify landlord and tenant in writing of its decision to terminate tenant's rent subsidy and that the subgrantee's/subrecipient's share of the rent, pursuant to the Rental Assistance Agreement, shall terminate 30 days after subgrantee/subrecipient gives such notice to landlord and tenant.~~

~~Subgrantee/subrecipient can continue or can decide not to continue ERA rental subsidy assistance in another unit for the tenant if the termination of subsidy is not due to the tenant noncompliance of program requirements. A new rental subsidy agreement must be executed at the new unit in compliance with ERA program requirements and in accordance with the subgrantee's ERA rental subsidy policy.~~

(F) *Engagement Incentives*

EHAP GF funding can be used to support a Subgrantee's efforts to engage **client's** feedback and provide payment of a **client's** participation in focus group or feedback sessions. Such engagement opportunities must include as part of its scope the desire to understand the housing-related needs, barriers and supports that community members identify rather than general data collection that is not related to the broad purpose of EHAP GF funds.

Use of EHAP GF for this purpose must be connected to houselessness and housing instability. If a survey opportunity incidentally discusses related topics such as food scarcity, public safety, and public health, that is permissible so long as there is a housing connection **This allowability does not extend to subrecipients of a subgrantee**. If a subrecipient wishes to use OHCS funds for this purpose, they must coordinate with the subgrantee.

Subgrantee must be responsible for the purchase of gift cards for this purpose, drawing funds from the Engagement category within OPUS, and must maintain the required documentation in the subgrantee's file of meeting all requirements identified in this Engagement Incentive section of this manual.

Funds can be used, in the form of gift cards, for the completion of surveys, focus groups or other feedback sessions in order to further inform community needs regarding houselessness and inform program development in addressing houselessness or housing instability. Persons receiving this incentive **must** meet the definition of **"client"** as identified in this manual (this limitation excludes those receiving Street Outreach services).

Funds used for this purpose must be budgeted and drawn from the Engagement category in OPUS and a part of a program's allocation of funds. Use of funds for this purpose does not permit the use of gift cards for any other purpose except as described in this section. An approved gift card policy/procedure under the Gift Card Usage in Financial Assistance does **not** extend to the approval of gift cards for engagement purposes – these are two separate processes. Allowability within this program component does not include the use of cash payments and the incentive must be delivered through a gift card provided in a face-to-face interaction and requires a client's wet signature of acknowledgment and acceptance. Documentation will be reviewed during monitoring and costs will be disallowed without sufficient documentation of Survey Requirements and Engagement Requirements.

Survey Requirements:

(1) Subgrantee must document the following;
   i. what client population was targeted to complete the survey,
   ii. why this client population was targeted, and
   iii. the method used to solicit this client population's participation.

(2) Survey must be focused on a specific program or policy designed to address houselessness or housing instability, which can also include community needs assessment survey completion by clients.

(3) Surveys **are not** ongoing customer satisfaction surveys.

(4) Surveys must minimally require that:
   (a) Clients are provided sufficient context of the purpose of the survey and how their results will be used;
   (b) Clients are engaged with in-depth questions that influence either program design, expansion of existing services or identify gaps in services;
   (c) Includes a record of client's legible name and address (or denotation of "Houseless"); and
   (d) Be limited in duration for the length of time that the survey will be open for clients to complete, with a beginning and end date that does not exceed a period of 60 days.

(5) Subgrantee must identify and document how responses to survey were used and the outcome of the survey (i.e., how did the results change houselessness/housing instability policy or program or identify community needs).

(6) Compensation must not exceed $25 per client.

(7) Employees of the subgrantee do not qualify for survey compensation, regardless of whether or not they are a client.

(8) Subgrantee must provide compensation through gift card (not cash).

(9) Clients must acknowledge receipt of gift card in a face-to-face interaction with written, legible, wet signature and date and must include acknowledgement, in writing, that they are engaging as an independent contractor being paid for services, and not as an employee of the subgrantee.

(10) Clients are limited to a one-time payment for survey participation per fiscal year and the Subgrantee **must** have policies/procedures in place to ensure this limitation is not exceeded (such policy/procedures must be made available to OHCS upon request).

(11) Subgrantee must maintain records of survey engagement which includes a copy of the survey questions, either individual or aggregate responses, outcomes, targeting information and client payment records. Records must be maintained for a period of 6 years after the date of the close of the survey.

Engagement Requirements:

(1) Subgrantee must document:
   i. what clients were targeted to participate in the engagement,
   ii. why this client population was targeted, and
   iii. the method used to solicit this client population's participation.

(2) Engagement must be focused on a specific program or policy designed to address houselessness or housing instability.

(3) Engagement opportunities can be a single session, focus group or workshop or can be a limited series of such activity. If a limited series, there must be a beginning and end date to the series and does not exceed more than 12 days of attendance in a calendar year.

(4) Subgrantee must document times, dates and locations of engagements and must produce written minutes or notes from each engagement session.

(5) Subgrantee must document the outcome of engagement session(s).

(6) Engagement clients must receive compensation through a gift card (not cash).

(7) Clients must acknowledge receipt of gift card in a face-to-face interaction with written, legible, wet signature and date and must include acknowledgement, in writing, that they are engaging as an independent contractor being paid for services, and not as an employee.

(8) Engagement clients must minimally provide legible name and address (or denotation of "Houseless").

(9) Compensation must not exceed $25 for each day in which clients engaged in such activities (aggregate maximum is $300). Each $25 gift card must be provided only at attendance of each session (face-to-face, with written acknowledgment) and cannot be combined.

(10) If a series of session applies, then a gift card for each session must be provided **after** attendance of each session.

(11) Employees of the subgrantee do not qualify for engagement compensation, regardless of whether or not they are a client.

(12) Clients must not participate in more than one engagement opportunity (whether a single session or a series) per fiscal biennium, and the subgrantee **must** have policies/procedures in place to ensure this limitation is not exceeded (such policy/procedures must be available to OHCS upon request).

(13) Subgrantee must maintain records, which includes targeting information, meeting agendas, notes/minutes, outcomes, and client payment records for a period of 6 years after the final date of an engagement session or series of engagement sessions.

Gift Card Usage for Survey and Engagement Opportunities Requirements

(1) Approval of the usage of gift cards for the purpose of survey and engagement compensation does not provide approval for the use of gift cards for any other purpose. Other uses of gift cards must be aligned with an approved Gift Card Policy/Procedures as identified in the State Houseless Funds Operation Manual's Gift Card Usage in Financial Assistance Section.

(2) Documentation will be reviewed during monitoring and costs will be disallowed without sufficient documentation as identified in each of the Survey Engagement and Engagement Opportunities noted above.

(3) The cost must be allocable, within program guidelines and must adhere to internal controls (OMB 200.403, 200.303).

(4) Subgrantee must maintain complete records of engagement gift card purchases and issuance for a period of 6 years.

(5) The Survey/Engagement Policy/Procedure must be submitted to OHCS through the subgrantee's funding application and 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.

(6) Subgrantee must have a stand-alone Survey/Engagement Policy/Procedure (or a separate section from a Gift Card Policy/Procedure as defined in this manual's Gift Card Usage in Financial Assistance Section) that includes:

(a) A statement that gift cards for the purpose of compensation for surveys/engagement must be issued to EHA clients (*see definition section of this manual for "client").*

(b) Identification of internal controls on how gift cards are purchased and issued to clients within the same grant period.

(c) Identification of internal controls on who has access to gift cards, how gift cards are securely maintained and how the issuance of gift cards is tracked to ensure the safeguarding and oversight of gift card assets.

(d) Identification of how subgrantee ensures that they do not exceed the per-client limitation for use of gift cards for survey or engagement purposes.

(e) A statement of compliance with OMB 200.403, 200.303

(f) A statement that clients must acknowledge receipt of gift card in a face-to-face interaction with written, legible, wet signature and date and must include acknowledgement, in writing, that they are engaging as an independent contractor being paid for services, and not as an employee.

~~(G) *Distinguishing Between Maintenance and Renovation (Rehab/Conversion)*~~

~~**EHA (EHA-DRF/EHA-VET-DRF)** and **SHAP** can be used for "Repairs to facility" as identified in the category of Shelter Operations. This is meant to define minor or routine repairs.~~

~~Distinguishing between maintenance activities and more extensive repair and rehabilitation 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 and therefore requires further environmental review.~~

~~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 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 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 of the program's operational manual for specific examples of maintenance activities.~~

~~The minimum period of use for maintenance activities is the same as for other shelter operations and essential services activities—that is, the recipient/subrecipient must provide services or shelter to homeless individuals and families at least for the period during which OHCS funds are provided (for example, the contract period specified in a subgrantee contract/agreement). Again, maintenance activities are not subject to environmental review.~~

~~*(2) Renovation and Conversion*~~

~~In general, an activity that does materially add to the value of the building, appreciably prolong its useful life, or adapt it to new uses would be considered renovation or conversion.~~

~~See the Table in the Appendix of the program's operational manual for specific examples of maintenance activities.~~

~~When the activity is renovation, rehabilitation or conversion, 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 renovation and value of the building, it might be considered minor rehabilitation or major rehabilitation (see below).

Renovation costs can include architect's fees, engineering costs, permits, and other costs of a renovation or conversion project when they are reasonable and appropriate, and directly related to the renovation or conversion project. Renovation includes four separate activities. 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 renovation and conversion activities, the minimum period of use starts on the date the building is first occupied by homeless individuals or families after the renovation or, if the building is occupied during the renovation, the period of use starts on the date the renovation is completed.

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

Minor Conversion	The cost of the conversion of a building to an emergency shelter is 75% or less of the value of the building after conversion*	3 Years	Environmental Assessment (can require an Environmental Impact Statement (EIS)
Major Conversion	The cost of the conversion of a building to an emergency shelter exceeds 75% of the value of the building after conversion*	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/transitional shelter or transitional housing or that with rehabilitation, renovation or conversion activities will operate for the purpose of emergency/transitional shelter or transitional housing on the site of the property.

(H)(G) *Emergency* Shelter or Transitional Housing Facilities *Acquisition, Rehab/Conversion Renovation*

[Refer to your Subgrantee Contract/Agreement for Procurement requirements]

Follow the HSS Program Standards Guidance for more detailed information on standards in rehabilitation/renovation of real property.

EHAP GF(EHA DRF/EHA DRF VET) can be used for the categoryies of acquisition and rehab/conversion renovation(encompasses rehabilitation, renovation, and conversion), of emergency shelter for those who are houseless and transitional housing for households who are homeless. Projects using **EHA DRF VET** funds must ensure that funds exclusively serve the veteran population. Where the program requires,meet client eligibility appliesrequirements.

SHAP can be used for the categoryies of acquisition and rehab/conversion renovation(encompasses rehabilitation, renovation, and conversion), of emergency shelter for those who are houseless.

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.

To notify OHCS, Subgrantee must complete the online form at: https://app.smartsheet.com/b/form/33ab4f86297c4a4c86e64a4bd2bb28e1. For OHCS-funded programs, acquisition of land must also include a building structure to be used. Acquisition of bare land is not an eligible use of funds. Funds for renovation/rehabilitation of property must be drawn from the OPUS category identified as Rehab/Renovation and is funded through a program allocation.

(1) *Free-Standing Temporary Shelter*

Free-Standing Temporary Shelter (FSTS), also known as tiny homes and "Pallet™" shelters, are a type of alternative shelters that do not include a foundation and are

allowed under the definition of Shelter Acquisition as an equipment purchase. This includes "new construction" of shelter. Prior OHCS approval of the purchase of FSTS is not the same as the OHCS Acquisition/Rehab/Renovation process. The process to receive approval for the purpose of Free Standing Temporary Shelters is to complete a FSTS Pre-Approval Form, located on the HSS Dashboard. The FSTS Pre-Approval Form includes completing information on your purchase process, site location, amenities on site which is inclusive of utilities, waste management, food service, and public safety strategy, as well as your shelter operation plan. Funds used for the purchase of FSTS must be allocated to the acquisition category of your OHCS grant; however, ongoing operation of FSTS already placed in service may be allocated to the shelter operations category of your OHCS grant, if an allowable expense.

- Using OHCS funds for bringing utilities to a site for the purpose of operating FSTS will require following OHCS guidance for the rehabilitation of property and the FSTS Pre-Approval Form **does not** provide approval of that work. Follow all the OHCS guidance for acquisition/rehabilitation/renovation/conversion identified below.

For information and instruction and a How To Guide on Building a Shelter Community, visit www.palletshelter.com.

(2) Acquisition, Rehabilitation, Renovation or Conversion Instructions

Reporting on all acquisition, rehabilitation, renovation, and conversion projects must be provided to OHCS in the form and form required and must be submitted by the due date identified by OHCS. A subgrantee who failure to provide required report is non-compliant with program rules and guidelines. Please read the requirements carefully to ensure compliance. Reports must be sent to hss.acq.rehab@hcs.oregon.gov.

Acquisition is acquiring property through purchase, donation, trade, or any other method. For Housing Stabilization Division (HSD)-funded programs, acquisition of land must also include a building structure to be used for the purpose of emergency/transitional shelter or transitional housing. Acquisition of bare land is not an eligible use of funds. For the purpose of HSD programs, the existing building structure in an acquisition project means a building that either will operate as an emergency/transitional shelter or transitional housing or that with rehabilitation, renovation or conversion activities will operate for the purpose of emergency/transitional shelter or transitional housing.

Conversion is the process of changing or causing to change from one form to another or changing the function of a piece of property from one use to another.

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

a) Restrictive Use Period

The Restrictive Use Period for the OHCS-funded acquisition, rehabilitation, conversion and/or renovation is dependent on use of funds and is 10 years for all acquisition. The Restrictive Use Period runs from December 31 of the year the first building in the Project is placed in service (PIS) or until December 31, [Year of PIS + # of years appropriate for use], whichever is later. The project owner must agree to annually certify compliance with this requirement and submit that certification to OHCS at

Rehabilitation and Renovation Minimum Period of Use		
Type of Renovation Activities	**Definition**	**Minimum Period of Use**
Minor Rehabilitation	The cost of the rehabilitation of an existing emergency shelter is 75% or less of the value of the building before rehabilitation*	3 Years
Major Rehabilitation	The cost of the rehabilitation of an existing emergency shelter exceeds 75% of the value of the building before rehabilitation*	10 Years
Minor Conversion	The cost of the conversion of a building to an emergency shelter is 75% or less of the value of the building after conversion*	3 Years
Major Conversion	The cost of the conversion of a building to an emergency shelter exceeds 75% of the value of the building after conversion*	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/transitional shelter or transitional housing or that with rehabilitation, renovation or conversion activities will operate for the purpose of emergency/transitional shelter or transitional housing on the site of the property.

b) Contracted Oversight

Architectural: All rehab, conversion or renovation concepts must be reviewed and approved by an architect of subgrantee's choosing. For any rehab, conversion, or 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.

General Contractor: For any construction costing more than $50,000 or involving three or more trade specialties, the subgrantee **must** hire a general contractor.

c) 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.

d) Use of HMIS

Except for Domestic Violence victims, subgrantee will be required to enter data into an approved HMIS system for all persons assisted in an OHCS-funded shelter or transitional housing unit. Domestic Violence providers must collect client data in a database comparable but separate from the subgrantee's HMIS database and must report client blind data to the subgrantee. Subgrantee must participate in OHCS's required data reporting process, complying with all information requests, and reporting deadlines.

e) Procurement Requirements

Subgrantees must follow procurement requirements as outlined in the subgrantee contract/agreement.

f) OHCS Anti-Displacement and Relocation Assistance Policy

OHCS-funded acquisition should not cause the involuntary displacement of tenants. OHCS encourages subgrantees to pursue projects that will not permanently displace tenants. If applicable, Subgrantee will provide OHCS, submitted at hss.acq.rehab@hcs.oregon.gov. with a description of the relocation plan and whether existing residents will have an opportunity to return to the facility, as well as any permanent relocation. Subgrantee's description shall include the kind of advance notice that will be given to affected tenants; and what funding the subgrantee will provide to assist persons being relocated. 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. 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.

g) OHCS Fiscal Monitoring

OHCS fiscal monitoring requirements for acquisition and/or rehab/construction projects are the same as fiscal monitoring of other costs incurred. Subgrantee must maintain a project file available for review during the monitor's visit or at the monitor's direct request.

h) Quarterly Progress Report

A standardized Quarterly Progress Report form must be submitted first, by the 10th day of the month following the month the project began and then quarterly thereafter, due by the 10th day the month following the quarter being reported.

Reporting must begin for the month following the date of the first expense of OHCS funds is incurred and must continue quarterly until the project can be reported "in use" (shelter) or "occupied" (transitional housing). During all quarters when the subgrantee will be requesting funds from OHCS, the Quarterly Progress Report must include detail of the project work completed during that quarter and the percentage of completion achieved to date until the project is complete and placed into service. The Quarterly Progress Report form is available on the OHCS HSS Dashboard. Submit report to OHCS at: hss.acq.rehab@hcs.oregon.gov.

i) First Year Report

At the end of the first calendar year the project was placed in service, subgrantee will be asked to provide OHCS with a year-end narrative report describing the project and how it is being used in the community. The First Year Report form is available on the OHCS HSS Dashboard. Submit report to OHCS at: hss.acq.rehab@hcs.oregon.gov. This report must be sent in the month of January prior to the due date and must not be sent earlier.

j) Annual Certificate of Continuing Program Compliance

A Certificate of Continuing Program Compliance will be required from the subgrantee for the previous year. Subgrantee will use the Certificate to confirm the operation of the project complies with the restrictive use requirements. The Certificate form is available on the OHCS HSS Dashboard. Submit Certificate to OHCS at: hss.acq.rehab@hcs.oregon.gov. This report must be sent in the month of January prior to the due date and must not be sent earlier.

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 submitted to OHCS by the 10th day of the month following the month the project began, or minimally before any land disturbance: .

l) Certificate of Occupancy

Subgrantee must submit a Certificate of Occupancy signed by their local jurisdiction upon completion of the project. The Certificate of Occupancy must be submitted to OHCS at:

m) Subgrantee's Responsibilities for Subrecipients

OHCS will only fund the acquisition, rehabilitation, renovation or conversion of property if that property will be owned by the subgrantee. OHCS will always allocate OHCS funds to the subgrantee, not the subrecipient. All requirements of the grant agreements, program guidelines apply and the subgrantee will be held responsible to ensure all requirements are met.

~~n) Repurposing the Property~~

~~Subgrantee cannot repurpose the use of the property before the end of the required restrictive use period. OHCS is exploring this pathway and will provide further guidance if developed.~~

~~o) Transferring Property Ownership~~

~~Within the Restrictive Use Period, the project owner 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 the transaction must be pre-approved by OHCS.~~

~~The Transfer of Property, in which OHCS funds were used for the property's acquisition, conversion, rehabilitation or renovation (acquisition/rehabilitation), can occur within the period of required restrictive use; however, the restrictive use must remain in effect for the length required by OHCS guidelines. Such transfer of property must receive prior approval by OHCS. Such transfer of property will not be approved prior to the project being placed into service and OHCS's receipt of the Certificate of Occupancy, the timely receipt of Quarterly Reports on the project's progress as identified in the Acquisition/Rehab guidance, a First Year Report, any required Environmental Review and at a minimum, 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;~~
- ~~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 the program's Operation Manual;~~
- ~~MOU must include the Subgrantee's continued monitoring as required by the OHCS' program guidelines for the OHCS funds used for the acquisition/rehabilitation of the property for the length of the required restrictive use period, which must include access to the property and the property records as required by OHCS program guidelines for the same duration;~~
- ~~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 records retention 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 and 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, 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.

(3) 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 final year of the restrictive use period. Subgrantee must follow all requirements of Sections G and H of this manual for the acquisition, conversion, rehabilitation, or renovation of property and must follow the reporting requirements identified below:

1) Read through all these materials to ensure you understand the requirements that apply to your project and your responsibilities.
2) Submit all required reports, reviews and certificates to OHCS at: , in form and format required by OHCS.
3) Before drawing your first request for funds, ensure that OHCS has received your first completed Quarterly Progress Report, due the 10th day following the first month the project began; AND by the 10th day of the quarter following each quarter thereafter until the project is placed into service, submit to OHCS a completed Quarterly Progress Report.
4) If required, ensure that the performance of an Environmental Review is complete and submitted to OHCS.
5) By January 5th following the end of the first calendar year that the project is placed in service, submit to OHCS a completed First Year Report. This report must be sent in the month of January prior to the due date and must not be sent earlier.
6) Upon completion of the project and prior to placing the project in service, submit to OHCS a completed Certificate of Occupancy.
7) By January 20th of each year after the project is placed into service and for the duration of the applicable restrictive use period, submit to OHCS a completed Annual Certificate of Continuing Program Compliance. This report must be sent in the month of January prior to the due date and must not be sent earlier.

~~(I)~~(H) ~~*Community Capacity*~~*Emergency Systems and Strategy ~~Building~~Strengthening*

EHAP GF (~~and EHA-DRF~~) funding can be used to support projects and activities that increase a subgrantee's service area's capacity to provide emergency housing and ~~homeless~~houseless services to those individuals and families struggling with houselessness. The specific focus of Emergency Systems and Strategy Strengthening (ESSS) is to enhance local houselessness provider capacity to design and implement strategies to build, rebuild and sustain an emergency housing system – especially in deprived communities and in towns, cities and regions suffering from economic decline, worklessness and benefits dependency. The goal is to create a broader capacity and expanded ability for the emergency housing system to meet the needs of those struggling with houselessness.

This is not meant to address disaster recovery efforts. ~~Community capacity building~~Emergency Systems and Strategy Strengthening is not the same as increasing a subgrantee~~/subrecipient~~'s capacity to deliver OHCS funds/programs, which are service provider investments (agency capacity building). ESSS are not funds to generally support staffing costs of the subgrantee, but must be for the purpose identified in this section. The flexibility of ESSS does not extend to a subgrantee's subrecipient.

~~The specific focus of Community Capacity Building (CCB) is to enhance local homelessness provider capacity to design and implement strategies to build, rebuild and sustain community capacity – especially in deprived communities and in towns, cities and regions suffering from economic decline, worklessness and benefits dependency. Supporting organizations with mentoring, finance, strategy building, and system analysis are a vital part of CCB.~~ Records of ~~CCB~~ ESSS activities must be kept in accordance with OHCS Records Requirements, inclusive of meeting records, outcomes, and evaluation records, along with any fiscal records associated with the project. Funds for ESSS must be drawn from the same named category in OPUS and are a part of a program allocation of funds.

a) ~~Community Capacity~~Emergency Systems and Strategy ~~Building~~Strengthening:

~~a)~~ Increases the range of funders[2] and potential contributors ~~at~~ through community planning and implementation tables and that ~~;~~

~~b)~~a) ~~E~~encourages all levels of government to participate; ~~and~~

b) Assists organizations ~~to~~ in developing networks to undertake joint activities and coordinate their services to achieve common goals and provide better service to ~~homeless~~houseless participants;

c) Enhances or more effectively uses skills, abilities and resources of houseless service providers in a joint effort, enabling them to better serve houseless households; and

~~c)~~d) Designed to increase access to services or increases available services to houseless an unstably housed Oregonians.~~.~~

~~**b) Objectives of Community Capacity Building are:**~~

[2] See example for Funders Table

~~a) To enhance, or more effectively utilize, skills and abilities and resources of homeless service providers;~~

~~b) Strengthen understandings and relationships amongst homeless service providers; and~~

~~c) Address issues of values, attitudes, motivations, and conditions to support homeless activities in a sustainable manner.~~

~~CCB~~ ESSS is not a space to simply share program information and available services with other providers which can be accomplished through marketing and outreach efforts. ~~CCB~~ ESSS projects are activities that a subgrantee would not be able to undertake with regular OHCS-funded programs and specifically designed to increase the community's ability to provide ~~homeless~~houseless services and emergency assistance. Costs associated with advertising and public relations designed solely to promote the subgrantee~~/subrecipient~~ organization and their activities are not allowable under ~~CCB~~ESSS.

OHCS-Funded ~~CCB~~ ESSS projects must be defined and receive **prior approval** in the subgrantee's Implementation Report before costs can be incurred. Such IR will require the following elements:

i. Provide specific outcomes or deliverables that are SMART (Specific, Measurable, Achievable, Relevant, and Time-Bound [project must have a beginning and end date);
ii. Identify specific partnerships needed to carry out the project (~~CCB~~ ESSS projects must have partnerships to be considered ~~CCB~~ ESSS otherwise it is a service provider investment. For example, supporting documentation may include a ~~—such as through an~~ Memorandum of Understanding~~OU~~, project charter, agreement or other document that identifies the partnership) and such documentation must be submitted with the IR;
iii. Increase the service area's capacity with the purpose of expanding the community's ability to meet the needs of its ~~homeless~~houseless or unstably housed population;
iv. Provide a method to evaluate the effectiveness of the project;
v. Have a specific budget that is identified and described in detail and must include leveraged resources (such as costs needed for materials, transportation, staff, procurement/service agreements, hardware/software purchases[3], and any leveraged resources) and such documentation must be submitted with the IR; and
vi. Identify what staff will be involved in the project (such as number of FTE, length of time FTE are needed, position types and staff names – this information will be needed to effectively monitor the ~~CCB~~ ESSS project).

~~c)~~b) Example of allowable activities include:

(a) **Regional ~~Homeless~~Houselessness Plan:** Sets out policy directions for addressing ~~homeless~~houselessness in the region and serve as a template for other sub-regional plans, including efforts by municipalities, neighborhoods and private foundations committed to a structured approach to addressing ~~homeless~~houselessness.

(b) **Engagement Strategies:** Adopting a membership structure to regional ~~homeless~~houselessness councils to be more inclusive, strategic and effective, providing

[3] See example for system mapping or systems analysis

for an open membership, a new decision-making body and opportunities for members to participate through Advisory Groups and other forums. Membership, which includes all levels of government, community foundations and agencies that provide a range of services to address ~~homeless~~houselessness in the region.

(c) **Community ~~Homeless~~Houseless Tables (CHTs):** Develop CHTs to help develop local strategies and promote communication and collaboration. CHTs have created the local councils on community ~~homeless~~houselessness to help develop local strategies to address ~~homeless~~houselessness

(d) **Funders Table:** Creating a Funders Table that includes all levels of government and private and philanthropic foundations that fund local ~~homeless~~houselessness initiatives and support the vision to end ~~homeless~~houselessness. The purpose of this Table is to create a collaborative forum for regional funders to play a leadership role in: (a) Promoting a common vision for funding priorities to end ~~homeless~~houselessness; (b) Maximize resources and efficiencies for programs and services to end ~~homeless~~houselessness; and (c) Advocate for policies and systems changes that promote cross-sector coordination and permanent solutions to ~~homeless~~houselessness.

(e) **Systems Analysis:** Collection and analysis of a comprehensive set of data elements that describe a community's ~~homeless~~houseless population, the system's ability to move people to permanent housing quickly, and the system's cost-efficiency. Qualitatively analyze a system by surveying community leaders, providers including executive directors and front-line staff, and people experiencing ~~homeless~~houselessness and involves reviewing planning and operation documents, and evaluation reports. Through training and consultation, guidance provided to the community in creating action plans to achieve identified priorities and, following a training and/or technical assistance, support implementation efforts.

(f) **~~Homeless~~Houseless Response System Assessment and Recommendations:** Work with CoCs to provide analysis and recommendations to the CoC Collaborative Applicant, CoC Governance Board and community stakeholders on implementation of best practices in crisis response systems, including reviewing core system components such as CoC Governance, Coordinated Entry, Outreach, ~~Homeless~~houselessness Prevention, Diversion, Emergency Shelter, Rapid Re-Housing, Permanent Supportive Housing and others, analyze data including System Performance Measures and key housing outcomes by program type, and develop recommendations on strategies, including the role of CoC governance and its critical role in coordinating this system, to address identified challenges to ensure ~~homeless~~houselessness is rare, brief, and one time.

(g) **Rapid Re-Housing Learning Collaborative:** Develop a RRH Learning Collaborative as an opportunity for ~~homeless~~houseless services organizations to make changes in the way they operate, while being supported by their peers and rapid re-housing experts. The goal of the Rapid Re-Housing Learning Collaborative is to increase the number of households being rapidly rehoused and shorten the amount of time households remain ~~homeless~~houseless. Learning Collaboratives last a year or more, involve three to five in-person meetings, and in-depth technical assistance for participating organizations.

(h) **Emergency Shelter Learning Collaborative:** Develop an ES Learning Collaborative as an opportunity for ~~homeless~~houseless services organizations to make changes in the way

they operate, while being supported by their peers and emergency shelter/~~homeless~~houseless crisis response experts. The goal of the Learning Collaborative is to support the implementation of a Housing First or other effective approach to shelter services, increase the number of households being permanently housed, and shorten the amount of time households remain ~~homeless~~houseless. Learning Collaboratives last a year or more, involve three to five in-person meetings, and in-depth technical assistance for participating organizations.

(i) **Diversion and Problem-Solving Strategies Training:** Strategies training that involves system leaders, providers, coordinated entry staff, HMIS staff, and key community stakeholders to improve the understanding of an effective system, and the role of effective diversion practice. The training focuses on the effective implementation of problem-solving as an intervention across the ~~homeless~~houseless response system. The training begins with an overview of the effective ~~homeless~~houseless response system, then focuses on the core components of an effective problem-solving approach and defines problem-solving, diversion, and rapid exit and how these interventions are distinguished from prevention. Last, the training focuses on various diversion and problem-solving strategies, including data collection and analysis; integration with coordinated entry; and effective practices.

(j) **System Mapping:** Development of a system map of existing housing and services throughout the region with specificity on updating the information regularly – this can include a software system for which a form of crowd sourcing could be utilized.

~~(J) *Data System Expenses*~~

~~**EHA (DRF/DRF VET), ERA** and **SHAP** funding can be used to support data system related costs necessary to collect and report shelter bed nights, participant services, participant demographic data, performance outcomes and other reporting requirements. Eligible data system expenses include:~~

~~(1) HMIS user licenses;~~

~~(2) Equipment upgrade for the purpose of HMIS needs;~~

~~(3) Network systems upgrade (it is recommended that systems be networked) for the purpose of HMIS needs; and~~

~~(4) HMIS training and technical assistance support for partner organizations to maximize effective use of HMIS system for data entry, reporting and program management. Such as:~~

~~a) staffing to conduct trainings related to HMIS;~~

~~b) develop and manage program specific workflows and on-boarding training related to HMIS;~~

~~c) develop and manage data quality plans related to HMIS; and~~

~~d) provide end user support, ad hoc reporting support and troubleshooting relate to HMIS.~~

~~(K) *Gift Cards*~~

~~Gift cards given to eligible clients for the purpose of purchasing items must be in support of the client's written housing goals and is allowable with EHA (DRF/DRF VET), ERA and SHAP~~

funds, provided that adequate documentation exists to support the purpose and the expense and there is an OHCS-approved Gift Card Policy with established policies and procedure in place to address the process.

Use of gift cards must be rare, for very specific housing related goals and only when other options are not available. There are multiple alternatives to using gift cards which are highly recommended:

- Partner[4] with bus or transportation services that bill for their eligible clients.
- Partner with stores for a voucher system. A voucher is a document which is worth a maximum dollar value, and which may be used only for specific items at a specific vendor. Vouchers are very similar to purchase orders. In advance, the organization establishes agreements with a vendor under which the vendor agrees to accept a "voucher" at the point of sale and then invoices the organization for the actual purchase. The voucher is created in multiple parts with one copy being sent to the vendor, one copy given to the individual making the purchase and at least one copy retained by the organization. The voucher must be uniquely numbered and must clearly detail the allowed item(s) and the maximum cost the purchaser is allowed to spend on the item(s). The vendor invoices for the actual amount of the purchase up to the maximum established cost listed on the voucher.
- Partner with clothing stores that will bill for clothing selected by eligible clients and the clothing can be picked up once the bill is paid (for example, Salem-Keizer Schools currently has this arrangement with Kohl's).
- Online purchases. Subgrantees can use a credit card to purchase the item through an online vendor and have the item shipped. Some online vendors (such as Walmart.com) also offer a same day pick up option for items currently available in local stores. Same day pick up allows an organization to make the purchase online and specify the name of an individual(s) authorized to pick the item up at their local store.
- Employee purchase. An employee goes to a store and purchases the needed items with either a company credit card or receives reimbursement by submitting detailed receipts for allowable costs.

1) Gift Card Requirements:

a) Subgrantee must have prior approval of a stand-alone gift card policy by OHCS **before incurring costs for gift cards**. The gift card policy must be prior-approved each biennium with the subgrantee's Implementation Report. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

b) Subrecipients of a subgrantee **must** follow the provision of the subgrantee's approved gift card policy and all OHCS requirements for the use of gift cards; however, subrecipients can create their own procedures for how they will implement the subgrantee's OHCS-approved policy (such as the position title of an approver, etc.).

c) Costs will be disallowed without a prior OHCS-approved Gift Card Policy.

[4] CCB potential for increasing partnerships

d) Gift cards cannot be used as a standard way of delivering program services allowable under other components of OHCS funds, such as rent assistance, deposits, hotel/motel costs, etc.

e) Gift cards cannot be used for events as a means of attracting applicants, but must be specific to clients receiving financial assistance and in support of a client's written housing goals.

f) Subgrantees must document in their Gift Card Policy the justification as to why they must use gifts cards rather than providing assistance through conventional means, such as partnerships with service providers, checks for goods/services to providers, or voucher options.

g) Subgrantee procurement policies must be followed when purchasing gift cards.

h) Gift cards must be purchased and issued to clients within the same grant period. For any gift cards that are not issued within the same grant period in which they were purchased, subgrantees must submit a negative request for funds for the grant period in which the gift cards were purchased totaling the amount of the unissued gift cards and other non-OHCS funds must be used for the cost of the gift cards.

i) Subgrantee must maintain complete record of gift card purchases and issuance and gift cards must be kept in a secure location.

j) Issuance of a gift card must be in the context of an action plan or goal designed to increase housing stability and such plan/goal clearly documents, in writing, how the purpose of the gift card is helping the client obtain or maintain housing stability.

k) Documentation will be reviewed during monitoring and costs will be disallowed without sufficient documentation.

l) The cost must be allocable, within program guidelines and must adhere to internal controls (OMB 200.403, 200.303) and must clearly meet the intent of ORS 458.650(1), showing a connection to housing stabilization.

m) Gift cards for the purchase of food must follow OHCS guidance for limitation.

n) Subgrantee must identify the dollar limitation for gift cards per client and the frequency limitation for a client's receipt of gift cards and such limitations must be reasonable as determined by OHCS.

o) Client must receive documentation that identifies the purpose and intent of the gift card and must acknowledge, by written, legible, wet signature, the same, and such documentation must be kept in the client's file.

2) Gift Card Policy must include the following:

a) Justification as to why the subgrantee must use gifts cards rather than providing assistance through conventional means, such as partnerships with service providers, checks for goods/services to providers, or voucher options (i.e., why are other options of providing assistance not available?);

b) If gift cards will be used for food purchases, policy must clearly identify the limitations as stated in this manual;

c) Identifies internal controls on how gift cards are purchased and issued to clients within the same grant period;

~~d) Identifies internal controls on how gift cards are securely maintained, who has access to gift cards, and how the issuance of gift cards is tracked;~~

~~e) Identifies, per client, dollar limitation for gift cards and frequency limitation for how often a client can receive a gift card. Additionally, policy must identify internal controls on how these limitations are tracked to ensure compliance with the limitation;~~

~~f) Requirement that issuance of gift card is in context to a client's action plan or goal designed to increase housing stability and that such plan is included in the client file; and~~

~~g) Written, legible, wet signature statement from client that identifies purpose and intent of gift card and acknowledging and agreeing to the receipt of the gift card under the intended purpose.~~

5. Financial Management

(A) *Fiscal Standards*

Subgrantees/subrecipients must follow fiscal standards identified in the HSS Program Standards Guidance.

~~(A)~~(B) *Administration*

Subgrantees are allowed to use up to fifteen percent (15%) of their total **EHAP GF/**~~(~~DRF~~/DRF VET),~~ **ERA** and **SHAP** allocation for administrative costs, including administrative costs for subrecipient organizations with whom the subgrantee contracts. There is an expectation that administrative funds will be shared with subrecipients (partners and culturally responsive organizations) commensurate to the services provided through the program by such subrecipients.

Allowable administrative costs, including indirect administration cost allocations, benefit the organization as a whole and cannot be attributed specifically to a particular program. All amounts billed to administration must be supported by actual costs. Administration funds may be used after the end of the expenditure period until the final report is due (August 30 of each fiscal year) in order to close out the grant (2 CFR 200.403(h)). If incurred, these costs must be liquidated prior to the due date of the final report(s) (Aug 30) and charged to the final budget period of the award. Closing out grants is defined as payroll costs incurred after the end of the expenditure period, such as:

1. costs associated with completing final reports;
2. submitting final requests for funds; and
3. closing the grant within the subgrantee's/subrecipient's organization.

This allowability only applies to administrative funds needed to close out the grant, such as payroll costs for fiscal staff. This DOES NOT apply to any street outreach, shelter/transitional housing facility operations, program delivery, financial assistance, or any other category of funding, but applies only to administrative funds and subgrantee/subrecipients must be able to identify in any audit/monitoring that costs were incurred after the end of the expenditure period and were for the sole purpose of closing out the grant. All program funds must be fully expended within the expenditure period of the grant.

There is no universal rule for classifying certain costs as either direct or indirect under every accounting system. A cost may be direct with respect to some specific service or function, but indirect with respect to the award. Therefore, it is essential that each item of cost incurred for the same purpose be treated consistently in like circumstances either as a direct or an indirect cost in order to avoid possible double-charging of awards and that this consistency is included in all grants received by the subgrantee, whether or not they originate from OHCS. Indirect costs must be in accordance with an organization's written cost allocation plan or Negotiated Indirect Cost Rate Agreement (NICRA) and must be consistently applied to all programs, whether OHCS-funded or not. Subgrantee/Subrecipients must have a written cost allocation plan or NICRA. Guidelines for determining direct and indirect costs charged to awards are provided in OMB 200.

Travel costs must be adequately documented and support business purposes (documentation is insufficient if verifying the reservation only and not the completed travel). Payment for travel expenses must be authorized in advance, in writing, unless the individual has previously been approved to travel by virtue of an approved description of job duties that include travel. Reimbursement of travel expenses does not count as wages or remuneration.

Record of travel expenditures must be kept, including purpose, mileage and payment. When reimbursing for meal, lodging and travel, subgrantees/subrecipients must use the U.S. General Services Administration per diem rates located at: https://www.gsa.gov/travel/plan-book/per-diem-rates or a travel rate that is established in the subgrantee's policies/procedures and applied consistently to all volunteers and employees, whether or not such travel is funded with OHCS funds, for actual and necessary expenses backed by receipts. In the case of volunteers, the cost of meals when there is no overnight stay and not associated with an official state-required business meeting is reportable as income. Any funds expended on the reimbursement of expenses for travel must be appropriately documented and cannot be provided through a cash or cash equivalent payment.

Allowable costs include, but are not limited to:

(1) Senior executive management personnel salaries and benefits (unless they are directly involved in program operations), administrative staff travel costs;

(2) Salaries, benefits and expenses for ~~G~~general services such as accounting (finance), budget development, personnel, contracting, gatekeeping, marketing, human resources, agency audit, agency insurance;

(3) Board and commission member expenses (excluding meals), limited to $~~30~~ 25 per day in which they are engaged in the performance of official duties. Members can also receive travel reimbursement. Payment of these expenses cannot be made through cash, gift cards, gas cards or other cash equivalent means (ORS 292.495, DAS OSPA Reference Manual);

(4) Organization-wide membership fees and dues specific to ~~homeless~~houseless systems and programs;

(5) General agency facilities costs (including those associated with executive positions), such as rent, depreciation expenses for building and equipment, and operation and maintenance (as part of the organization's direct or indirect cost allocation plan); and

(6) Equipment rental/purchase, insurance, utilities, and IT costs that are not program specific but relate to agency-wide administration.

Unallowable costs include, but are not limited to:

(1) Late fees assessed due to a subgrantee/subrecipient failure to pay in a timely manner.
(2) Subgrantee/subrecipient facility mortgage payments
(3) Lobbying

~~(B) *Advance Requests for Funds*~~

~~Subgrantee can request and be paid in advance, provided it maintains or demonstrates the willingness to maintain both written procedures that minimize the time elapsing between the transfer of funds and disbursement, and financial management systems that meet the standards for fund control and accountability. See the subgrantee's grant agreement/contract for all identified requirements and allowability.~~

~~Advance payments to a subgrantee must be limited to the **minimum amounts 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 payments must be as close as is administratively feasible to the actual disbursements by the subgrantee for direct program or project costs and the proportionate share of any allowable indirect costs.~~

~~**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, or your comment can advise to "see attached".** The comment and/or the attachment needs to provide enough detail to justify your request and demonstrate the impact to subgrantee's operations and cash flow. Below are some acceptable methods that can be used to justify an advance request:~~

~~(1) Wait list total, or expected demand, plus additional funds to serve participants over a specified period. Analysis must be provided on how any additional funds were calculated, expected number of households and amount per household.~~
~~(2) Amount needed to provide to one or more subrecipients, with an analysis of the calculated amount (projected volume or demand for subrecipient, number of households, etc.), while factoring in timelines for invoicing and processing.~~
~~(3) Funds to meet subgrantee's upcoming payroll.~~
~~(4) Participant intake completed in another system, or applications in process of approval.~~

~~OHCS is mindful of subgrantee's operational needs and cash flow as they work to deliver critical programs. If there are additional questions or if a subgrantee would like to talk through the operational and cash flow needs they are experiencing, they can contact Carol Wagner, Carol.Wagner@hcs.oregon.gov or by phone at 971-273-9235.~~

~~(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. Training can be provided by the Fiscal Grant Specialist at OHCS. A Zoom Replay of OPUS Fiscal Training can be found on the HSS Dashboard.~~

~~OHCS maintains an OPUS Manual and OPUS Help Desk. View the OPUS User Manual from the landing page, under the Help tab, after logging into OPUS. 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 Funding 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 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 returned to the subgrantee with instructions to provide additional information. Subgrantee are required to **frequently and regularly** submit AGR/RFFs to appropriately expend their funds within their identified spending targets. An AGR/RFF can be denied/voided if documentation is insufficient, if unallowable costs are included or if submitted after the grant period has closed.~~

~~(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.~~

~~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 can be required as needed for specific funding categories. All Implementation Report Amendments require OHCS approval by submitting an Implementation Report Amendment Request through the appropriate Smartsheet form.~~

~~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 days of such amendment for OHCS' approval. by submitting an Implementation Report Amendment Request through the appropriate Smartsheet form.~~

~~(F)~~(C) *Funds Spend Down*

Subgrantees/subrecipients must follow fiscal standards identified in the HSS Program Standards Guidance

Subgrantees are expected to fully ~~obligate or~~ expend grant funds during ~~each funding cycle~~the grant's expenditure period. ~~in accordance with OHCS policy and~~ Subgrantees must meet spending targets identified in their Implementation Report spenddown plan (Standard or Time-Bound Expenditure Plan (TBEP)), ~~if~~ as applicable. OHCS will review subgrantee's grant spending in accordance with subgrantee's grant agreement/contract and OHCS ~~policy~~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.

EHA GF and **SHAP** expenditures shall be managed by subgrantee so that services are available throughout the intended service delivery period. EHA DRF/VET and ERA may be expended as needed and are not intended to be available through the service delivery period.

~~Subgrantee must fully expend funds or have filed a final Agency Grant Status (AGS)/Financial Status Report (FSR) for a previous fiscal period to roll funds, if allowable, and prior to OHCS approving funds in a current fiscal period.~~

~~Any spending below the minimum standard spending target or the time-bound expenditure plan is subject to rescission of grant funds. Any amount of funding greater than 10% of a funding source's total allocation or a combined total of $100,000 that is subject to rescission will trigger Subgrantee Board notification. See Standard Terms and Condition of subgrantee's grant agreement/contract for more information.~~

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

~~(G) *Funds Rollover*~~

~~**EHA** General Fund, **ERA** and **SHAP** funds can be rolled mid-biennium; however, they cannot be rolled between biennia and must be drawn from OPUS for allowable expenditures in the spending period within 60 days following the end of the fiscal period when the final AGS/FSR is due, according to subgrantee's grant agreement/contract requirements. The AGS/FSR is the mechanism for which a subgrantee will request an allowable rollover. Subgrantees are required to submit AGS/FSRs within 60 days following the end of each fiscal year.~~

~~**EHA DRF** and EHA VET DRF funds can both be rolled at mid-biennium and at the end of the biennium. The final AGS/FSR must be submitted within 60 days of the end of each fiscal period.~~

~~(H) *Internal Controls for Fraud*~~

~~As stated in the subgrantee's OHCS agreement/contract, subgrantees 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). Subgrantees must establish and maintain clear procedures for 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 must establish and maintain clear procedures for preventing, detecting and dealing with employee fraud. All incidents of fraud must be reported to OHCS. Subgrantees are responsible for repayment of funds which were provided to applicants and participants that do not meet program eligibility.~~

~~(I)~~(D) *Match*

EHAP GF ~~funds~~ can be used to meet match requirements of federal programs ~~public and private moneys available from other sources for the production of housing~~ for services and financial assistance to persons with low or very low income to address houselessness or housing instability. Using OHCS funds as a match is not the same as supplementing another program with OHCS funds Follow the guidance in this manual when requesting to use OHCS funds for supplementing other programs.

~~(J)~~(E) *Supplementing Existing Funds/Programs*

EHAP GF~~(DRF/DRF VET), ERA~~ and **SHAP** funds can be used to supplement existing OHCS funds or to support existing OHCS programs or HUD-funded Continuum of Care projects/programs ~~or establish new programs~~with the same intent and mission to address the needs of low or very low income houseless or unstably housed individuals and/or families and with eligibility criteria that is in alignment with Oregon Administrative Rules 813.046, ~~053,~~and 240 and Oregon Revised Statute 458.650. ERA funds cannot be used to supplement any other programs.

Use of EHAP GF and SHAP funds for supplementing another program requires **prior approval** through the subgrantee's funding application/Implementation Report. Supplementing a program with OHCS funds is not the same as using OHCS program funding as a match requirement to federally-funded programs.

EHAP GF~~(DRF/DRF VET), ERA~~ and SHAP can be used in a flexible manner to absorb costs from other programs where there are mutually allowable costs insofar as the subgrantee's cost allocation policy allows for this type of flexibility and the subgrantee/subrecipient outlines the circumstances in which they will charge other program costs to EHAP GF~~(DRF/DRF VET), ERA~~ and SHAP. When using SHAP to supplement other programs, the supplemented program **must** be designed to serve literally houseless households.

~~Costs can be born 100% by EHA (DRF/DRF VET), ERA and SHAP in order to supplement the other program **consistent with the intention** of EHA (DRF/DRF VET), ERA and SHAP to serve low-income households who are experiencing housing instability and homelessness and in EHA DRF VET programs must include a veteran member of the household, in ERA, programs must include an elderly member of the household and in SHAP programs, households must be literally homeless.~~ EHAP GF/SHAP cannot be used to supplement another program's activities that require prior approval by OHCS without first obtaining prior approval for the activity (e.g., rehabilitation/renovation of real property, equipment/vehicle purchase, ESSS, etc.).

EHAP GF~~(DRF/DRF VET), ERA~~ and SHAP must not be used to replace costs from another program, meaning they must be used in a manner that supplements and supports those other program operations.

Supplement means EHAP GF~~(DRF/DRF VET), ERA~~ and SHAP funds are used to increase the available services and funding for a particular program by incurring certain costs that can be allocable to other programs. Supplementing and supporting funds is allowed. Whenever a cost is being supplemented, it must be thoroughly documented that ~~the~~ such costs are allowable under the EHAP GF~~(DRF/DRF VET), ERA~~ and SHAP program.

Replacement means utilizing EHAP (DRF~~/DRF VET~~)~~, ERA~~ and SHAP funds to completely eliminate or supplant the use of funds from another program. An example of this would be to use EHAP (DRF~~/DRF VET~~)~~, ERA~~ or SHAP funds to take over all the costs of a previously established grant, thus eliminating the need for the other program to bear those costs. Replacement of funds **is not allowable**. EHAP GF~~(DRF/DRF VET)~~~~, ERA~~ and SHAP must always be used in a manner that "builds upon" another grant and does not supplant or take over the work of an entirely different grant.

Subgrantees~~Grantees~~ must document their rationale for when and how costs will be used to supplement the costs of other programs through a reasonable basis within their cost allocation plan and such allowable use of funds must be prior approved through the subgrantee's funding application.

~~(K) *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.~~

~~Fixed assets with a value greater than $5,000, includes computer equipment, electronic equipment, photography equipment, hand tools and other items and are subject to **pre-approval** by OHCS. Title to all equipment as defined in 2 CFR Part 200, purchased in whole or part with OHCS funds shall rest with the subgrantee. Disposal of any item having an original cost of more than $5,000 or those purchases which have a current per-unit, fair market value of $5,000 or more requires prior OHCS consent before disposal. 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 program 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 purchasing must comply with subgrantee's policies and procedures and the subgrantee's grant agreement/contract.~~

6. Data, Submission and Reporting Requirements

~~6.~~ Subgrantees/subrecipients must follow the HSS Program Standards Guidance related to data, submission and reporting requirements.

(A) *Data Entry*

~~Subgrantees and their subrecipients are required to enter reliable, valid, and accurate **EHA (DRF/DRF VET), ERA** and **SHAP** related participantand service data into the Homeless Management Information System (HMIS) being operated in their geographic Continuum of Care (CoC). 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 their CoC's HMIS Data Quality Plan.~~

~~HUD-defined Victim Service Providers (VSPs) must enter information into a comparable database that meets HUD HMIS standards.~~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, depending on local CoC HMIS policies. It is highly recommended for project types such as Emergency Shelter and Coordinated Entry that even more stringent data timeliness standards are applied.~~

~~(C) *Data Entry Requirements for Emergency and Transitional Shelters*~~

~~Emergency or transitional shelters, or hotel/motel vouchers are required to report participants who are sheltered overnight. Overnight date-in and date-out must be entered to be able to determine who and how many people were served by a shelter or shelter type for any given night. This allows reporting on bed nights and daily shelter utilization in addition to the client-level information for those staying in shelters. Using ShelterPoint for new projects is required and shifting to ShelterPoint for existing projects. Facility, congregate-based programs, must be 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. Each allowable service must be represented with a Service Transaction. Same day services will have the same Service Start and End Date. Service Transactions for Homelessness Prevention and Rapid Re-Housing costs, including all payments, arrearages, deposits, fees, landlord engagement and client non-categorical services, must include a HMIS Fund Source and Amount. An HMIS entry/exit and Service Transaction is required for both services only and day access shelter types~~

~~(E) *Required Data Elements*~~

~~Universal, program specific, and OHCS-required Data Elements must be collected in HMIS and are specific to program and project type. Refer to the Data Collection Requirement by Program and Project Type document that can be found on the HSS dashboard for applicable data elements specific to EHA (EHA-DRF/DRF-VET), ERA and SHAP.~~

~~(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 required client-level data into a comparable database that is comparable to and complies with all HUD HMIS requirements.~~

~~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)~~(B) *Submissions/Reporting Requirements*

~~It is critical and subgrantees must 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 or after the deadline will be considered by OHCS to be late and out of compliance with requirements.**~~

~~At the discretion of OHCS, other reports can be required when deemed necessary by OHCS and subgrantees are subject to such requirement.~~Program reporting is a program delivery expense.

~~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.~~

~~Failure to provide required data or reports may result in a non-monetary finding in the Monitoring Report.~~ ~~Subgrantees must enter complete, accurate, timely data and must monitor and confirm the quality of their data on a monthly basis.~~

~~**System Query Data:**~~
~~Subgrantees must directly submit or automate the export of disaggregated HMIS participant, program and service transaction data twenty (20) 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 as the HMIS annual report.~~

~~**Aggregated Quarterly Reports:**~~
~~Subgrantees must directly submit aggregated reports using the report provided in the HMIS reporting tool, SAP Business Objects, or the provided template, twenty (20) days following the end of each quarter.~~

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

~~**Program Delivery Annual Report:**~~
~~A narrative annual report must be submitted, in form and format required by OHCS, by the 60th day following the end of the fiscal year providing detail, including, but not limited to subrecipient budgets, program services, performance, outcomes, successes, and challenges.~~

~~**Fiscal:**~~

~~The AGR/FSR is due to OHCS by the 60th day following the end of the fiscal year (see Funds Rollover section) and must be submitted within OPUS within this timeline.~~

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

~~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.~~

~~Failure to provide required data or reports may result in a non-monetary finding in the Monitoring Report.~~

7. Records Requirements

~~7.~~ Subgrantees/subrecipients must follow the HSS Program Standards Guidance related to records requirements

(A) *Case Files*

~~Documentation of participant eligibility and services received must be maintained in 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.~~

A participant services or housing plan is required for those participants **receiving more than one time only** services (as identified in this manual) and must be in the case file. Existing assessments and active case plans with other providers can be used and included in the participant file.

Drop-in or mass shelter facilities that provide bed nights and no case management must maintain sign-in attendance documentation that includes shelter resident self-certification of their ~~homeless~~houseless status. All other shelter provisions, including issuance of hotel/motel vouchers as a part of shelter strategy, require that participant eligibility documentation be maintained in the participant file.

~~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. Sample forms are available on the OHCS website.~~

~~(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 under **EHA** (DRF/DRF VET)**, ERA** and **SHAP** 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. 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 **EHA** (DRF/DRF VET)**, ERA** and **SHAP** funding, or until the conclusion of any audit, controversy or litigation arising out of, or relating to, **EHA** (DRF/DRF VET)**, ERA** and **SHAP**.~~

(Remainder of page left blank intentionally)

8. Applicable Rules and Regulations

All the following as can be amended from time to time:

1. ORS 456.515 through 456.725 (OHCS): https://www.oregonlegislature.gov/bills_laws

~~2. ORS 458.505 through 458.545 (Community Services): https://www.oregonlegislature.gov/bills_laws~~

~~3.~~2. ORS 458.600 through 458.650 (Oregon Housing Fund): https://www.oregonlegislature.gov/bills_laws

~~4.~~3. ORS 458.375: Elderly Rental Assistance Program Rental housing assistance for very-low-income elderly persons

~~5. ORS 458.377: Elderly Rental Assistance Fund~~

~~6.~~ OAR 166-300 (Retention Schedule): https://secure.sos.state.or.us/oard/ruleSearch.action

~~7.~~4. OAR 813-005 (General): https://secure.sos.state.or.us/oard/ruleSearch.action

~~8.~~5. OAR 813-046 (EHAP): https://secure.sos.state.or.us/oard/ruleSearch.action

~~9.~~6. OAR 813-053 (ERA): https://secure.sos.state.or.us/oard/ruleSearch.action

~~10.~~7. OAR 813-240 (SHAP): https://secure.sos.state.or.us/oard/ruleSearch.action

~~11.~~8. HMIS Data Standards Manual: https://www.hudexchange.info/resource/3824/hmis-data-dictionary/

~~12.~~9. Limited English Proficiency federal interagency website can be found at: http://www.lep.gov/ and guidance and additional materials can be found at: https://www.hud.gov/program_offices/fair_housing_equal_opp/limited_english_proficiency_0

~~13.~~10. **This manual** as guidelines for EHAP, EHAP DRF, ~~EHA-DRF-VET,~~ ERA and SHAP ~~are amended from time to time along with all other references made within this manual. All references made in this manual are understood to be as written, and as amended from time to time~~identified in the relative Oregon Administrative Rule (OAR).

~~14.~~11. **ORS** cited are amended from time to time and can be found at: https://www.oregonlegislature.gov/bills_laws/Pages/ORS.aspx

~~15.~~12. **OARs** cited are amended from time to time and can be found at: https://secure.sos.state.or.us/oard/ruleSearch.action

~~16.~~13. **CFRs** cited are amended from time to time and can be found at: http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=%2Findex.tpl

~~17.~~14. **OMBs** cited are amended from time to time and can be found at: https://www.whitehouse.gov/omb/information-for-agencies/circulars

9. Definitions

~~A. **Acquisition** means action taken to acquire a building for the purpose of emergency shelter or transitional housing. This does not include the acquisition of bare land.~~

~~B. **Chronically homeless** means a homeless individual with a disability as defined in section 401(9) of the McKinney-Vento Assistance Act (42 U.S.C. 11360(9)), who: (a) Lives in a place not meant for human habitation, a safe haven, or in an emergency shelter, and has been homeless and living as described for at least 12 months or on at least 4 separate occasions in the last 3 years, as long as the combined occasions equal at least 12 months and each break in homelessness separating the occasions included at least 7 consecutive nights of not living as described; (b) an individual who has been residing in an institutional care facility for less, including jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all of the criteria of this definition before entering that facility; or (c) A family with an adult head of household (or, if there is no adult in the family, a minor head of household) who meets all of the criteria of this definition, including a family whose composition has fluctuated while the head of household has been homeless.~~

~~C.~~A. **Client** means a household who has received an assessment of need, has been entered into an OHCS-funded program (intake), entered in HMIS and who is receiving financial assistance. ~~A client is someone who has developed a client services/housing plan and is not receiving one-time only assistance~~Once a household receives financial assistance, they are considered a client.

B. **Clothing** unless for the purpose of fleeing domestic violence in which clothing could not be taken at the time, means a specified article or articles of clothing, shoes, boots, hats, shirts, slacks, skirts, or outerwear for an employee and required by the employer to perform the functions of the job or provide a distinctive and easily identifiable appearance in performing his or her job, and is not covered by a uniform allowance.

~~D.~~C. **Code of Conduct Agreements** can be required by any type of shelter facility. A Code of Conduct Agreement can require that participants adhere to the shelter facility's rules and expectations of behavior and may or may not be required to be signed by the participant. Code of Conduct Agreements are not the same as Occupancy/Lease/Rental Agreements.

D. **Culturally Responsive Organization** means an entity that, as determined by OHCS that:

(1) Comprehensively addresses power relationships throughout the organization by methods that include addressing conflicts and dynamics of inclusion and exclusion;

(2) Has relationships with and is responsive to communities that the organization serves, including communities of color;

(3) Hires, promotes, trains and supports staff who are culturally and linguistically diverse in ways that reflect the communities that the organization serves, including communities of color;

(4) Provides culturally responsive service; and

(5) With respect to paragraphs (1) to (4) above, has adopted governance structures, policies, and cultural norms to hold its leadership and staff accountable and to continue improvements.

E. **Culturally Responsive Service** means services that:

(1) Are adapted to maximize the respect of and relevance to the beliefs, practices, culture and linguistic needs of the diverse client populations and communities being served, including clients and communities of color;

(2) Have the capacity to respond to the issues of diverse communities; and

(3) Ensures competent language access and incorporates diverse cultural approaches, strengths, perspectives, experiences, frames of reference, values, norms and performance styles of clients and communities to make services and programs more welcoming, accessible, appropriate, and effective for all eligible and intended recipients.

F. **Culturally Specific Organization** means an entity that provides services to a cultural community and the entity has the following characteristics:

(1) Majority of members and/or clients are from a particular community of color;

(2) Organizational environment is culturally focused, and the community being served recognizes it as a culturally specific entity that provides culturally and linguistically responsive services;

(3) Majority of staff are from the community being served, and the majority of the leadership (defined to collectively include board members and management positions) are from the community being served;

(4) The entity has a track record of successful community engagement and involvement with the community being served; and

(5) The community being served recognizes the entity as advancing the best interests of the community and engaging in policy advocacy on behalf of the community being served.

~~E.~~G. **Domestic Violence**: This definition includes domestic violence, dating violence, sexual assault, stalking, attempting to cause, or intentionally, knowingly or recklessly causing or placing another in fear of imminent serious physical injury or emotional, mental or verbal abuse, and using coercive or controlling behavior. This does not include other criminal acts such as violence perpetrated by a stranger, neighbor, acquaintance or friend, unless those persons are family members, intimate partners or household members. ~~(Note: This definitional aligns with TANF rules and regulations)~~

~~F. **Emergency Shelter** means a facility whose primary purpose is to provide temporary shelter to homeless households or specific populations of the homeless and which do not require occupants to sign leases or occupancy agreements. Emergency shelters types can include, but are not limited to:~~

- ~~**Low Barrier Shelters:** Shelters with limited entry requirements that enable people, who otherwise are not willing or able to access shelter services, to be off the streets. Low barrier~~

shelters must not expect residents to abstain from using alcohol or other drugs, or from carrying on with street activities while living on-site, so long as they do not engage in these activities in common areas of the house and are respectful of other tenants and staff. Low barrier shelters can allow pets, allow couples to stay together, and can provide secure storage space for personal item. Low barrier shelters are a state priority and should be implemented whenever feasible.

- **High Barrier Shelters:** Shelters where residents must meet specific entry requirements such as passing a sobriety/drug or alcohol test, criminal background check, allow belongings to be searched, have a specific level of income, participate in program activities, etc.
- **No-Barrier Shelter:** shelters where residents are not required to meet any specific entry requirements.
- **Abstinence-Based or Dry Shelter:** Shelters where residents are not allowed to drink alcohol or use other drugs while in tenancy. Residents are expected to be "clean" before moving in and actively working on their recovery while living there and can be discharged from the program if they refuse treatment for a relapse.
- **Wet Shelters:** Shelters where residents are not expected to abstain from using alcohol and other drugs, and where entering a rehabilitation program is not a requirement. Residents have access to recovery services and get to decide if and when they use these services.
- **Damp Shelters:** Shelters where residents do not need to be "clean" when entering the program but are expected to be actively working on recovery from substance use problems.
- **Day Shelters:** Temporary daytime accommodations and services for individuals and families who meet the definition of literally homeless as described under Participant Eligibility and are sleeping on the streets, lack a fixed, regular and adequate nighttime shelter and/or are living in an emergency shelter.
- **Transitional Shelters:** Emergency shelter projects with a primary purpose to provide temporary or transitional shelter and essential services to all eligible participants in general and/or for specific populations of the homeless. Some transitional shelter programs have a comprehensive service focus and participants can stay for a period of time based on participant need. Transitional shelters are different from transitional housing, as they do not require an occupancy/rental/lease agreement or rent payment obligation. Transitional shelters can require a code of conduct agreement.
- **Mass Shelters:** High volume, high turnover emergency shelters where multiple individuals and/or family households sleep.
- **Hotel/Motel Vouchers** used as emergency shelter strategy in those areas and times when no emergency shelter is available.

H. **Vehicular Shelters:** Vehicular shelters provide participants with a place to park their vehicle that is secure and free from ticketing, where they have access to garbage and sanitation services, onsite management that ensures the safety of participants, site cleanliness and adherence to site rules. Participants in vehicular shelters are provided access to participant services.

~~G.~~I. **HMIS** means Homeless Management Information System. Victim Service Providers must use an HMIS Comparable Database.

~~H.~~J. **Occupancy/Lease/Rental Agreements** are used for temporary or permanent housing, which includes Transitional Housing. Occupancy/Lease/Rental Agreements are not the same as a Code of Conduct Agreement.

~~I.~~K. **Participant** means a household who may or may not be a client, but is receiving OHCS-funded services (such as case management).

~~J.~~L. **Priority Population** means persons that the subgrantee/subrecipient has determined as having the greatest need and will receive services first (such as veterans and ~~homeless~~houseless families with children). (~~For example, for the purposes of HSP, TANF participants are a priority as required by the federal funds.~~OHCS-required priority populations must take precedence over any subgrantee/subrecipient priority population~~)~~

~~K.~~M. **Rehabilitation or Rehab** means action taken to return an emergency shelter or transitional housing property to a useful state by means of repair, modification, or alteration. Bringing a property to the point where it is usable, safe, comfortable, hygienic, etc., but not necessarily bringing it back to its previous state or improving the property.

~~L.~~N. **Renovation** means the process carried out to upgrade an existing structure for the use as an emergency shelter or transitional housing and to improve performance by either altering the scope of structure, providing additional facilities or improving existing facilities. Improving the property.

~~M.~~O. **Repair and Maintenance** means actions taken to keep a building at a certain level of integrity, or to restore a structure to such a condition that it can be effectively used for its designated purpose. Actions that make improvements that will raise the building to a higher level of integrity or allow the building to be used for a new activity are not considered repair or maintenance. Bringing a property back to its original condition or taking action to keep a property at its current condition.

~~N.~~P. **Stand-Alone Policy/Procedure** means a written policy/procedure that includes all the requirements for such a policy/procedure and is either its own separate document or it is included in a larger document, such as a policy and procedures handbook, that can easily be separated from the larger document for the purpose of approval and review by OHCS.

~~O.~~Q. **Subrecipient** means entities that, by contract with the subgrantee agency, provide assistance payments/services and ~~may~~ receive funding directly from the subgrantee agency. Through its agreements with subgrantee agency, subrecipients must comply with all requirements for the program. Subrecipients include a subgrantee's subcontractors, contractors, vendor, subrecipients and any subcontractors, contractors, vendors or subrecipients of a subcontractor, contractor, vendor or subrecipient. Subrecipients are those organizations that receive OHCS funds from the Subgrantee or Subgrantee's subecipient.

~~P.~~R. **Support Network:** Examples include family, friends and faith-based or other social networks.

~~Q.~~S. **Target Population** means persons a subgrantee/subrecipient wishes to reach out to who are under-represented in their service population, but delivery of funds cannot be limited to only the target population.

~~R.~~A. ~~**Warming/Cooling Centers** are a short-term, drop-in and/or overnight facility that operates when temperatures or a combination of precipitation, wind chill, wind and temperature become dangerously inclement. Their paramount purpose is the prevention of death and injury from exposure to the elements.~~

~~S.~~T. **Wet Signature** means any signature affixed to a hard copy with a pen or other writing device. An electronic signature does not meet the requirements of a wet signature.

~~10. 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	• 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	• new landscaping throughout an area • construction of new walkways, driveways or parking areas, or replacement thereof
Building Exterior	• 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	• cleaning masonry or stripping painted surfaces by sandblasting, acid wash, or high pressure washing • applying new exterior siding
Roof	• fixing leaks • application of waterproof coating to a flat roof • replacement of deteriorated flashing • in-kind replacement of loose or missing shingles or tiles	• complete replacement of roof with new shingles, tiles, roll roofing, membrane, or new metal roof • installation of solar panels
Windows and Doors	• 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	• replacement of windows • replacement of exterior doors • adding storm windows or storm doors
Interior Walls and Ceilings	• patching or mending cracked plaster • patching or fixing holes or cracks in drywall • replacing stained ceiling tiles • painting or wallpapering	• installation of new drywall or paneling • installation of new acoustical ceiling • installation of dropped ceilings
Flooring	• cleaning floors • stripping wooden floors and resealing • installation or replacement of carpeting or vinyl flooring*	• 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	• in-kind replacement of broken stair treads or balusters • inspection and servicing of elevators	• rebuilding stair or constructing new stair • installation of new access ramp • elevator replacement
Kitchen	• replacement of stoves, refrigerators, and microwaves* • replacing cabinet hardware*	• complete or substantial kitchen remodel
Bathroom/Laundry	• 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	• complete or substantial bathroom remodel
HVAC	• 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 *	• installation of new furnace or heat distribution system • installation of central air conditioning
Electrical/Lighting	• ~~changing light bulbs~~ • replacing malfunctioning light fixture, electrical switch or outlet*	• ~~major rewiring of building~~ • installation of new electrical service • replacing or moving electrical panels
Plumbing	• fixing plumbing leaks* • repairing damage from frozen pipes* • repairing water or sewer connection within existing utility trench alignment • replacing malfunctioning water heater*	• installation of new plumbing system • new water or sewer connection
Security	• 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	• installation of permanent security bollards • installation of new security alarm system
Life Safety	• servicing smoke, fire and CO2 detectors • installation of smoke, fire and CO2 detectors	• making substantial physical changes to a building to comply with fire and life safety codes • installing fire suppression system
Pest Infestation	• 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.

AMEND: 813-240-0010

RULE SUMMARY: Amend rule to align with statutory references and purpose.

CHANGES TO RULE:

813-240-0010
Administration ¶

(1) OHCS may contract with subgrantees to provide eligible SHAP services (see OAR 813-240-0035) in service areas in such manner to provide holistic coverage statewide without duplication or overlap of services. ~~In a service area where a Community Action Agency (CAA) exists, the CAA has the conditional right of first refusal to serve as the subgrantee for the given service area.~~¶
(2) OHCS will allocate SHAP funds to all subgrantees through a formula established by OHCS prior to the allocation process. OHCS reserves the right to modify such formula at any time in its sole discretion.¶
(3) A subgrantee may establish subrecipients that meet the requirements of ORS 458.~~505(4~~610(6) to provide eligible SHAP services in the subgrantee's service area.¶
(4) Subgrantees shall, at a minimum, provide SHAP services to eligible applicants or households that meet SHAP requirements. Whenever appropriate, subgrantees may assist eligible households in accessing other services designed to stabilize housing.¶
(5) Subgrantee representatives must attend and participate in SHAP-related training made available or conducted by OHCS, when required.¶
(6) A designated portion of SHAP funds are reserved for subgrantees and their subrecipients to use for administrative costs. Subgrantees and their subrecipients may expend up to a determined amount as authorized by OHCS and outlined in the funding agreement.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ORS 458.~~505~~610, 458.620, 458.650

AMEND: 813-240-0020

RULE SUMMARY: Amend rule to align with statutory references and purpose.

CHANGES TO RULE:

813-240-0020
Applicant Eligibility ¶

(1) SHAP services shall be made available to households who are houseless, sheltered or unsheltered and who meet eligibility requirements as outlined in the SHF Manual~~, including but not limited to those who are homeless~~.¶
(2) Income limitations and U.S. citizenship of household members shall not be considered as eligibility criterion.¶
(3) Specific requirements and documentation to provide proof of eligibility for SHAP services are detailed in the SHF Manual.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ORS ~~458.505,~~ 458.620, 458.650

AMEND: 813-240-0035

RULE SUMMARY: Amend rule to align with statutory references, purposes and current uses.

CHANGES TO RULE:

813-240-0035
Use of Funds ¶

(1) Use of SHAP funds must be in compliance with SHAP requirements for eligible households.¶
(2) To the extent of available funding, eligible SHAP services include, but are not limited to:¶
(a) Street outreach;¶
(b) Emergency ~~and transitional shelter;¶~~
~~(c) Shelter or transitional housing~~shelter operations;¶
(c) Shelter facilities ~~acquisition, rehab~~rehabilitation, renovation or conversion; and¶
(d) ~~Data collection~~Rapid rehousing.¶
(3) SHAP funds may be used to supplement existing funds or to support existing programs ~~or establish new program~~according to SHAP requirements. Subgrantees shall not use SHAP funds, granted or otherwise awarded, to replace funds currently being received from other sources, available or reasonably expected to be available to the subgrantee.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ORS ~~458.505,~~ 458.620, 458.650

AMEND: 813-240-0041

RULE SUMMARY: Amends rule to align with statutory references, purposes and current requirements.

CHANGES TO RULE:

813-240-0041
Application for Funding; Funding agreement
(1) Prior to providing any SHAP services using OHCS funding, subgrantees must submit biennially an application for funding to OHCS. A funding agreement must be approved by OHCS in writing before being operative.¶
(2) Applications for funding must meet all requirements of form and content as established by OHCS. At a minimum, an application must include a subgrantee's proposed activities for eligible households, anticipated expenditures, and any other information as OHCS may require specific to SHAP funding. Subgrantees must adhere to OHCS requirements and deadlines for submitting an application. An application is subject to approval, with or without modifications, or disapproval by OHCS.¶
(3) ~~In cases where a Community Action Agency (CAA) has the conditional right of first refusal for antipoverty program administration, and the CAA cannot meet the requirements listed in subsection (2) above, OHCS, in its sole discretion, may allow other eligible organizations to submit an application for funding with respect to that service area.¶~~
~~(4) OHCS will evaluate all~~OHCS will not approve any application~~s~~ for funding for SHAP unless it meets sufficiency requirements. Sufficiency is based on the quantity, thoroughness and quality of performance that is satisfactory to OHCS. This includes, but is not limited to, providing relevant information necessary for OHCS to assess the subgrantee's compliance with all SHAP requirements and any other standards, goals, and requirements established by OHCS.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ORS ~~458.505,~~ 458.620, 458.650

AMEND: 813-240-0050

RULE SUMMARY: Amends rule to align with statutory reference.

CHANGES TO RULE:

813-240-0050
Recordkeeping and Compliance Monitoring ¶

(1) Subgrantees and their subrecipients must maintain accurate financial records satisfactory to OHCS and consistent with SHAP requirements, which document the receipt and disbursement of all SHAP funds by OHCS. Subgrantees must have an accounting system in place satisfactory to OHCS, and implement an approved Homeless Management Information System (HMIS) database for data and fiscal entry.¶
(2) Subgrantees and their subrecipients must maintain other SHAP records satisfactory to OHCS and consistent with SHAP requirements, which include, but are not limited to, documentation of household eligibility, receipt of allowable SHAP services, termination of services and the basis for same, housing status, administrative actions, contracts with subrecipients, review of subrecipient performance, action taken with respect to deficiency notices, and any administrative review proceedings. Such records must be satisfactory to OHCS in substance and format.¶
(3) Subgrantees must provide OHCS with all required reports, data, and financial statements by submission deadlines and satisfactory to OHCS in form and substance as identified in the SHAP requirements and as requested by OHCS.¶
(4) To ensure proper compliance and monitoring of SHAP, subgrantees and their subrecipients must:¶
(a) Furnish representatives of OHCS, the Oregon Secretary of State's Office, the federal government, and their duly authorized representatives access to and permit copying of all electronic and hardcopy books, accounts, documents, and records and allow reasonable access to the project and other property pertaining to SHAP, at any such representative's request.¶
(b) Cooperate fully in any inspections or other monitoring actions taken by OHCS, the Oregon Secretary of State's Office, the federal government, and their duly authorized representatives.¶
(c) Retain and keep accessible all SHAP records and data according to SHAP requirements and as requested by OHCS.¶
(5) OHCS will conduct reviews, audits, and other compliance monitoring as it deems appropriate with respect to each subgrantee and its subrecipients to verify compliance with the SHAP requirements. Subgrantees and their subrecipients must cooperate fully with OHCS in its compliance monitoring activities.¶
(6) Subgrantees must require by contract and monitor their subrecipients' compliance with all SHAP requirements including, but not limited to, recordkeeping and retention of records and OHCS compliance monitoring and enforcement.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ORS ~~458.505,~~ 458.620, 458.650

AMEND: 813-240-0060

RULE SUMMARY: Amends rules to align with statutory references and current remedies.

CHANGES TO RULE:

813-240-0060
Remedies ¶

(1) OHCS reserves the right to identify deficiencies in the performance of any subgrantee or their subrecipients discovered during program operations or compliance monitoring activities and take remedial action upon such subgrantees, including, but not limited to, modifying funding amount, reducing or withholding payment, suspending or recouping payment s or both, requiring a corrective action or additional activities necessary to satisfy its obligations or meet performance standards, initiation of an action or proceeding for damages, specific performance, or declaratory or injunctive relief, exercise of its right of recovery of overpayments, declaring subgrantee ineligible for the receipt of future awards from OHCS, criminal action for misstatements or fraud, misfeasance, claims under the Oregon False Claims Act, or other culpable behavior, investigation, audit, and/or sanction by other governmental bodies, and terminating its funding agreement with a subgrantee and requiring repayment of SHAP funding.¶
(2) To remedy any identified deficiencies, OHCS:¶
(a) M~~ust~~ay issue a deficiency notice notifying a subgrantee of deficiencies identified ~~through the monitoring process~~ and provide documentation for the basis of such determination and the specific deficiency or deficiencies that must be corrected;¶
(b) M~~ust~~ay require the subgrantee to correct any deficiencies in a manner and time frame satisfactory to OHCS;¶
(c) May offer training and technical assistance related to such deficiencies to the subgrantee; and¶
(d) May, at its discretion, offer the subgrantee assistance in the development of a corrective action plan. If a corrective action plan is allowed, OHCS must review the plan and issue a decision of approval or disapproval to the subgrantee.¶
(3) OHCS must provide adequate notice to a subgrantee of remedial action that will terminate or reduce a subgrantee's eligibility for SHAP funding. OHCS must provide the subgrantee an initial opportunity to appeal to the director of the Housing Stabilization Division of OHCS, whose decision may be deferred to the director of OHCS.¶
(4) ~~For appeals unable to be resolved internally, OHCS adopts the procedures detailed in ORS Chapter 183 for contested cases.¶~~
~~(5)~~ Issuance of a deficiency notice will not constitute a waiver of other remedies available to OHCS or preclude OHCS from exercising such other remedies available to it under the SHAP requirements, at law or otherwise.
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ORS ~~458.505,~~ 458.620, 458.650

AMEND: 813-240-0070

RULE SUMMARY: Amends rule to align with statutory references and current practice.

CHANGES TO RULE:

813-240-0070
Challenge of Subgrantee Action ¶

(1) Any household aggrieved by a subgrantee administering or providing SHAP services may challenge the subgrantee's action by entering the subgrantee's administrative review process (see OAR 813-240-0080). Any household who received either an unsatisfactory determination or refusal of a review by the subgrantee may submit a written request to OHCS within 30 days of receiving the notice of review determination or refusal by the subgrantee to provide such administrative review.¶
(2) OHCS may accept or deny a request to conduct a subgrantee administrative review, in whole or in part, at its sole discretion. An OHCS review will be in the manner determined appropriate by OHCS and may include, but is not limited to, review of provided information.¶
(3) If OHCS accepts the review request, the requesting household, the subgrantee, and any relevant subrecipients will produce all information required by OHCS, including requested affidavits or testimony.¶
(4) Upon accepting the review request, OHCS may make a determination on such review request and require such remedial action as OHCS determines, in its sole discretion, to be appropriate.¶
~~(5) OHCS adopts the procedures detailed in ORS Chapter 183 for contested cases.~~
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ORS ~~458.505,~~ 458.620, 458.650

AMEND: 813-240-0080

RULE SUMMARY: Amends title, statutory references and aligns with current practice.

CHANGES TO RULE:

813-240-0080
~~Administrative~~ Review by Subgrantee ¶

(1) Subgrantees must establish in writing a process satisfactory to OHCS that enables all potentially eligible households, having received SHAP services or not, to contest a determination by the subgrantee or its subrecipients that either denies, limits, terminates, or modifies SHAP services.¶
(2) An aggrieved household may request a~~n administrative review or fair hearing~~ formal review of a subgrantee's or its subrecipients' contested action (as described in subsection (1) above). The subgrantee must allow a minimum of 30 days, from the time of ~~contested action~~the requested review or the aggrieved household's discovery of such action, for which an aggrieved household ~~may~~ request a review ~~or hearing~~. The ultimate determination of an aggrieved household's discovery period is reserved to OHCS, in its sole discretion.¶
(3) A household remaining aggrieved after such review ~~or hearing~~ of a contested action may request ~~administrative~~further review of the subgrantee by OHCS (see OAR 813-240-0070).¶
(4) The subgrantee must inform OHCS and the aggrieved party in writing of any final administrative review determination made by the subgrantee, and the basis for same, within 10 days of such final determination.¶
(5) The subgrantee must comply with OHCS requests for all supporting documentation related to the grievance when a household exercises their right for an administrative review of the subgrantee or subrecipient's decision (as described in subsection (3) above).
Statutory/Other Authority: ORS 456.555
Statutes/Other Implemented: ORS 458.~~505, ORS 458.620, ORS~~620, 458.650