Housing Stability Council
MEETING MATERIALS PACKET

Rockwood Village Apartments
SE Portland, Or

March 3, 2023
9:00 a.m. – 2:00 p.m.
Oregon Housing & Community Services
Webinar

Council Members:
Claire Hall, Chair
Sami Jo Difuntorum
Mary Ferrell
Barbara Higinbotham
Mary Li
Javier Mena
Sharon Nickleberry Rogers
Gerard F. Sandoval, PhD

AGENDA
March 3, 2023 9:00 a.m. – 2:00 p.m.
Oregon Housing and Community Services
725 Summer St NE, Salem OR 97301

Webinar Mtg Only
Public **register** in advance for this webinar

OREGON HOUSING & COMMUNITY SERVICES
HOUSING STABILITY COUNCIL

TIME	TOPIC	SWHP Priority	ACTION
9:00	**Meeting Called to Order**		Call Roll
9:05	**Public Comment**		
9:30	**Report of the Chair**		Briefing
9:45	**Report of the Director**		Briefing
10:00	**Diversity, Equity, and Inclusion (pg. 05)** *Chelsea Bunch, Director of Equity, Diversity & Inclusion* • **OHCS Racial Equity Analysis Tool (REAT) Presentation:** *Chelsea Bunch, Director of Equity, Diversity & Inclusion; Megan Bolton, Assistant Director of Research*		Briefing
11:00	**Affordable Rental Housing Division (pg. 37)** *Natasha Detweiler-Daby, Director, Affordable Rental Housing* • **MF Housing Transaction Recommendations:** *Tai Dunson-Strane, Production Manager* o **Colonia Paz II** • **PuSH Preservation Pool Recommendations:** *Martin Jarvis, Program Analyst; Amy Cole, Manager State Development Resources* • **Wildfire Preservation Recommendations:** *Martin Jarvis, Program Analyst; Amy Cole, Manager State Development Resources* • **Manufactured Park Preservation Recommendations:** *Edward Brown, Program Analyst; Amy Cole, Manager State Development Resources*		Decision
12:00	**Break**		
12:15	**Homeownership Division (pg. 62)** • **Oregon Bond Loan Approvals:** *Kim Freeman, Assistant Director Homeownership Programs* • **Oregon Bond Residential Loan program update:** *Kim Freeman, Assistant Director Homeownership Programs* • **DPA awards:** *Alycia Howell, HOAP program analyst* • **Top Lender and Top Loan Officer recognition for the Oregon Bond Residential Loan Program:** *Kim Freeman, Assistant Director Homeownership Programs*		Decision Briefing Presentation
1:00	**Housing Stabilization Division (pg. 69)** *Jill Smith, Director, Housing Stabilization* • **LIHWA Program administrative rulemaking:** *Joy Aldrich, LIHWA & SHOW Programs Analyst*		Decision

*A*ll times listed on this agenda are approximate and subject to change. Agenda items may also be taken out of order and addressed at different times than listed. The agenda may be amended by the Council at the time of the meeting.

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1:30	**Disaster Recovery & Resilience (pg. 138)** ***Ryan Flynn**, Assistant Director, Disaster Recovery & Resilience* • **Temporary Rule:** *Ryan Flynn, Assistant Director, Disaster Recovery & Resilience*		Decision
1:45	**Central Services Division** ***Sarah Roth**, Central Services Administrator* • **HR Report:** *Laura DeLeon, HR Director; Christopher Henderson, Workday Administration and Operations Manager*		Briefing
2:00	**Meeting Adjourned**		

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OREGON HOUSING & COMMUNITY SERVICES
HOUSING STABILITY COUNCIL

The Housing Stability Council helps to lead OHCS to meet the housing and services needs of low- and moderate-income Oregonians. The Housing Stability Council works to establish and support OHCS' strategic direction, foster constructive partnerships across the state, set policy and issue funding decisions, and overall lend their unique expertise to the policy and program development of the agency.

The 2019-2023 Statewide Housing Plan outlines six policy priorities that focuses OHCS' investments to ensure all Oregonians have the opportunity to pursue prosperity and live from poverty.

For more information about the Housing Stability Council or the Statewide Housing Plan, please visit Oregon Housing and Community Services online at
https://www.oregon.gov/ohcs/OSHC/Pages/index.aspx

Statewide Housing Plan Policy Priorities

Equity & Racial Justice

Homelessness

Permanent Supportive Housing

Affordable Rental Housing

Homeownership

Rural Communities

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DATE: March 3, 2023

TO: Council Chair Claire Hall & Housing Stability Council
                   Andrea Bell, Executive Director

FROM: Megan Bolton, Assistant Director of Research
                   Chelsea Bunch, Director of Equity, Diversity & Inclusion

SUBJECT: Briefing on OHCS Racial Equity Analysis Tool (REAT)

Summary: This memo serves to brief the Housing Stability on the development of OHCS' first ever Racial Equity Analysis Tool (REAT) which will be utilized, once fully implemented, to support decision-makers in developing and taking actions that reduce racial inequities in program and policy development and ensuring that the strategies created for diverse communities are targeted, successful and meaningful. While the use of the REAT is not statutorily required, OHCS believes it is nonetheless necessary to ensure our work corrects the disparities we see across the housing continuum, and we will prioritize it as such.

Background

The data is clear; Black, Indigenous, Latinx/a/o, Asian, Pacific Islander and Tribal communities, as well as LGBTQIA+ folks experience disparities most deeply across the housing spectrum. Since at least 2017 during the planning of the Statewide Housing Plan (SWHP), OHCS has identified the need to put into use an equity lens or racial equity analysis tool (REAT) to ensure programs are actively seeking to understand and address these disparities. While not a statutory requirement, development, and use of such a tool is integral to actualizing our equity and racial justice priorities. Our Equity and Racial Justice (ERJ) priority within our SWHP calls on us to advance equity and racial justice by identifying and addressing institutional barriers that have created and perpetuated patterns of disparity in housing and economic prosperity. We believe that by utilizing our REAT as we develop policies and programs is key to addressing the institutional barriers we know exist.

In 2020, staff who participated in the Government Alliance on Race and Equity (GARE) cohort led a process that utilized a form of an equity lens learned within the cohort as a pilot on two legislative concepts. In 2021, the Chief Cultural Change Office at the Department of Administrative Services (DAS) developed the state's first-ever Statewide Diversity, Equity, and inclusion (DEI) Action Plan: A Roadmap to Racial Equity and Belonging for the State of Oregon which marked a pivotal point for the whole of state government and urged us to collectively

and diligently work to address racism and social injustice that has been intentionally built into state government over many, many decades. This renewed the call to develop an OHCS tool.

As a result, the newly formed Equity Lab took up this task in earnest from March-July 2021. This included a joint retreat with our internal committee, the Programmatic Policy Review Committee (PPRC), where members from both committees identified a need for the development and implementation of all new programs to be more consistently analyzed with a racial equity toolkit—reinforcing the potential broad impact and urgency of this call to action.

During this time Equity Lab researched and evaluated existing racial equity analysis toolkits created by jurisdictions across the country and identified an opportunity to pilot a rapid response framework from Madison, WI. After recruiting and supporting five pilot projects, Equity Lab gathered feedback from participants and identified a strong need for agency-specific customization and the documentation of minimum process requirements. Equity Lab also determined that a work group was needed to further the iterative customization of the tool. The REAT Ad Hoc Workgroup was formed based on programmatic and divisional representation, familiarity and training with equity and racial justice work, and areas of program expertise.

The REAT Ad Hoc Workgroup formed in September 2021 and completed a draft of the toolkit by January of 2022. The REAT itself is organized into six sections, each with a series of questions that should be answered at the start and throughout the development of a new program, when a significant program change is introduced, and periodically for existing programs. Conducting the REAT is intended to be a collaborative process that includes both internal and external partners. The REAT also includes an Appendix with resources such as definitions of commonly used Equity, Racial Justice, and Diversity terms, Community Engagement Guides, and Data Resources.

After the initial REAT toolkit was developed, the Ad Hoc Workgroup was able to recruit four people to pilot the tool and provide feedback. That feedback continues to be instrumental in helping us refine the tool itself and consider the best way to implement the use of the tool Agencywide.

In 2022 we spent much of our time getting organized and continuing to develop the tool itself. We have also begun working with our Project Management Office to plan for implementation of use of the tool agencywide. This work includes development of a core team of people who will help clearly define, plan, and deliver the REAT agencywide. Objectives for the implementation plan include:

- REAT is ready for agencywide use, supporting consistently thorough and data-based analysis across programs

- REAT is firmly institutionalized within the agency
- REAT demonstrably informs program design and decision making; and
- REAT helps program staff better center the experiences of historically and currently underserved/under resourced communities to inform decision making

In addition to supporting decision-makers integrating deliberate consideration of racial equity in the decisions made, we also see the REAT informing action planning and the development of program and or policy-specific outcomes. We see this is a key component of utilizing the REAT as it not only supports our ability to measure the impact of racial equity analysis, but also hold accountability to the people we serve, particularly Black, Indigenous, Latinx/a/o, Asian, Pacific Islander and Tribal communities, as well as LGBTQIA+ communities.

It is important to note that while the implementation plan focuses primarily on long-term implementation, we are encouraging staff to continue using the tool as currently developed as they identify opportunities to do so.

OHCS believes utilizing our REAT is a crucial part of operationalizing our equity and racial justice goals and values across all the work we do and the resources we invest in community; it will become a part of the ecosystem of our agency. The use of this customized REAT will support decision-makers in developing and taking actions that reduce racial inequities and put success within reach of all people within all regions across the state of Oregon. If we do not meaningfully engage and consciously bring considerations of racial equity into our operations, policymaking, and service delivery, we are not truly working to advance racial equity. We see the impact being felt internally in staff capacity, agency culture, and agency operations, and externally in program and policy development and implementation.

2022

OHCS Racial Equity Analysis Toolkit

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OHCS and Equity and Racial Justice Work: History and Context

The development of a customized Racial Equity Analysis Tool (REAT) is an incredibly important step and tool in **intentionally and diligently centering equity and racial justice in our work.** It ensures we are truly operationalizing our equity and racial justice work and ensures accountability to those most impacted by housing instability in Oregon. We are learning what it means to value the work, and more importantly, what it means for how we actually do our work differently.

As we were preparing to launch our first-ever 5-year strategic plan in 2017, the Statewide Housing Plan (SWHP), the data was so clear; Black, Indigenous, Latinx/a/o, Asian, Pacific Islander and Tribal communities, as well as LGBTQIA+ folks were experiencing disparity most deeply across the housing spectrum. It became clear that we needed to include approaches that directly and explicitly addressed the data we were seeing. Out of this understanding emerged our guiding principles and the priority of centering Equity and Racial Justice within the plan.

Centering ERJ as an agency was new for us. There were some efforts underway that elevated the importance of equity in our work, which included the previous iteration of our Equity Council, which focused mostly on monthly celebrations, optional but strongly encouraged staff training, and early callout of the need for a racial equity "tool" to help with decision-making. It was a huge step for us to call out ERJ as a priority in the SWHP and we knew we needed to build our organizational capacity around equity and racial justice but weren't totally sure how we were going to do it.

In 2019, as a way to try and build our capacity, a small group of staff participated in the Government Alliance on Racial Equity (GARE) Cohort. GARE is a national network of government jurisdictions working to achieve racial equity and advance opportunities for all within government institutions. Participation in this cohort allowed us to learn the common language and tools necessary to move the work, but more importantly, how and when to use those tools. While tools are great, we also saw a need to invest in staff capacity and accountability mechanisms – we knew it would be unsustainable to rely on a small group of staff to move the work forward alone.

NEXT ➡️

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OREGON HOUSING *and* COMMUNITY SERVICES

The GARE cohort wrapped up in January 2020, and shortly thereafter, we experienced unprecedented crises beginning with the Umatilla flooding in February 2020, the beginning of the COVID-19 pandemic in March 2020 and devastating wildfires in September. These crises catapulted us into new action. That same year, as we were trying to organize ourselves and our work, Tricia Tillman came on as a consultant and first-ever Equity, Diversity and Inclusion (EDI) Officer. With Tricia's leadership, we launched the next iteration of the Diversity, Equity and Inclusion council, formed to blend the previous iteration of the council and our GARE learning. We focused on building internal culture, structure and capacity to support our ERJ work. She began to gather a baseline understanding of where we were by using a Strengths, Weaknesses, Opportunities and Threats (SWOT) analysis with a group of 60 staff who all played a role in ERJ in some way, and completed our first ERJ Organizational Assessment.

Tricia's work also included the building out of our first-ever Equity, Diversity and Inclusion Office structure, our Equity Committee structure, and the beginnings of a path forward on how to build and structure our ERJ work. Over the last few years, there has been a lot of learning – we certainly have a long way to go. The crises of 2020 showed us the importance of both not staying in analysis paralysis, and the need to go slow in order to go fast – we are navigating generations of purposefully built systemic and institutional racism and oppression, and it takes time to turn a big ship in a different direction. We need to commit to this work and be explicit about it at every turn.

Centering ERJ takes a multi-pronged approach that includes building staff capacity, analyzing programs and policies with a racial justice framework, shifting agency culture, and leading behavioral change. Outputs are good, and centering outcomes is even better – the goal is to set a strong foundation for success and integration into our agency ERJ structure that will reverberate far into the future of the agency.

The use of this customized REAT will **support decision-makers in developing and taking actions that reduce racial inequities and put success within reach of all people** within all regions across the state of Oregon. If we do not meaningfully engage and consciously bring considerations of racial equity into our operations, policymaking, and service delivery, we are not truly working to advance racial equity. The impact will be felt internally in staff capacity, agency culture, and agency operations, and seen externally in program and policy development and implementation.

Sincerely,
Chelsea Bunch
Diversity, Equity, and Inclusion Office

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Instructions and Purpose

What is a Racial Equity Analysis Toolkit? (REAT)

According to the Government Alliance on Racial Equity, "Racial equity tools are designed to integrate explicit consideration of racial equity in decisions, including policies, practices, programs, and budgets. It is both a product and a process. Use of a racial equity tool can help to develop strategies and actions that reduce racial inequities and improve success for all groups. Too often, policies and programs are developed and implemented without thoughtful consideration of racial equity. When racial equity is not explicitly brought into operations and decision-making, racial inequities are likely to be perpetuated. Racial equity tools provide a structure for institutionalizing the consideration of racial equity."

The Role of a Racial Equity Lens

The metaphor of a lens – a racial equity lens – allows us to see present day problems, such as gentrification and the marginalization of communities of color, in new ways. Viewing these issues through a racial equity lens reveals that disparities in Oregon are the result of **historic policies, practices and power dynamics** which disproportionately affect communities of color and are not the result of inherent racial differences based on skin color. To address past injustices and serve the residents of Oregon adequately, we need to acknowledge the historical root causes of racial disparities and a racial equity lens **serves as an effective tool for creating systemic solutions for change.**

As an initial step, decision makers can utilize a REAT to measure desired goals and challenges to avoid unintended consequences. A REAT is a systematic examination of how different racial and ethnic groups are likely to be affected by a proposed decision or action. In other words, a REAT helps to engage decision makers in a process that promotes intentional change and anticipates adverse consequences. The REAT provides clear options for **dismantling, reducing and preventing inequitable outcomes.**

Instructions and Purpose

Before You Begin

As you work through this tool, it is important to keep in mind that while work related to racial equity can often feel challenging and uncomfortable, there are a large number of existing resources that can help you perform more robust and equitable program or policy analysis. The appendix outlines data tools and sources, community engagement guides, and Oregon-specific reports and studies that can help facilitate conscious consideration of equity and examine how communities of color and low-income populations will be affected by a proposed program or policy.

This is a guiding framework, rather than a "checkbox" style document. This tool will help OHCS staff consider racial equity outcomes when shaping policies, practices, programs, and budgets by supporting efforts to:

1 Develop a common language and clear understanding of the terminology needed to have meaningful and honest dialogue around racial equity.

2 Understand and access internal and external data sources, visualize key trends, identify gaps in quantitative data, provide important qualitative narratives, and connect data to broader program and policy decisions and outcomes.

3 Identify clear goals, objectives and measurable outcomes for racial equity.

4 Purposefully and meaningfully engage stakeholders and community members to expand upon and enrich understanding of program impact beyond traditional data sources, as well as guide or advise program intent, direction, and implementation to lead to more positive outcomes through intentional involvement in the decision making process.

5 Measure progress in achieving racial equity goals and establish mechanisms for accountability.

6 Identify who will benefit and who will be burdened by a decision, and mitigate and/or avoid unintended negative consequences.

Instructions and Purpose

As you work through the tool, keep the following tips in mind:

1. Start early, allow for ample time, and remain flexible

- The REAT should be used at the start and throughout development of a new program or project, when a significant change is introduced, and periodically for existing programs.
- The REAT should be completed carefully and thoughtfully. There are feedback and review processes that will require additional time. Set aside enough time to work through the tool, and ensure that your timelines allow for check-ins and dialogue around your responses.
- This tool is not a rigid or static process. You'll identify new information as your program or policy develops and is implemented; applying the REAT at different phases of a project will reveal different opportunities to advance racial equity.
- For longer projects, revisit the tool regularly and consider whether your initial recommendations still stand.

2. Collaborate

- The analysis should not be done by one person. Collaborate with staff members of varying experiences, backgrounds and skills to include lived experience and racial diversity.
- Identify the groups or persons most relevant to the decision and involve them. Understand that individuals bring unique perspectives which are strengths that can be harnessed to further support the advancement of racial equity.
- Take time to understand the DEI structures at OHCS, and identify staff that can offer expertise and support.

3. Create a solid foundation of shared power that acknowledges and respects unique identity and intersectionality

- Ensure that all program staff working through the tool have a clear understanding of racial equity terminology and concepts. Create a climate of dialogue conducive to growth.
- Participants must recognize that the conversation will focus on race extensively but not exclusively, since the exploration of systemic advantage frequently leads to conversations that extend beyond race to other areas such as gender and class.
- Create a space for program staff and invited participants to work through discomfort, questions, and challenging discourse in a meaningful and productive way that incorporates trauma-informed practices.
- Acknowledge that there may be participants who are in managerial and supervisory roles. Managers and Supervisors can unintentionally or intentionally create a power dynamic where others participating may not feel as comfortable being transparent or engaging meaningfully. Ensure that the facilitator can help foster an environment in which all participants feel comfortable engaging in conversation.

Bigger Picture and Root Causes

Introduction

Part of racial equity analysis requires us to investigate the root causes for the inequitable outcomes we see in our programs. To do this we need to understand the historical and present context around the issues our work in Oregon is aiming to address. This involves research into past program design and how systems were constructed to give advantage to specific groups over others. If we hope to bring about substantial constructive change, we need to develop the habit and the capacity to think systemically in order to better understand how systems can create inequities.

Often, the government creates systems of advantage, which are structural and institutional systems that provide advantages for some and disadvantages for others inadvertently or deliberately. These systems contribute to ongoing inequity and are embedded in our history, culture, and identity. As program designers, it is our duty to disrupt these systems.

Root Causes

Local and national housing policies have long been a product of structural racism. To better understand current disparities in Oregon's housing markets, we must examine the lasting impacts of past discriminatory and exclusionary programs and policies. From the 1930s through the 1960s, Federal Housing Administration policies explicitly limited loans to neighborhoods of color based on race. Approximately 98% of FHA loans during this time went to white applicants. This practice, combined with others such as segregation in schools and a lack of access to housing for people of color through exclusionary brokering, illustrate how past practices that shaped residential segregation led to disproportionate generational wealth accumulation and racial inequities today.

There have been attempts to mitigate the pervasive harm caused by discriminatory housing policies, such as the Supreme Court outlawing of restrictive residential covenants in 1948 and the passing of the Fair Housing Act in 1968. This law expanded on previous acts and prohibited discrimination concerning the sale, rental, and financing of housing based on race, religion, national origin, sex, disability, and family status. Despite these efforts, people of color experience both active discrimination in the housing market, and are impacted by the lasting impacts of past exclusionary policies. It is important to understand these historic discriminatory policies and how well-intentioned laws have yet to address the disparities in order to design more equitable programs and policies that move toward eliminating these inequities. Studies show that intentional strategies that raise awareness of the root causes of systemic inequities strategically help to sustain long-term inclusive policies and practices.

Targeted Universalism & Positionality

What is Targeted Universalism?

While moving through the REAT, you should be establishing goals and outcomes for your program or policy. By doing this, you can measure the performance of your program and create accountability for reaching equity goals. One such strategy to develop equitable goals is Targeted Universalism.

Targeted universalism is a frame for designing policy that acknowledges our common goals while also addressing the sharp contrasts in access to opportunity between different communities by setting universal goals pursued by targeted processes and strategies to achieve these goals. Within a targeted universalism framework, universal goals are established for all groups concerned. The strategies developed to achieve those goals are targeted, meaning they are based upon how different groups are situated within structures, culture, and across geographies to obtain the universal goal. This definition comes from the University of California Berkeley's Othering and Belonging Institute, and is supported by a 3 minute animated clip that further explains the concept. The following steps can help you employ targeted universalism as you design your program or policy:

STEP 1: Define a universal goal – i.e., 100% proficiency in eighth grade math.

STEP 2: Measure how the overall population fares relative to the universal goal – i.e., 80% of eighth graders are proficient.

STEP 3: Measure the performance of population segments relative to the universal goal – i.e., 70% of Latinxs are proficient.

STEP 4: Understand how structures and other factors support or impede group progress toward the universal goal – i.e., classroom instruction materials and lessons designed for English speakers may impede learning including math proficiency in Latinx students.

STEP 5: Implement targeted strategies so that each group can achieve the universal goal based upon their need and circumstances – i.e., ESL- specific math tutoring for Latinx students (another group may require a completely different strategy to achieve the same universal goal.)

The implementation of equity requires that we view inequities through a systemic lens, recognizing that cultural principles based on meritocracy, equal opportunity, and personal responsibility are often shaped and influenced by external factors that generate advantages for some and disadvantages for others. To create and implement equity, we must build into the decision-making process intentional steps designed to dismantle patterns of discrimination created by these systems of advantage. Remember that there is no universal or "one size fits all" approach to solving these problems.

Identifying Project Goals

It's important to identify and articulate the goals you have for your project, program, or policy. Referencing these goals throughout the course of your project planning, implementation, and evaluation can help maintain focus and improve outcomes.

All question sections in the REAT will be submitted through a word document, and then inputted into a spreadsheet. Please respond to these questions in the Word document sent to you.

1. What is the name of the project/program/policy the REAT is being performed on?

2. Is this a new project or the continuation or update of an existing one?

3. What are the intended outcomes/goals of this project? If there are multiple, please list.

4. Do you have specific equity-centered goals for your project?

Community Engagement & Access

Purpose

The purpose of Community Engagement as part of the REAT utilization is to create opportunities for communities and populations that that have typically been denied access and representation in the decision-making process to provide input to increase racial equity outcomes.
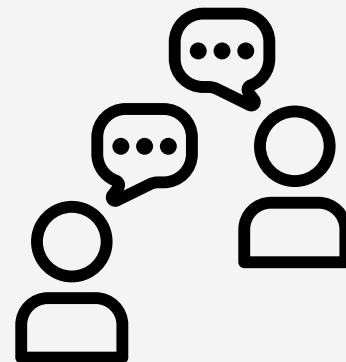
Assumptions

- Community Engagement at the staff and programmatic level is new for OHCS. The internal infrastructure has not been thoroughly established nor a clear process developed and vetted across the organization. That does not mitigate the responsibility of OHCS to engage partners and stakeholders in dialogue around program and policy decisions that have a potential impact on communities of color.

- There are some current efforts underway to provide a framework for community engagement efforts. Ideally, REAT community engagement efforts should be undertaken with these other State and OHCS community engagement plans in mind, including the State Equity Action Plan.

- Initial community engagement efforts around decisions utilizing the REAT should focus on organizational stakeholders, as opposed to individual recipients of OHCS services and resources. Once OHCS develops internal capacity and expertise for meaningful engagement with individual community members, efforts may be expanded accordingly.

Community Engagement & Access

Action Steps & Prompts: Word document

Clarify Intent

1. What exactly is the community being asked to respond to?
2. How much will community feedback be incorporated into the process?

Identify Stakeholders

3. What conversations with relevant stakeholders might already be happening?
4. Who are the stakeholders not typically engaged by OHCS that might be impacted by decision making?
      a. How accessible are they? What relationships exist, if any?

3. Engage Intentionally

Provide adequate context and time for stakeholders to absorb and process the decision being considered.
Utilize existing Community Engagement Guides (Portland, Seattle, etc). for specific strategies on maximizing the ability and desire of communities to engage with OHCS.

Feedback should be structured to help answer the following questions:

5. Who are the most affected community members who are concerned with or have experience related to this proposal?
6. How have you involved these community members in the development of this proposal?
7. What has your engagement process told you about the factors that produce or perpetuate racial inequity related to this proposal?
8. What hurdles did you encounter using your engagement process and how might you adjust to improve it?

4. Document Input with Transparency

Include both stakeholders that actively provided feedback AND partners that were unable to respond or engage.
Provide information on final decision or product.
Provide rationale for decisions and how results from the engagement were or were not incorporated.
Clarify if there are additional opportunities for ongoing input or evaluation in the future.

Data

Introduction

Collecting demographic data to better understand disparate impacts can be an important step toward equity. However, when data is analyzed and meaning is derived from the results there can be a power imbalance between researchers, policymakers, and historically marginalized communities. Often the voice and analysis of those positioned as "experts" overshadows and diminishes the voice of communities that are not centered or given meaningful access points to direct policy that impacts them. Underserved and marginalized communities are typically not given the information necessary to meaningfully decide which questions are asked and why, what outcomes are the focus, and what data sources are used — or to give informed consent to participate in the first place. Acknowledging history, harm, and the potentially negative implications of data analysis for groups marginalized by inequitable systems is a key first step, but it is only a first step. To go beyond this, we must center the voices, stories, expertise, and knowledge of these communities in decision making, take collective action with them, and share power to improve outcomes and harness data for social good.

Incorporating a racial equity lens during data analysis includes incorporating individual, community, political, and historical contexts of race to inform analysis, conclusions, and recommendations. Measurement must take place at two levels — first, to measure the success of specific programmatic and policy changes, and second, to develop baselines, set goals, and measure progress towards those goals.

Given the complex series of decisions involved in the process of centering equity within data analysis, collaborative and iterative work with strong participation from a variety of stakeholders is critical.

Data

Collecting data on the outcomes of the policy or program helps develop better future strategies and promote racial equity. To have a clear idea about the impact of your program and/or policy, you will need both qualitative and quantitative data, as they can sometimes offer differing and even contradicting takeaways on how race interacts with outcomes in communities.

Quantitative Data - Measured Numerically

It may be presented as amounts, percentages/ratios or percent gains or losses. Quantitative variables can tell you "how much," "how many," or "how often."

Qualitative Data - Describes and Characterizes

It may be presented as anecdotes, personal experiences, opinions and perspectives. It's collected by observation, interviews, conversations, focus groups, and narrative analysis

When data are analyzed across quantitative and qualitative sources, we get a more holistic view of the experiences and outcomes of children, households, and families, supporting asset- (rather than deficit-) based approaches. In addition to collecting data from sources like the U.S. Census or HUD, consider developing and implementing a survey to measure attitudes and knowledge about disparate outcomes in your target geography.

Data

As you work through these prompts in the Word document, utilize the existing data tools and resources located in the appendix, and consult the "Positive and Problematic Practices of Data Analysis" table. These will help you understand and access internal and external data sources, visualize key trends, identify gaps in quantitative data, provide important qualitative narratives, and connect data to broader program and policy decisions and outcomes.

1 What do quantitative and qualitative data tell us about how communities of color and low-income communities are faring, and how will we measure progress in these communities?

2 How will we disaggregate data by race and income?

3 What data will tell you if you're successful?

4 Will you do any primary data collection (gathering data through surveys, interviews, or experiments?) If so, what data do you seek and from whom?

5 If performing qualitative data collection, are you compensating your participants fairly? What is your plan for fair compensation?

6 How will you present your data and analysis in an accessible way?

7 Are there provisions to ensure ongoing collection of data (that can be disaggregated by race/ethnicity) and public reporting of data?

8 Are there plans to review or share the analysis with members of the community to garner feedback?

9 What data are unavailable or missing? What will you do to address these gaps?

Missing data may be a sign that certain communities, issues or inequities have been historically overlooked. Sometimes datasets treat communities as a monolithic group without acknowledging different socioeconomic and cultural subgroups. If racially disaggregated data isn't available, there are existing resources available that detail the lived experiences and advocacy efforts of BIPOC communities in Oregon. These can be found in the appendix on page E-1.

Benefits, Burdens, Unintended Consequences & Outcomes ⊡

One of the most integral parts of the REAT process is to try and anticipate the potential unintended consequences of your work that could harm certain communities in the process of helping others. Examples of this are abundant, and include things like the construction of interstate highways through the heart of major cities, which resulted in more efficient and easier access to the city for mostly white people living in the suburbs while simultaneously displacing and destroying – through demolition as well as lingering health and safety risks – the predominately communities of color who lived in those neighborhoods where the roads were placed (Addressing Racial Inequities). Other examples include the War on Drugs, which was ostensibly to keep people from using dangerous substances, but has been enforced in such an inequitable way that nearly 80% of people in federal prison for drug offenses are Black or Latinx (Race and the Drug War), and Ban the Box, an attempt to reduce employer or landlord ability to discriminate against previously incarcerated individuals, that has shown to make racial disparities worse, likely due to more outright racial stereotyping and discrimination (Ban the Box).

In the planning process, it is important to attempt to anticipate these unintended consequences of your work and mitigate them if possible. Whatever the unintended consequence may be, it is your job as the champion of the strategic plan to articulate the importance of advancing racial equity in order to jettison deeply-held and often unconscious beliefs and structures that create and re-create systems of advantage. With the help of coworkers and, ideally, members of the communities that will be impacted, ensure that the potential consequence will not do a level of harm that is unable to be mitigated by early detection, other parallel policies, or program adjustment.

Remember that in the real world, there are no perfect solutions. Sometimes the best immediately attainable result is one that moves the ball forward significantly, but still leaves some issues to be addressed. Finding solutions to address all disparities will be an on-going process that is often easier said than done. Although you may not successfully provide solutions to all policy holes, if you are able to identify the issue areas with the help of the racial equity framework, it is easier to continue to monitor those policy holes and work on addressing them. In order to make the least imperfect policies, it is critical to systematically identify those who have been affected, those that are left out, and know that a lot of work still needs to get done. In this process there are always lessons learned, including solutions that could have been considered.

Benefits, Burdens, Unintended Consequences & Outcomes ⊞

The line between what is an acceptable issue area and what is a red flag that must be addressed is impossible for one person to unilaterally decide. Therefore, once you have identified the unintended consequence to your solution, bring in multiple voices and perspectives to reach that decision. Remember that inequity can manifest as a result of exclusion, and communities you may not have initially considered as connected to your work could be outside of that narrative for systemic and/or historical reasons outside of their control. The following are key questions to answer in the Word document as you decide who will benefit, who will be burdened, and what the potential unintended consequences of your work might be.

1. How might implementation play out differently in different communities? What identified community needs are being met or ignored in this issue or decision?

2. What do the data tell you about which communities might see their condition worsen or remain unchanged if you achieve the desired outcome?

3. What measurable outcomes are most important to our historically and currently underserved communities?

4. What adverse impacts, unintended consequences, or barriers for racial/geographic/ethnic groups could result from this policy and how will they be addressed?

5. Are there further ways to maximize equitable outcomes? Describe recommended strategies to address adverse impacts, prevent unintended negative consequences and advance racial equity.

Investment & Accountability

Looking ahead, think about how you'll measure the effect of your action.

What will tell you whether or not you're making progress, and whether or not you've succeeded? Define these benchmarks now. Clearly defined benchmarks will determine what progress and success will look like, and they will act as guideposts to help you stay on track as you execute the plan. As the project evolves and you uncover new information, the benchmarks may change, and that's fine — but clear goals will guide the team's work forward and will help to hold your team accountable towards the project's desired outcomes.

Remember to consider whether these benchmarks for your proposal or plan are:

- Realistic (can be tracked, reported, and/or followed up on with existing capacity or less)

- Meaningful (results necessitate a response if not meeting standards)

- Adequately funded

- Adequately resourced with personnel

- Adequately resourced with mechanisms (policy, systems) to ensure successful implementation and enforcement

- Adequately resourced with provisions to ensure ongoing data collection, public reporting, stakeholder participation and public accountability

Investment & Accountability

The following prompts in the Word document are designed to help you answer whether your established benchmarks and accountability mechanisms are sufficient to achieve your policy goals:

1. How will you ensure adequate capacity, including budgetary and staff needs, to implement strategies as outlined?

2. How will you operationalize equity and create accountability systems?

3. How do you collect and respond to internal and external feedback?

4. How do you use feedback and/or program results to continually reevaluate and improve your efforts?

5. What are the mechanisms you will utilize to ensure that goals are met?

6. How are you consistently communicating your efforts with your communities and demonstrating your results?

7. Are there provisions to ensure ongoing stakeholder participation and public accountability of policy implementers and enforcers?

8. What are you choosing to prioritize less by using these accountability mechanisms instead of other options?

You've just completed the REAT!

Thank you for taking the time to work through this tool. Including racial equity in your decision-making contributes to the goal of reducing racial inequities and improving success for all groups in Oregon.

What's Next?

This process is iterative. Revisit this tool as your program or policy progresses to consider whether your initial recommendations still stand. As we pilot the tool as an agency, we will continuously refine the content based on your feedback, so please take the time to be as thorough and thoughtful as possible as you work through **this survey** in Smartsheet. Through survey results and meetings with program staff, we will work to develop sustainable and effective process requirements for users as they work through the tool and once they have completed analysis. All that to say, more to come in 2022!
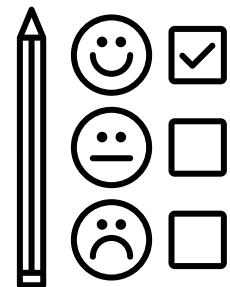
Questions? Comments?
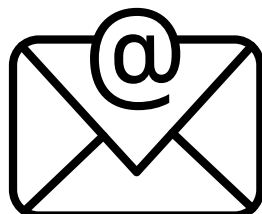
If you have any questions, comments, or any other feedback on this tool, please email:
Lee.Guekguezian@hcs.oregon.gov

Appendix

Definitions

Diversity

The appreciation and prioritization of different backgrounds, identities, and experiences collectively and as individuals. It emphasizes the need for representation of communities that are systemically underrepresented. These differences are strengths that maximize the State's competitive advantage through innovation, effectiveness, and adaptability.

Inclusion

Inclusion is an intentional and consistent effort to create and sustain a state of belonging, where persons of different backgrounds, identities, and experiences are valued, integrated, and welcomed equitably as decision makers, collaborators, and colleagues. Inclusion includes programs and policies designed specifically to support historically marginalized communities.

Inclusion vs Diversity

You can have diversity without inclusion (e.g. tokenism, assimilation). You can't have inclusion without diversity. Focusing on inclusion gets you further than just focusing on diversity.

Race

Race is a social construct that has evolved over time and is frequently misunderstood. Race is often assumed to have a biological basis and ethnic groups are perceived as sharing genetic bloodlines – misconceptions that can lead to assumptions about the correlation between race and behavior, physical attributes, skin color and more. However, race, like ethnicity in general, is a cultural category rather than a biological reality. "Races" are defined through socially-constructed categories rather than from scientific classifications based on common genes.

Intersectionality

Originally coined by Dr. Kiimberlé Crenshaw, who defines intersectionality as "a lens, a prism, for seeing the way in which various forms of inequality often operate together and exacerbate each other." We tend to talk about race inequality as separate from inequality based on gender, class, sexuality or immigrant status. What's often missing is how some people are subject to all of these, and the experience is not just the sum of its parts.

Definitions

Racism

A system of advantage based on race – is pervasive, yet it can be dismantled through strategies that promote systemic change along with real conversations about shared values and principles. For instance, by reviewing racially discriminatory practices and policies that have led to the allocation of resources based on where we live, we can begin to understand why some communities have prospered while others have not. Too often we try to address these racial disparities through "color blind" and/or "race neutral" approaches that do not take into account the impact of unconscious biases influenced by racialized societal messages. Intentional strategies aimed at acknowledging the impact of structural marginalization and discrimination are needed to create meaningful and long-lasting change

Racial Equity

The condition that would be achieved if one's race or ethnic origin was no longer a determining factor in one's success. Racial equity is a process of eliminating racial disparities and improving outcomes for everyone. It is the intentional and continual practice of changing policies, practices, systems, and structures by prioritizing measurable change in the lives of people of color.

Racial Justice

Racial Justice is a vision and transformation of society to eliminate racial hierarchies and advance collective liberation, where Black, Indigenous, Latinx, Asian Americans, Native Hawaiians, and Pacific Islanders, in particular, have the dignity, resources, power, and self-determination to fully thrive.

Racial Justice vs. Racial Equity

Racial equity is the process for moving towards the vision of racial justice. Racial equity seeks measurable milestones and outcomes that can be achieved on the road to racial justice. Racial equity is necessary, but not sufficient, for racial justice

Definitions

Equity vs Equality

Equality uses the same strategies for everyone, but because people are situated differently, they are not likely to get to the same outcomes. Equity uses differentiated and targeted strategies to address different needs and to get to fair outcomes. Equality-focused strategies don't work for, or benefit, everyone – e.g. teaching everyone the same way does not work for different kinds of learners—each must be taught the appropriate way for them. Using targeted or differentiated strategies to achieve universal goals is referred to as "targeted universalism.

Racial Bias

Explicit Racial Bias / Conscious Bias - Conscious attitudes and beliefs about a person or group; also known as overt and intentional racial bias.

Implicit Racial Bias / Unconscious Bias - Attitudes or stereotypes that affect our understanding, decisions and actions in an unconscious manner.

Individual Racial Bias - Bias by individuals. But if the individual is acting in an institutional capacity (e.g. a teacher or a police officer) their individual bias is also a manifestation of institutional bias.

Institutional Racial Bias - Bias by institutions—such as patterns, practices, policies, or cultural norms that advantage or disadvantage people of color.

Types of Racism

Internalized racism lies within individuals

Interpersonal racism occurs between individuals

Institutional racism occurs within institutions

Structural racism is racial inequities across institutions, policies, social structures, history, and culture.

Positive & Problematic Practices of Data Analysis

Positive Practices	Problematic Practices
Using participatory research to bring multiple perspective to the interpretation of data	Describing outcomes without examining larger systems, policies, and social conditions that contribute to disparities in outcomes
Engaging domain experts and methods experts to ensure that the data model used is appropriate to examine the research questions in local context	Applying a "one size fits all" approach to analysis (what works in one place may not be appropriate elsewhere)
Correlating place to outcomes	Leaving out the role of historical policies in the interpretation of findings
Using appropriate comparison groups to contextualize findings	Making default comparisons to White outcomes (e.g., assuming White outcomes are normative)
Employing mixed methods approaches when developing the analytic plan, including purposefully seeking out qualitative data in conjunction with quantitative data to better understand lived experience	Using one-dimensional data to propel an agenda
Disaggregating data and analyzing intersectional experiences (e.g., looking at race by gender)	Disregarding the individual or community context
Empowering professionals and community members to use data to improve their work and inform policy/program decisions	Analyzing data with no intent to drive action or change that benefits those being served
Including qualitative stories and narratives to contextualize quantitative data	Allowing quantitative data to "speak for itself" without context or discussion

APPENDIX
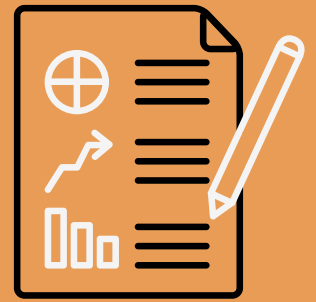
Data Resources

The following resources were compiled to help you better understand and access existing data sources and tools.

- **Master Data Inventory**: inventory internal (OHCS) and external data sources that identifies: subject matter expert, relevant OHCS divisions, relevant variables, geographic granularity, available dates, update frequency, reliability, limitations, access restrictions, format, and equity considerations.

- **Data Tool Inventory**: Inventory of OHCS data tools that identifies relevant OHCS divisions, tool format, tool owner, and tool purpose.

- **Data Owner/Expertise Inventory:** Inventory of data sources utilized by OHCS that identifies staff familiarity and level of expertise.

- **Data Subscription Inventory:** Inventory of OHCS data subscriptions that identifies point person, and contract timelines.

- **ACS Data Identification Key:** Table that helps users choose the appropriate table when pulling data from the American Community Survey (ACS).

Community Engagement Guides

Utilize these resources for examples of specific strategies on maximizing the ability and desire of communities to engage with OHCS.

City of Madison's Public Participation Resource Guide, Racial Equity & Social Justice Initiative

City of Madison Racial Equity and Social Justice Tool (p. 7)

City of Minneapolis Racial Equity Impact Analysis (p. 8-9)

City of Portland's Community Engagement Manual

City of Seattle Racial Equity Toolkit (p. 5)

Equitable Community Engagement Toolkit, Boston Public Health

The Greenlining Institute Racial Equity Toolkit (p. 7-9)

A Guide to Community-Centered Engagement in the District of Columbia

King County Community Engagement Guide

State of Michigan Racial Equity Toolkit (p. 19-27)

State of Oregon Equity Framework in COVID-19 Response and Recovery (p. 3-6)

Reports Specific to Communities of Color in Oregon

In 2020, the Oregon Water Futures Project co-conceptualized and facilitated a series of conversations with Native, Latinx, Black, and various migrant communities across the state – including Indigenous Latin American, Caribbean, Southeast Asian, Middle Eastern, Arab, Pacific Islander, and Somali communities.
Full report: https://www.oregonwaterfutures.org/report-20-21

Communities of Color in Multnomah County: An Unsettling Profile
Full Report: https://www.portlandoregon.gov/civic/article/505484

Coalition of Communities of Color, Leading With Race: Research Justice in Washington County.
Full Report: https://www.coalitioncommunitiescolor.org/research-and-publications/leadingwithrace

State of Black Oregon 2015
Full Report: https://ulpdx.org/sites/default/files/2020-03/State-Of-Black-Oregon-2015.pdf

Oregon's School-to-Prison Pipeline, ACLU
Full Report: https://www.aclu-or.org/sites/default/files/ACLU_STPP_FINAL.pdf

Latinos in Oregon: Trends and Opportunities in a Changing State
Full Report:
https://oregoncf.org/Templates/media/files/reports/latinos_in_oregon_report_2016.pdf

Works Cited

Racial Equity Toolkits:

- City of Madison Racial Equity and Social Justice Tool
- City of Minneapolis Racial Equity Impact Analysis
- State of Michigan Racial Equity Toolkit
- Race Forward: What is Racial Equity?
- City of Seattle Racial Equity Toolkit
- GARE Racial Equity Toolkit
- King County Equity Impact Review Tool
- COSA ODE Toolkit: Communicating about Racial Equity in a Charged Environment
- The Greenlining Institute: Racial Equity Toolkit
- Multnomah County Equity and Empowerment Lens
- AISP: A Toolkit for Centering Racial Equity Throughout Data Integration

Other Sources:

- Addressing The Racial Inequities Of The Interstate Highway System. https://www.wbur.org/onpoint/2021/06/22/addressing-the-racial-inequities-of-the-interstate-highway-system. Accessed 28 Dec. 2021.
- "Diversity, Equity and Inclusion Glossary." College of the Environment, https://environment.uw.edu/about/diversity-equity-inclusion/tools-and-additional-resources/glossary-dei-concepts. Accessed 28 Dec. 2021.
- Doleac, Jennifer L. "'Ban the Box' Does More Harm than Good." Brookings, 30 Nov. 2001, https://www.brookings.edu/opinions/ban-the-box-does-more-harm-than-good/.
- "Race and the Drug War." Drug Policy Alliance, https://drugpolicy.org/issues/race-and-drug-war. Accessed 28 Dec. 2021.
- Targeted Universalism | Othering & Belonging Institute. https://belonging.berkeley.edu/targeted-universalism#:~:text=Targeted%20universalism%20means%20setting%20universal,established%20for%20all%20groups%20concerned. Accessed 28 Dec. 2021.
- "Why Am I Always Being Researched?" Chicago Beyond, 13 May 2019, https://chicagobeyond.org/researchequity/.

Date: March 3, 2023

To: Housing Stability Council Members;
Andrea Bell, Executive Director

From: Tai Dunson-Strane, Production Manager
Roberto Franco, Assistant Director, Development Resources and Production
Natasha Detweiler-Daby, Director, Affordable Rental Housing

Re: **Approval for Resolution #2023-03-03**

Motion: Approve the Resolution #2023-03-03 recommendations for the following project:

- **Move to approve additional Pass Through Revenue Bond Financing in an amount up to and not to exceed $1,200,000 to Colonia Paz II Limited Partnership for the construction of Colonia Paz II, subject to the borrower meeting OHCS, Raymond James, Umpqua Bank, and Citi's underwriting and closing criteria and documentation satisfactory to legal counsel and Treasurer approval for the bond sale.**

At the upcoming Housing Stability Council meeting, we will be presenting one (1) transaction -4% LIHTC/Conduit Bond and for Council approval.

The project included in the Resolution following this memo was approved by the OHCS Finance Committee or are scheduled for an approval by the Finance Committee. In this memo we are providing you with a high-level summary of the recommended project. More detailed information regarding the project and the additional funding recommendation can be found in the individual project summaries included as Exhibit B.

We will provide a more detailed discussion of the overall funding landscape and where the project fits into during the Housing Stability Council meeting.

4% LIHTC Applications
The 4% LIHTC program has focused primarily on helping OHCS meet its unit production goals; often in partnership with policy aligned gap funds from OHCS or other public funding partners. All applications that are submitted and conform to OHCS's underwriting guidelines and the baseline policy standards established across programs are brought to OHCS's Finance

Committee for review and approval, in addition to transactional authority given through Housing Stability Council resolution.

All applications are subject to underwriting and programmatic requirements established under the Qualified Allocation Plan, General Policy and Guideline Manual (GPGM) and MWESB/SDVBE Compliance Manual are eligible to be considered for funding. All applications proposed a percentage target of MWESB contractors and subcontractors above the minimum standards set forth in the OHCS MWESB Compliance Policy, and all have an Affirmatively Furthering Fair Housing Marketing Plan including a Tenant Selection Plan that will market to those least likely to apply. All projects sponsored have signed our Diversity, Equity, and Inclusion (DEI) Agreement.

Statewide Housing Plan Priorities
Given the prior 4% LIHTC program's primary focus on unit production, some of these projects may not actively or intentionally achieve the range of policy goals in OHCS's Statewide Housing Plan. The value of building and preserving housing in the ongoing housing crisis is critical. Recent updates to our Qualified Allocation Plan extends policy priorities to applications for resources moving forward; ensuring they are keeping up with the higher standards incorporated into other projects, particularly around services to BIPOC communities.

With that discrepancy between future goals and the program as it has existed in mind, we have worked to categorize the projects we bring the Housing Stability Council into three different "buckets" or Equity and Racial Justice (ERJ) Spectrum Groups: Working Towards, Meeting, and Furthering. The idea of each of these buckets is to delineate what projects are only meeting base standards regarding ERJ as opposed to those actively engaged in policies, partnerships, and activities striving to further community equity and racial justice:

The ERJ Spectrum Groups are defined accordingly:
- **Working Towards**: those that are meeting MWESB requirements but are not actively furthering equity and racial justice. Production staff will continue to engage these developers in furthering connections in alignment with upcoming capacity offerings for culturally specific service providers;
- **Meeting**: Those that are meeting agency standards of MWESB and Equity Racial Justice through partnerships, and;
- **Furthering**: Those that are furthering Equity and Racial Justice through more dynamic engagement and alignment of equity and racial justice priorities.

OHCS staff will work with partners who are both in need of improvement and meeting minimum standards on strategies to ensure their projects are providing equitable access to BIPOC communities and culturally competent services to the extent possible.

Funding Recommendation:

We are recommending additional funding reservation for one project. Together, this project will create 116 units of new affordable housing communities across the state. The recommendation is for an award totaling over $1,200,000 million.

Projects with Other OHCS Funding

Project Name	County	Total Units	ERJ Spectrum	Sponsor	Underwriting Stage
Colonia Paz II	Lebanon	116	Furthering	Farmworker Housing Development Corporation	Approved by FC 2/21/2023
		Total	**116**		

See attached project summaries for additional information.

STATE OF OREGON
OREGON HOUSING AND COMMUNITY SERVICES
HOUSING STABILITY COUNCIL

RESOLUTION NO. 2023 – 03-03
ADOPTED: MARCH 3, 2023

A RESOLUTION OF THE HOUSING STABILITY COUNCIL APPROVING PASS-THROUGH REVENUE BONDS AND HOUSING PROGRAM FUNDING TO FINANCE THE PROJECTS DESCRIBED HEREIN, SUBJECT TO THE BORROWERS AND PROJECTS MEETING CERTAIN PROGRAM REQUIREMENTS, CLOSING AND OTHER CONDITIONS AS DESCRIBED HEREIN; AND AUTHORIZING AND DETERMINING OTHER MATTERS WITH RESPECT THERETO.

WHEREAS, the State of Oregon (the "**State**"), acting by and through the State Treasurer (the "**Treasurer**") and the Oregon Housing and Community Service Department (the "**Department**" and collectively with the State and the Treasurer, the "**Issuer**"), is authorized, subject to Housing Stability Council (the "**Council**" or "**HSC**") review and approval, pursuant to Oregon Revised Statutes ("**ORS**") Chapter 286A and ORS Sections 456.515 to 456.725, inclusive, as amended (collectively, the "**Act**") and Oregon Administrative Rules ("**OAR**") Chapter 813, Division 35 pertaining to the Department's Pass-Through Revenue Bond Financing Program (the "**Conduit Bond Program**"), to issue revenue bonds, notes and other obligations (collectively, "**Bonds**") and to loan the proceeds thereof to borrowers ("**Borrowers**") in order to finance certain costs associated with the acquisition, rehabilitation, development, construction, improvement, furnishing and/or equipping of multifamily housing;

WHEREAS, through the federal 4% Low-Income Housing Tax Credit Program ("**LIHTC Program**"), the Department allocates tax credits (the "**Credits**") in accordance with the Act and OAR Chapter 813, Division 90 pertaining to the Department's LIHTC Program;

WHEREAS, through the Department's various financing programs as authorized by the Act and ORS Chapter 458 (collectively, "**Housing Programs**"), the Department, subject to the Council's review and approval, provides loans, grants and other financing pursuant to the Act, ORS Chapter 458, applicable OARs and in conformance with Department policies (the "**Housing Program Funding**"). The Conduit Bond Program, the LIHTC Program and the Housing Programs are collectively referred to herein as the "**Programs**"; and

WHEREAS, the Department's Finance Committee (the "**Committee**" or "**FC**") has (i) approved the allocation of Credits, (ii) recommended to the Council the issuance of Bonds, and (iii) approved or recommended providing the Housing Program Funding to finance each of the affordable multifamily rental projects as listed on **Exhibit A** attached hereto (each an "**FC-Approved Project**" and collectively, the "**FC-Approved Projects**"); and

WHEREAS, Council desires to accept the recommendations of the Committee by (i) approving the Bonds and directing the Department to request that the State Treasurer issue the Bonds and (ii) further ratifying and/or approving providing the Housing Program Funding to finance each of the FC-Approved Projects; and

WHEREAS, the further Council desires to (i) approve the Bonds and direct the Department to request that the Treasurer issue the Bonds and (ii) further ratify and/or approve providing the Housing Program Funding to finance each of the affordable multifamily rental projects as listed on **Exhibit B** attached hereto (each a "**Proposed Project**" and collectively, the "**Proposed Projects**"), in each case subject final approval of the Projects by the Committee, including the allocation of Credits by the Committee to each of the Projects; and

NOW, THEREFORE, be it resolved by the Council as follows:

SECTION 1. HSC APPROVAL. The Council hereby acknowledges that it has reviewed the information and materials included in **Exhibit A** and **Exhibit B** attached hereto describing the Bonds and the Housing Program Funding, each FC-Approved Project and each Proposed Project (each a "**Project**" and collectively, the "**Projects**") and the financing of each of the Projects, and hereby approves the issuance of the Bonds for the financing of each of the Projects, as described therein. Subject, in the case of each Project, to the Borrower's compliance with all legal and other requirements of the Act and the applicable Programs and confirmation by the Department, including final approval by the Committee in the case of each Proposed Project, that the conditions described in Section 2 below have been satisfied, the Council finds that no further meeting or action of the Council is needed for the Department to request and the Treasurer to proceed with the issuance of the Bonds and for the Department to proceed with the financing of the Project.

SECTION 2. CONDITIONS TO ISSUANCE, SALE AND DELIVERY OF BONDS. The Council hereby approves the issuance, sale and delivery of the Bonds for each of the Projects. For each Project, such approval is subject to any remaining final approval(s) that may be required by the Committee (including the allocation of Credits to and final approval of each Proposed Project by the Committee) and/or the Department's Executive Director (or her designee), and further subject to the Borrower meeting all requirements of the applicable Programs and satisfying all closing and funding conditions, including:

> (A)   completion by the Department of all necessary due diligence related to the Project and the financing, consistent with applicable Program requirements, Department policies and practices;

> (B)   the absence of any material change to the Project or the financing following the adoption of this Resolution;

> (C)   confirmation that all legal and other requirements of the Act and the Conduit Bond Program for the issuance, sale and delivery of the Bonds have been satisfied, as determined by the Department, the Oregon Department of Justice and Bond Counsel; and

> (D)   confirmation that all legal and other requirements of the Act and the Programs have been satisfied, as determined by the Department and the Oregon Department of Justice.

SECTION 3. COUNCIL REVIEW, APPROVAL AND PUBLIC MEETING. The Council hereby acknowledges that it has reviewed the information and materials included in **Exhibit A** and in **Exhibit B** attached hereto describing the Projects and the financing of each of the

Projects, including the Bonds, and conducted such additional review and made such additional inquiry, if any, as it determined to be necessary or appropriate, in compliance with the Council's obligations under ORS 456.561(3) and other relevant authority, to review, and to approve or disapprove the financing of the Projects. The Council hereby further acknowledges that the adoption of this Resolution and the HSC approval set forth herein has been made at a public meeting of the Council as required by ORS 456.561(4) and other relevant authority, and that such meeting has been conducted in accordance with applicable law, including any required advance public notice of such meeting. Further, the Council acknowledges that in connection with the adoption of this Resolution and the HSC approval set forth herein, opportunity has been provided to the public to testify or otherwise provide public comment on the Projects and any other matters directly related thereto.

SECTION 4. EFFECTIVENESS; CONFLICTING RESOLUTIONS. This Resolution shall be effective immediately upon its adoption. Any prior resolutions of or other previous actions by the Council and any parts thereof that are in conflict with the terms of this Resolution shall be, and they hereby are, rescinded, but only to the extent of such conflict.

[Signature follows next page]

CERTIFICATION OF RESOLUTION

The undersigned does hereby certify that I am the duly appointed, qualified and acting [Chair][Vice Chair][Executive Secretary] of the Oregon Housing and Community Services Oregon Housing Stability Council (the "**Council**"); that the foregoing is a true and complete copy of Resolution No. 2023-03-03 as adopted by the Council at a meeting duly called and held in accordance with law on March 3, 2023; and that the following members of the Council voted in favor of said Resolution:

_____

_____

the following members of the Council voted against said Resolution:

_____

_____

and the following members of the Council abstained from voting on said Resolution:

_____

_____

In witness whereof, the undersigned has hereunto set [his/her] hand as of this ___ day of _____ 20__.

_____

[Chair][Vice Chair][Executive Secretary]

EXHIBIT A

APPROVED PROJECTS

1- Colonia Paz II (FC – Meeting Schedule for 2/21/2023)

EXHIBIT B

PROPOSED PROJECTS

SUMMARY

|			
Project Name:	Colonia Paz II		
City:	Lebanon	County:	Linn
Sponsor Name:	Farmworker Housing Development Corporation		
Urban/Rural:	Rural	Total Units:	116
		Total Affordable Units:	116
# Rent Assisted Units:	None	Units by Size & Affordability:	12 0-BR 8 at 60% AMI 4 at 30% 36 1-BR 31 at 60% AMI 5 at30% 36 2-BR 29 at 60% AMI 7 at 30% 32 3-BR 25 at 60% AMI 7 at 30%
Cost Per Unit	$290,677	Construction Type:	New
Affordability Term(s)	4% LIHTC – 30 years LIFT – 30 years	# of Units with Non-OHCS Requirements	N/A
Funding Request		**Funding Use**	
		Acquisition	$901,689
4% LIHTC:	$1,214,489	Construction	$23,693,068
Conduit Bonds:	Up to $1,200,000	Development	$9,123,767
		Total:	$33,718,524

PROJECT DETAILS

Project Description:	Colonia Paz II is a new construction project with 116 units located in Lebanon. It will consist of four, three story buildings in a garden style setting with a mix of studio, one, two and three-bedroom units. Each building will feature 29 units, mixed with studios, 1, 2, and 3 bedrooms with common area, laundry facility and community space or leasing office. The benefit of garden style buildings allowed for the plans to include a playground, picnic shelter and basketball court for children and residents to enjoy year-round
Background:	This project was awarded LIFT funds in September 2020, 4 percent LIHTC credits and tax-exempt bonds in September 2021 at the September 2021 Housing Stability Council meeting. Financial closing occurred on September 23, 2021. Due to unanticipated delays the project scheduled completion date is 60 – 90 days longer than anticipated. With the rapid rise of interest rates and the lengthened schedule the

	project is left paying more interest for longer than originally budgeted for. This impacts the overall construction loan amount, eligible basis and the 50% test. The project has the additional resources to cover this additional cost from the equity investment. However, to meet the IRS requirements for the 4 percent LIHTC additional tax-exempt bonds are needed.
Alignment with Statewide Housing Plan:	• Affordable Rental Housing • Equity and Racial Justice • Rural Communities

Upon Housing Stability Council approval of the established conduit bond funding limit, ultimate approval will be based on conformance with OHCS underwriting standards and due diligence and is delegated to OHCS Finance Committee and the Acting Executive Director

Rendering: Residential Building
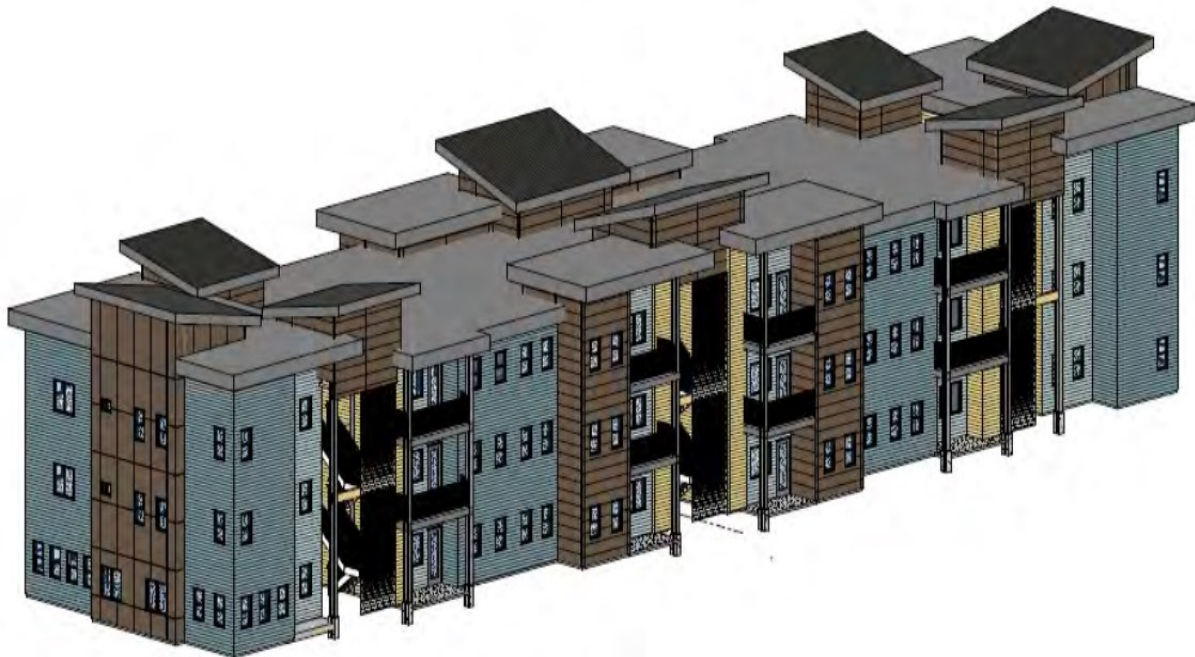
Date: March 3, 2023

To: Housing Stability Council Members;
          Andrea Bell, Executive Director

From: Martin Jarvis, State Tax Credits Program Analyst
          Amy Cole, State Development Resources Manager
          Roberto Franco, Assistant Director, Development Resources and Production
          Natasha Detweiler-Daby, Interim Director, Affordable Rental Housing

Re: PuSH Pool Funding Recommendation

Motion: Approve the PuSH Pool funding grant recommendation for Belleau Woods Apartments in an amount up to and not to exceed $9,000,000 to BRIDGE Housing Corporation, subject to the grantee meeting OHCS's underwriting and closing criteria including documentation satisfactory to OHCS and legal counsel.

At the upcoming Housing Stability Council meeting, we will be presenting a Publicly Supported Housing Preservation (PuSH) Pool Funds grant recommendation for approval. The project was submitted via the PuSH Pool Open Application process approved by Council as part of the 21-23 Funding Calendar. Detailed information regarding the project is in the summary following this cover memo. The PuSH regulations were initially established by legislative action in 2017 with the intent of establishing noticing regarding expiring affordability that would allow the state or local government the opportunity to preserve the affordable units through a designated qualified purchaser. (See ORS 456.250 through 456.265.)

PuSH Pool Application Process & Timing:
Housing Stability Council approved $60 MM in general funds for Preservation in the 2022-2023 Affordable Rental Housing Funding Calendar and Frameworks at the December 3, 2021, meeting. $10 MM of that allocation was set aside for use through an open application process where projects can apply for acquisition preservation funding and have their requests reviewed on a rolling basis. The Housing Stability Council approved increasing the set aside allocation in the PuSH Pool to $30 MM at the June 3, 2022, meeting.

The PuSH Pool is part of the Combined Pools Application process which was open to have applications submitted January 20, 2022 through December 15, 2022. The PuSH Funds have a 60-year affordability period. The PuSH Pool is for acquisition of publicly supported multifamily housing projects that have reached the end of their affordability restrictions. The funds are used to purchase the project and maintain it as affordable housing. In the future BRIDGE intends to leverage Washington County Housing Production Opportunity Funds, private financing and OHCS offerings to fund repairs.

The Belleau Woods project is an acquisition and preservation project located in the City of Beaverton, in Washington County. The resource allocation being supported today is specific to the acquisition of the property to prevent and roll back the conversion to market rate.

Project	Available	Request	Remaining	# of units
Belleau Woods	$9,048,575	$9,000,000	$48,575	64

The remaining $48,575 in PuSH Pool Funds will be added to the total available for reservation through the Preservation NOFA 2022-7.

The project description can be found on the following page.

SUMMARY			
Project Name:	Belleau Woods Apartments		
City:	Beaverton	County:	Washington
Sponsor Name:	BRIDGE Housing Corporation		
Urban/Rural:	Urban	Total Units	64
# Rent Assisted Units:	none	Units by Size & Affordability:	24 2-BR at 60% AMI 40 3-BR at 60% AMI
Funding Request		**Funding Use**	
PuSH Funds:	$9,000,000	Acquisition	$14,800,120
		Construction	$0
		Development	$482,110
		Other	$7,181
		Total:	$15,289,411

PROJECT DETAILS	
Project Description:	Belleau Woods is an existing 64-unit tax credit regulated project. The original use agreement was set to expire on 12/31/2021 but was extended to 12/31/2022 in conjunction with BRIDGE's acquisition of the project in September of 2021. Receipt of the PuSH funds will allow for the preservation of these 64-family sized units. Belleau Woods is over thirty years old and in addition to acquisition funds for preservation, the property needs repairs to the building envelope and ADA upgrades. BRIDGE intends to leverage Washington County Housing Production Opportunity Funds, private financing and OHCS offerings to fund rehabilitation. Regulatory restrictions on all 64 units at Belleau Woods were set to expire December 2021. BRIDGE, the Housing Authority of Washington County, and Oregon Housing and Community Services have been working to acquire the building and voluntarily extended the affordability restrictions on a short-term basis. A PuSH award would preserve the project for an additional 60-year period.
Reaching Underserved Communities:	The development is currently 98% leased. There are no resident services provided at the project at this time but BRIDGE plans to partner with ImpactNW (INW) to provide

	services. INW is a long-time partner of BRIDGE. Since 1966, INW has provided anti-poverty services to vulnerable and historically marginalized populations. The following are a standard part of INW's resident services offerings: • resource referrals • community-building activities • parenting support • after school programs • employment/career planning The needs of the community will be assessed by using the Resident Survey & Needs Assessment form.
MWESB Target:	BRIDGE is committed to achieving OHCS targets for MWESB participation in subsequent work to renovate the property to ensure its long-term viability.
Alignment with Statewide Housing Plan:	• Affordable Rental Housing • Family-Sized Units • Workforce Housing

Date: March 3, 2023

To: Housing Stability Council Members
        Andrea Bell, Executive Director

From: Martin Jarvis, State Tax Credits Program Analyst
        Amy Cole, State Development Resources Manager
        Roberto Franco, Assistant Director, Development Resources and Production
        Natasha Detweiler-Daby, Interim Director, Affordable Rental Housing

Re: Wildfire Preservation Pool Funding Grant Recommendation for Anderson Vista
        Apartments

Motion: Approve the Wildfire Preservation Pool funding grant recommendation for Anderson Vista Apartments:

- **Move to approve an amount not to exceed $2,500,000 to Housing Authority of Jackson County, for the reconstruction and preservation of <u>Anderson Vista Apartments</u>, subject to the grantee meeting OHCS's underwriting and closing criteria including documentation satisfactory to OHCS and legal counsel.**

At the upcoming Housing Stability Council meeting, we will be presenting a Wildfire Preservation Pool grant recommendation for Council approval. This project was submitted via the Preservation Pool Open Application process approved by Council as part of the 21-23 Funding Calendar and laid out in further detail in the Combined Pools Application Instructions document.

Preservation Pool Application Amounts:
Anderson Vista Apartments was approved by the OHCS Finance Committee. In this memo we are providing you with a high-level summary of the recommendation. The Preservation Pool funds will add 60 years of affordability to Anderson Vista. More detailed information regarding the project can be found in the project summary included in your packet.

$2.5 million of Preservation Wildfire Relief Funds were included with the other funding sources made available in the 2022 Combined Pools Application Process to increase the potential reach of efforts to help rebuild in the wake of the 2020 wildfires.

Project	Request	# units
Anderson Vista Apartments	$2,500,000	36

SUMMARY			
Project Name:	Anderson Vista Apartments		
City:	Talent	County:	Jackson
Sponsor Name:	Housing Authority of Jackson County		
Urban/Rural:	Rural	Total Units	36
# Rent Assisted Units:	none	Units by Size & Affordability:	18 2-BR at 60% 14 3-BR at 60% 4 4-BR at 60%
Funding Request		**Funding Use**	
Wildfire Preservation Funds:	$2,500,000	Acquisition:	$271,000
		Construction:	$6,811,700
		Contingency:	$476,819
		Professional Fees:	$6,000
		Owner Hard Costs:	$97,000
		Development:	293,987
		Financing:	$64,000
		Reserves:	$298,800
		Total:	$8,319,306

PROJECT DETAILS	
Project Description:	Anderson Vista is a 36-unit complex located on a single site in Talent, Oregon. It is owned and managed by the Housing Authority of Jackson County (HAJC). There are 2-, 3-, and 4-bedroom units in the project. In 1996, the project was built in partnership with USDA Rural Development (RD) using farm labor funding to be paid back over 33 years. There was additional grant funding of $20,000 from OHCS. Over the past years, HAJC property management team found it harder to rent to low-income domestic farm labor families that fit the original USDA Rural Development income and farm labor requirements. USDA RD issued a waiver and allowed HAJC to fill the units with non-farm-labor, low-income eligible families. On September 7, 2020, the property was destroyed by the Alameda Fire, 22 units and the community building burned to the ground.

Reaching Underserved Communities:	The Housing Authority of Jackson County is committed to expanding housing opportunities for underserved communities and will develop a plan to market Anderson Vista Apartment's units to BIPOC communities when the project is ready for lease up. HAJC offers referral services to community resources and social services available in Jackson County.
MWESB Target:	Anderson Vista is committed to achieving the goal of 20% MWESB participation for construction and professional services.
Alignment with Statewide Housing Plan:	• Affordable Rental Housing • Rural Priority • Family-sized Units

OREGON HOUSING and COMMUNITY SERVICES

725 SUMMER STREET NE, SUITE B | SALEM, OR 97301
503-986-2000 | www.oregon.gov/OHCS

Date: March 3, 2023

To: Housing Stability Council Members;
        Andrea Bell, Executive Director

From: Edward Brown, Program Analyst
        Amy Cole, State Development Resources Manager
        Roberto Franco, Assistant Director, Development Resources and Production
        Natasha Detweiler-Daby, Director, Affordable Rental Housing

Re: Preservation of Manufactured Dwelling Parks

Motion: Approve the Preservation of Manufactured Dwelling Parks (PMDP) grant recommendation for Pioneer Park Residents Cooperative in an amount up to and not to exceed $8,112,000 to Pioneer Park Residents Cooperative, subject to the grantee meeting OHCS's underwriting and closing criteria including documentation satisfactory to OHCS and legal counsel.

At the upcoming Housing Stability Council meeting, we are presenting a Preservation of Manufactured Dwelling Parks (PMDP) grant recommendation for Council approval. The project was submitted via the Preservation Pool Open Application process approved by Council as part of the 21-23 Funding Calendar and laid out in further detail in the Combined Pools Application Instructions document. Detailed information regarding the project can be found in the summary following this cover memo.

Preservation Pool Application Process & Timing:
Housing Stability Council approved resources for PMDP in the 2022-2023 Affordable Rental Housing Funding Calendar and Frameworks at the December 3, 2021 meeting. That allocation was made available through an open application process where projects could apply for park preservation funding and have their requests reviewed on a rolling basis.

The Preservation Pool is part of the Combined Pools Application process which re-opened on January 11, 2023. It will remain open until December 14, 2023. The PMDP Funds have a 60-year affordability period. The project is a member owned coop model of park preservation. CASA of

Oregon is the consultant for each project during acquisition/construction and after the project is placed in service. Network for Oregon Affordable Housing (NOAH) permanent lender.

Project	Available	Request	Remaining	# Spaces
Pioneer Park Residents Coop	$21,307,317	$8,112,000	$13,195,317	104

SUMMARY			
Project Name:	Pioneer Park Residents' Cooperative		
City:	Lafayette	County:	Yamhill
Sponsor Name:	Pioneer Park Mobile Estates, LLC		
Urban/Rural:	n/a	Total Rental Spaces	104
# Rent Assisted Units:	n/a	Units by Size & Affordability:	60% of spaces 80% AMI
Funding Request		**Funding Use**	
GHAP Funds:	$8,112,000	Acquisition	$13,153,403
NOAH (w/OAHTC)	$6,353,834	Construction	$ 420,000
		Development	$ 901,431
		Total	**$14,474,834**

PROJECT DETAILS	
Project Description:	The residents of Pioneer Park Mobile Estates in Lafayette, OR formed a tenant organization after receiving notification by the owner of the property that an unsolicited purchase offer had been received from an investor. After engaging CASA of Oregon and its national partner, ROC USA, the residents formed a nonprofit manufactured dwelling cooperative; Pioneer Park Residents' Community (PPRC). Resident Incomes are clustered below 60% AMI and residents of all ages live in the community. The park includes RV storage space and a playground. The park was constructed in 1996 and is on Lafayette City water and sewer. There are 104 rentable sites.
Reaching Underserved Communities:	Pioneer Park Resident Cooperative is in early stages of DEI planning having only recently committed to the DEI Agreement. CASA of Oregon, the cooperative's technical advisor, has planned coordination of DEI training to include a review of the DEI Agreement. This training will be held for the board of directors within the first year of perm loan operations. The training may be followed up with the formation of a cooperative led DEI committee. The Board and any formed DEI committee will be responsible for the review of adopted policies and practices to ensure the cooperative practices advance equity and inclusion in the cooperative's communications and operations. An AFHMP outreach plan will be created and the Cooperative will receive comprehensive training in Fair Housing Law by the Fair Housing Council of Oregon (FHCO). This training will be provided annually to all cooperative boards and interested members. The training ensures the homeowners/members understand the history and context of fair housing and maintain

	their Fair Housing knowledge to consistently apply equal housing opportunity best practices. **Non-Profit Manufactured Dwelling Park Cooperative Affirmative Fair Housing Marketing Plan (AFHMP)** At this writing the Pioneer Park Residents Cooperative is <u>99%</u> occupied, and homeowner turnover is usually less than <u>3%</u> annually. Still, the cooperative, working in collaboration with their property manager, <u>Commonwealth Real Estate Services</u>, will use census population data for the county in which the property is located to determine the demographic population of Yamhill County. This demographic data will be compared to the existing demographic profile of the co-op's homeowners/members. Should the cooperative find the resident population is not representative of the community, these underrepresented demographic groups will be determined "least likely to apply" and will be targeted for outreach. This outreach will be developed to ensure potential applications are informed about the cooperative model and park community As needed, written materials may be professionally translated into another language or may be professionally verbally translated to ensure the potential homeowner applicant understands the cooperative information they are receiving and has an opportunity to ask questions in their own language. As vacancies occur, the cooperative will contact local organizations working with diverse homeowner communities to notify them about homes for sale or spaces available within the cooperative. In the Yamhill County market area, these organizations will include: Virginia Garcia Memorial Health Center, Confederated Tribes of Grand Ronde, Yamhill County Cultural Coalition, and the Housing Authority of Yamhill County.
MWESB Target:	The Cooperative is in the process of adopting a procurement policy that will incorporate the following Minority-owned, Women-owned Business Enterprises, Emerging Small Businesses, and Service-Disabled Veteran-owned Business Enterprises outreach strategies: 1. Search for certified Disadvantaged Business Enterprises, Emerging Small Businesses, Minority-owned Business Enterprises, Women-owned Business Enterprises, and Service-Disabled Veteran-owned Business enterprises that are listed as vendors on the Business Oregon Certified Vendor Directory, at: https://oregon4biz.diversitysoftware.com/ 2. Obtain contact information for the needed vendor and invite the certified vendor(s) to submit a proposal. 3. Develop a resource list of MWESB/SDV located city/county/region-wide and send Request for Proposal announcements directly via email/fax inviting proposals. MWESB/SDV resource list may include the Oregon Association Minority Enterprises and National Association Minority Contractors. 4. In the case of large capital improvement projects, Pioneer Park Cooperative will supply and review with the prime contractor, recommendations for outreach strategies and lists of potential qualifying MWESB enterprises. 5. If potential MWESB vendors are identified that are not certified as such with the Business Oregon Certification Office for Business Inclusion and Diversity (COBID), Harbor Village Cooperative will provide contact information and encourage them to apply for their certification.

	6. Review statements of qualification and interview businesses as necessary, conducting this review through the lens of the Cooperative's commitments to diversity, equity and inclusion. 7. Participate in the interviews of MWESB/SDV vendors as appropriate, conducting these interviews through the lens of the Cooperative's commitments to diversity, equity and inclusion. 8. When advertising for bids, the Cooperative will include a statement that "Minority-owned, Woman-Owned, Emerging Small Businesses, Service-Disabled Veterans and Disadvantaged Business Enterprises are encouraged to apply." 9. Upon request, regarding large construction projects, the Cooperative will be able to provide a summary of a project's General Contractor's profile and team member demographics, as well as details of the General Contractors' history of addressing MWESB/SDV sub-contractor diversity, equity, and inclusion in any prior affordable housing or other publicly funded projects.
Alignment with Statewide Housing Plan:	• Affordable Rental Housing • Homeownership • Rural Communities
This development conforms to all OHCS underwriting standards.	

![Oregon Housing and Community Services logo]

Oregon Housing and Community Services
725 SUMMER STREET NE, SUITE B | SALEM, OR 97301
503-986-2000 | www.oregon.gov/OHCS

Date: March 3, 2023

To: Housing Stability Council
             Andrea Bell, Executive Director

From: Kim Freeman, Assistant Director Homeownership Programs

Re: Residential Loan Program

Recommended Motion: Housing Stability Council approves the Consent Calendar

Background: State statutes require the Housing Stability Council to establish a single-family loan threshold for loans to be review and approved prior to purchase. The current threshold for single-family loans includes all loans equal to or greater than 95% of the applicable area program purchase price limit.

Considerations:

1. The loan(s) under consideration is greater than or equal to 95% of the applicable area program purchase.

2. Staff has reviewed all the following loan files and concluded that the borrowers and properties meet all relevant program guidelines for the Residential Loan Program. All required documents have been properly executed, received, and the loans have been approved for purchase. In addition to being approved by staff, the loan files have been underwritten by the applicable lenders and are insured by either FHA (FB), Rural Development (RG), or Uninsured (U) with a loan-to-value of 80% or less.

	Loan Amount	Purchase Price Limit	95% of Purchase Price Limit or Max	Monthly Mortgage Payment PITI
Loan #1	$407,483	$427,198 *Targeted Marion	$405,838	$2,812

1

			Lender	FAIRWAY MORTGAGE CORPORATION

Purchase Price 415,000.00   Note Amount 407,483.00
Cost Limit 427,198.00   Principal Balance $ 407,483
Appr. Value $ 445,000
Year Built 1917

Property City   SILVERTON   OR   97381

Hshld. Income $ 76,646   Living Area (Sq. Ft.) 1,507   Loan-to-Value 97%
Income Limit $ 149,100   Lot Size (Sq. Ft.) 20,473   Insurance Type FB
% of Income Limit   51.41%   Cost per Sq. Ft. $ 275.38   Rate 5.375%

Prior Ownership Yes (Y) or No (N)   N

New (N) or Existing (E)   E
Construction Style   Two Story

* Targeted and non-targeted areas are identified by the IRS as census tract codes. Census tract codes identified as targeted areas, are areas low in homeownership and homebuyers are encouraged to purchase. When purchasing in a targeted area, the first-time home buyer requirement is waived, and the income and purchase price limits are higher than non-targeted areas.

Date: March 3, 2023

To: Housing Stability Council
        Andrea Bell, Executive Director

From: Kim Freeman, Assistant Director Homeownership Programs

RE: Oregon Bond Residential Loan Program 2022 Highlights

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In review of 2022, we look to the new normal in the wake the pandemic left resulting in a housing market reeling from the effects of inflation and rising interest rates. In the midst of these conditions, we continue to refine our programs and the data we collect so we may better understand the demographics of our homebuyers.

Collection of complete and accurate demographic data has continued to be our focus. In 2020, we developed the Demographic Data Form which accompanies mortgage loan documents at closing for completion by the homebuyer. However, due to the complications produced by the pandemic, implementation was delayed until 2021. The Demographic Data Form is simple and effective, mirroring the information borrowers complete on the mortgage loan application (URLA - Uniform Residential Loan Application). Our goal with this new document was to achieve increased borrower participation in providing demographic information. We have found that borrowers have a tendency to opt out of completing the demographic data fields on the mortgage loan application, however, when the OHCS Demographic Data Form was introduced as a separate document data shows the borrower will complete the form.

Starting 2021 the Demographic Data Form began to be included with mortgage loan documents. As a result, we received 259 completed Demographic Data Forms of the 434 mortgage loans purchased. Our goal was to show that by implementing this form we could increase the capture of demographic data from borrowers.

In 2022 we improved our demographic data collection process, sourcing the data to determine if it originated from the mortgage loan application or our Demographic Data Form presented at loan closing. 504 mortgage loans were purchased over the course of 2022, of those 358 or 71% returned OHCS's Demographic Data Form.

Our focus in 2023 will be collecting 100% of the Demographic Data Forms received in the mortgage loan files. Additionally, we have implemented a process to identify which lenders

and loan officers have not submitted the Demographic Data Form with their mortgage loan files. We will be reaching out to each lender and loan officer offering additional training and explaining the importance of capturing the demographic data.

2022 Program Highlights
- 504 Mortgage Loans Purchased
- $151,290,191
- 29 Counties Served
- Mortgage Interest Rates
    - 5.00% Rate Advantage
    - 5.75% Cash Advantage
        - This product allows for 3% grant for closing cost assistance.
- Average Loan Amount $300,179
- 4 Lender Trainings

Demographics
- Our lender network provides language access in 10 Spoken Languages as well as Sign Language
- We have decreased the number of unknowns from 12% in 2021 to 11% in 2022
- Of 504 Mortgage Loans Purchased:
    - Hispanic: 2021 49 borrowers / 2022 85 borrowers
    - Asian: 2021 30 borrowers / 2022 34 borrowers
    - American Indian: 2021 6 borrowers / 2022 11 borrowers
    - Black/African American decreased, 2021 30 borrowers / 2022 24 borrowers

Next Steps
As reported last year affordability will continue to be an obstacle for low-moderate income and BIPOC communities in Oregon. As we continue to monitor the effects of inflation along with ever changing mortgage interest rates, and the lack of affordable housing stock, the challenges of homeownership will remain. We understand the need for an increase in down payment assistance funds within our homeownership programs and we continue to engage with our homeownership partners to provide those resources.

OREGON HOUSING *and*
COMMUNITY SERVICES

Date: March 3, 2023

To: Housing Stability Council
          Andrea Bell, Executive Director

From: Kim Freeman, Assistant Director of Homeownership Programs
          Alycia Howell, Program Analyst

RE: **Down Payment Assistance Program Awardees**
_____

Motion: No motion is requested; this is for informational purposes.

Goal Summary:
The goal is to offer funding to partnering organizations throughout the state to provide Down Payment Assistance (DPA) to eligible First Time Homebuyers and for the first time in this state, First-Generation Homebuyers with at or below 100% area median income (AMI), which will assist us in achieving the Statewide Housing Plan Homeownership Goal.

The Homeownership Programs Section offered a Request for Application (RFA) for Down Payment Assistance funds for statewide applications from eligible non-profits, housing authorities, local governments and federally recognized Indian tribes that own land in this state. The total amount of the RFA was $28,458,876 with funds available specific to Veterans. There were four different funding sources for this RFA, HOAP-General $10,000,000, HOAP-Veterans $5,000,000, Construction Excise Tax (CET) $4,708,876, and Culturally Responsive funding $9,750,000 general funds allocated to OHCS in the 2021 Legislative Session under HB 5011.

Background:
OHCS offers HOAP (Home Ownership Assistance Program) funding collected form the state Document Recording Fee in an RFA to eligible organizations to provide DPA to eligible first time and first-generation homebuyers with at or below 100% AMI. In addition, CET funds and Culturally Responsive funding was offered with the HOAP funds for the largest DPA offering in the agency's history. Awarded organizations will provide DPA funds to homebuyers up to $60,000 or 20% of the purchase price for First-Generation homebuyers and up to $30,000 or 20% of the purchase price for First Time homebuyers as a 5-year forgivable loan with no interest or payments required and forgiven as long as the homebuyer remains in the home as their primary residence during the 5-year period following the purchase. As a condition of the Culturally Responsive funding, organizations awarded these funds must offer the DPA as a grant

to homebuyers with no payback requirements or it may be used as affordability assistance in a Community Land Trust Model.

OHCS received 21 applications representing 34 counties throughout the state, with no applications for funding in Crook and Clatsop counties. The 21 applications passed the administrative threshold review and were evaluated and scored competitively. The scoring committee consisted of OHCS staff, and scores were tabulated by the Procurement Specialist. All 21 applications met the minimum score and will be funded their full requested amounts.

The total amount requested from all applications was $10,150,000 HOAP-General, $1,810,000 HOAP-Veteran, $3,347,592 CET, and $4,998,000 Culturally Responsive Organizations funding. At this time OHCS has made the decision to reopen the RFA to offer the Culturally Responsive funding again based on new Oregon Department of Administrative Services guidance for general funds spend down allowing DPA Awardees the opportunity to expend these funds beyond the end of the current biennium June 30, 2023, which was the expenditure deadline in the original posting of this RFA.

Equity and Racial Justice:
In this RFA, applicants requesting to offer the Culturally Responsive funding were required to submit documentation to show their organization was either a Culturally Specific or Culturally Responsive organization by submitting an application and additional supporting documentation showing they are currently responsive to their communities needs. Of the twenty-one applicants, five organizations were certified as Culturally Specific, and six organizations were approved in this RFA as Culturally Responsive and will be awarded their requested Culturally Responsive funding. One of our newly certified Culturally Specific organizations Nixyaawii Community Financial Services, is owned and operated by the Confederated Tribes of the Umatilla Indian Reservation. This is a first for our program and we are excited for the opportunity to offer DPA funds to a Culturally Specific organization specifically serving their Indian community for homebuyers looking to purchase a home within their Reservation. With these organizations and the new First Generation homebuyer's opportunity, this program was built to serve the black, Indigenous, and people of color and slated to reduce the racial wealth gap we are determined to address. In the previous DPA program prior to the increased funding and additional First-Generation Homebuyer opportunity, 45% of the 413 homebuyers receiving funds indicated they were people of color. This was a great success towards addressing the racial wealth gap and this program should see similar if not better results at the end of the program term.

Below is a list of awardees in the order they scored, starting with the highest score and the amount they will be awarded by funding source.

Down Payment Assistance Awardees

Applicant	Areas Serving	HOAP	Veterans	CET	Cultural
Bienestar	Washington	$500,000			
Native American Youth and Family Center	Clackamas, Multnomah, Washington	$200,000		$200,000 City of Portland	$200,000
Portland Housing Center	Clackamas, Columbia, Multnomah, Washington, Yamhill	$300,000		$300,000 City of Portland	
NeighborWorks Umpqua	Coos, Curry, Douglas, Josephine	$500,000			
Community Connection of Northeast Oregon	Baker, Grant, Union, Wallowa	$300,000	$300,000		
Habitat for Humanity Portland Region	Clackamas, Multnomah, Washington	$300,000		$300,000 City of Portland	$500,000
Klamath Housing Authority	Klamath, Lake	$500,000			
Communities in Action	Harney, Malheur	$500,000			
Bend-Redmond Habitat for Humanity	Deschutes	$500,000			
Kor Community Land Trust	Deschutes	$350,000			
Proud Ground	Clackamas, Jackson, Lincoln, Multnomah, Washington	$300,000		$616,468 City of Medford, Milwaukie, Portland, Tigard	$500,000

Hacienda CDC	Clackamas, Multnomah, Washington	$300,000		$300,000 City of Portland	$198,000
Corvallis Neighborhood Housing Services, DBA DevNW	Benton, Clackamas, Lane, Lincoln, Linn, Marion, Polk	$1,200,000	$510,000	$563,879 City of Corvallis, Eugene, Milwaukie	
Columbia Cascade Housing Corp.	Hood River, Sherman, Wasco	$300,000	$300,000	$248,141 City and County of Hood River	$500,000
ACCESS	Jackson, Josephine	$300,000	$100,000	$59,984 City of Medford	$500,000
Open Door Counseling Center	Lincoln, Washington, Yamhill	$300,000	$150,000		
African American Alliance for Homeownership	Clackamas, Multnomah, Washington	$300,000		$200,000	$500,000
Habitat for Humanity of Oregon	Benton, Clackamas, Columbia, Coos, Deschutes, Douglas, Hood River, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Polk, Tillamook, Wasco, Washington, Yamhill	$2,475,000	$450,000		$1,500,000
Nixyaawii Community Financial Services	Umatilla, Umatilla Indian Reservation	$200,000			$100,000
Portland	Multnomah	$300,000			$500,000

Community Reinvestment Initiatives					
Community Action Program of East Central Oregon	Gilliam, Morrow, Umatilla, Wheeler	$225,000			
Approved Funding		**$10,150,000**	**$1,810,000**	**$3,058,472**	**$4,998,000**

Date: March 3, 2023

To: Housing Stability Council Members
        Andrea Bell, Executive Director

From: Jill Smith, Director, Housing Stabilization Division
        Dan Elliott, Senior Energy Policy Analyst
        Joy Aldrich, LIHWA & SHOW Programs Analyst

Re: Low-Income Household Water Assistance (LIHWA) Program

Motion: **Housing Stability Council approval of proposed rule changes to modify operations of the Low-Income Household Water Assistance (LIHWA) Program.**

Background

Last April, the Energy Services Team at OHCS provided the Housing Stability Council with our initial perspectives of the federal Low-Income Household Water Assistance (LIHWA) Program. We discussed our proposed implementation plans held with the Community Action Agency (CAA) network, relayed stakeholder engagement activities to date, and requested recommendations for elements surrounding the Master Grant Agreement (MGA) and eligibility for households on master meters. Included in this discussion was the requirement of the CAAs to work with culturally responsive organizations in outreach efforts, if they were not already sub-recipients of the CAA. By this point, the CAAs were at varying stages of having the LIHWA Program stood up. With four of the 17 agencies in full operation, a total of 252 unique households were served with $175,800 of LIHWA assistance. Roughly 60% of the households rented their homes. Overall, 52% of the households receiving assistance were of the BIPOC community.

Current LIHWA Program Expenditures & Future Projections

By the end of July 2022, all 17 CAAs had the LIHWA Program fully operational. Our two largest county-based agencies are operating with subrecipients, who specialize in targeted outreach to underserved populations. Just 10 months after our last visit with the Council, the LIHWA Program has served 10,561 unique households and distributed over $4.33 million dollars for water and sewer assistance payments. Among these households, LIHWA assistance stabilized 1,434 households who were either at risk of being disconnected or who were already disconnected. As water and sewer services are considered essential for life, these payments resolved crises. Compared to the original progress report last April, the demographic data is similar. Roughly 55% of the households rented their homes. Overall, 40% of the households receiving assistance were of the BIPOC community.

Oregon currently has 42% of our LIHWA funds spent, which is more than most states according to our federal funders. With this standing and our projected burn rate, we should meet the requirement for full allocation of funding by September 30, 2023. However, after meeting with the CAAs through quarterly business meetings, the Oregon Energy Coordinators Association, and CAPO, the agencies expressed the need to increase payment size and amount to better stabilize households based on the incoming data being reported for arrearage payments necessary to effectively stabilize the households. Evidence found that households who received the assistance would need additional assistance a few months later in the face of impending disconnection. To address this, OHCS has worked collaboratively with the CAAs to propose administrative rule changes that allow for solutions to the expressed issues.

Proposed Rule Changes
At the current time, households are eligible for one Standard LIHWA Payment using either the Consolidated Appropriations Act (LIHWA-CAA) or American Rescue Plan Act (LIHWA-ARPA) funding. An eligible household may qualify for the amount they need to pay off all arrearages and, in some cases, which places a small credit on their account. The minimum payment eligible households may receive is $100. Those households in crisis—such as a pending disconnection or current disconnection, medical needs, or financial struggles—may qualify for additional LIHWA assistance. Households in need are receiving assistance, but there remains an inequitable relationship between the assistance received and the actual need, which in many times is directly related to the households' vendor.

Therefore, OHCS is seeking the Council's approval of the proposed rule changes to not only increase the equitable distribution of LIHWA assistance but also to ensure Oregon has all LIHWA funds expended on time:

1. *Increase the floor (minimum) payment to $300.* Agencies requested this increase to ensure households received payment upon arrearages and stabilization for more than one month. For households who are current or need less than the floor payment to become current, this amount will build in a greater level of stability to ensure a household's water and sewer bills are covered. This will be retroactive for 60 days prior to the effective date of the rules; income eligibility is active for 60 days from the date of application, so those households who have received the lower floor payment may receive a supplemental payment to meet the new floor.
2. *Eligible households may receive two Standard LIHWA Payments, one from LIHWA-CAA and one from LIHWA-ARPA.* Program reporting, monitoring, and evaluation have determined the need is vast, but the arrearage sizes vary significantly among vendors based on their disconnection policies. By removing the limitation of a single Standard Payment, households may qualify for a second Standard Payment without having to sacrifice access to a crisis payment, which will more effectively stabilize the households' water burden and provide for administrative flexibility to operate within the many different vendor policies. This is a win-win for administrators and clients.
3. *When consistently applied, CAAs may apply stabilizing credits to every LIHWA payment for each vendor.* CAAs were provided the option to apply stabilizing credits in the amount of one month's usage to every LIHWA payment, as long as they were applied consistently. OHCS and agencies discovered that the stabilizing payment ensured the households obtained a foothold on anticipated future arrears. CAAs will have the

opportunity to elect use of stabilizing credits again; however, each CAA must create a policy to determine credit size based on their service area's needs.

These changes have also been reviewed and approved by the US Health and Human Services' project office for the Oregon LIHWA Program on February 7, 2023. It was noted that the office applauded these changes and will be sharing them with other states.

Alignment with the Statewide Housing Plan
Priority: Equity and Racial Justice
Water burden is higher in culturally specific communities. By conducting outreach prior to even sending dollars out to the CAAs, OHCS set the example for which we expect CAAs to serve all eligible populations in an equitable manner.

Priority: Homelessness
Water and sewer assistance is an essential element of housing stabilization. This assistance provides resiliency to low-income households at risk of losing their homes because of utility costs and prevents homelessness.

Priority: Permanent Supportive Housing
N/A

Priority: Affordable Rental Housing
N/A

Priority: Homeownership
N/A

Priority: Rural Communities
There are a vast number of water and sewer utilities in Oregon. To ensure that OHCS makes every attempt to engage with those both in urban and rural areas, we have conducted and will continue to outreach to utility associations in addition to the utilities themselves. It is imperative to provide equitable service across the state, regardless of the size of the utility.

Future Receipt of LIHWA Funding
With these proposed rule changes, OHCS will be able to allocate all of our LIHWA funding by the final date. After speaking with our federal funders, OHCS was notified that Oregon will be considered for a reallocation process if there are remaining LIHWA-ARPA funds remaining nationally at the end of the funding period. Because we have allocated more funds than many other states, the federal funders were optimistic that Oregon would be able to use additional funds if provided. Additionally, OHCS is watching HB 3125, which would create a state-funded water assistance program. As of February 14, the Legislative Session heard a public hearing for the bill and has passed it to the Ways and Means Committee. Based on the activities with the federal LIHWA Program, our stakeholders have recognized the vast need for low-income water assistance. OHCS continues to watch the activities surrounding this bill and provide support as needed.

We appreciate your time to review and considerations and perspectives surrounding the LIHWA Program.

Low-Income Household Water Assistance (LIHWA) PROGRAM

INTAKE
OPERATIONS MANUAL
PROGRAM YEAR
2022-2023

Oregon Housing and Community Services (OHCS)

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LOW-INCOME HOUSEHOLD WATER ASSISTANCE (LIHWA) PROGRAM
Intake Operations Manual

Introduction:

Oregon Housing and Community Services (OHCS) administers the Low-Income Household Water Assistance (LIHWA) Program using two Federal assistance funding sources: the Consolidated Appropriations Act (CAA) of 2021 and the American Rescue Plan Act (ARPA) of 2021. As the LIHWA Program is independent of other assistance programs, it has its own distinct application process.

The LIHWA Program Intake Operations Manual establishes operating policies and procedures that govern both funding sources. The purpose of this manual is to provide detailed information and instructions for the administration of LIHWA. Please note that this Operations Manual is not a compilation of best practices or suggestions and the requirements contained within it are not optional.

LIHWA provides household water and/or sewage disposal services assistance to low-income Oregonians, especially households with the lowest incomes and the highest water burden in relation to income. The purpose of this program is to supplement the cost of drinking water and sewage disposal services. Assistance is provided on a first come, first served basis to households with services provided by eligible utilities and may cover arrearages and current rates charged to those households.

OHCS recognizes that flexibility is necessary to meet the unique needs of each community across our state. It is critical that LIHWA coordinators and staff balance the requirements of this manual with the innovation necessary to move low-income Oregonians toward water independence.

While the policies and procedures included in this manual are rules for determining eligibility, delivering benefits, and administering the program, it is impossible to anticipate and provide examples for all situations; therefore, coordinators and staff are encouraged to use reason and apply good judgment in making decisions when rare and unusual situations are encountered. Decision-making based on the best information available, common sense, program knowledge, experience, and expertise in a particular situation is sometimes referred to as the Prudent Person Principle. OHCS requests coordinators and staff to document the rationale used in the decision-making process along with any applicable manual references and policy interpretations.

This manual, which is adapted from the Energy Assistance Programs Operations Intake Manual, is the result of years of collaboration between OHCS and the Community Action Agencies (CAAs) in addition to recent stakeholder engagement efforts with the eligible water and sewer utilities.

SECTION ONE: APPLICATION PROCESS

This Section contains:

- ✔ Confidentiality
- ✔ Preliminary Household Assessment
- ✔ Verification of Identification
- ✔ During the Intake
- ✔ Avoiding Duplicate Applications
- ✔ Using Mail-In/Hard Copy Applications
- ✔ LIHWA Program OPUS Data Entry and Authorization Form
- ✔ LIHWA PROGRAM APPLICATION---Required Language for Applications
- Completed Files & Distribution of Authorization Copies
- ✔ Pending Applications
- ✔ Denied Applications
- ✔ Voided Applications
- ✔ Unusual Eligibility Situations
- ✔ Fraud and Determination of Fraud
- ✔ Identify Theft
- ✔ Recovery of Ineligible Assistance
- ✔ Declaration of Household Income (DHI)
- ✔ Self-Employed Clients

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Confidentiality

Confidentiality of client information is essential and must be assured by the agency. The Master Grant Agreement (MGA) between each agency and OHCS specifically addresses this responsibility. Please reference the current MGA for your agency for specific language.

Each agency must have in place policies and procedures to assure compliance with requirements. Refer to local agency confidentiality forms and policies.

For the protection of all clients, you must not disclose or use the contents of records, files, papers, or communications for purposes other than those directly connected with the administration of the LIHWA Program, whether on or off duty.

Preliminary Household Assessment

The purpose of a Preliminary Household Assessment is to gather the necessary information to assure the intake process is effective, efficient, and poses minimal burden to low-income clients.

Below is a list of a few sample questions:

➢ Does the client reside within the local service area of this agency? If not, from which other agency can the client seek assistance?

➢ Have any of the adult household clients received LIHWA assistance previously? (If possible, check history in OPUS or client files.)

➢ Does the client pay for water and sewer services separately, together, or not at all? Does the client pay a utility provider directly or through a landlord? Does the local agency have a vendor agreement with the utility? Are the utility expenses eligible for LIHWA? How many total clients reside in the household? How many adults? How many minors?

How many total clients reside in the household? How many adults? How many minors?

➢ What are all sources of income and total gross amounts for all household clients? (Except income EARNED by minors, such as from part-time jobs while enrolled in high school.)

➢ Is the household currently in a crisis situation? *(See section Four)*

After conducting the Preliminary Household Assessment, an appointment may be scheduled with the client. For all applications, explain that the client will need to provide the following documentation representative of all household clients (except for those items with an asterisk (*) when using express enrollment):

➢ *Income verification for **all** household clients (Except income EARNED by minors, such as from part-time jobs while enrolled in high school).

➢ *Identification for all adult household clients. *(See following section for examples of Identification Verification.)*

➢ Current utility/vendor bill(s), statement(s), invoice(s), or receipt(s). All households are encouraged to provide **both** their water and sewer bills (if separate and available), and account information must be updated in OPUS for any utility/vendor provided.

➢ *Social Security Number(s) and date(s) of birth for all household clients.

➢ Copy of rental or lease documentation (where applicable).

The following supplemental forms may need to be provided to the client; please refer to your local agency form(s):

➢ Landlord Authorization Form.

➢ Declaration of Household Income Form (DHI) and/or other local agency form(s).

➢ Self-Employment Form.

➢ Other form(s) as determined by local agency policy.

Verification of Identification

All adult household clients must provide proof of identity once per program year. Agencies must maintain copies of identification documents in the client file or use a payment receipt or similar OPUS printout to reference these documents in the LIHEAP file when using express enrollment (see express enrollment section).

Below are examples of documentation that can be provided to establish identity:

Driver's License	Passport
Military Identification	State Identification/Government issued identification
Birth Certificate	School Records/ID
Insurance Card	Tax Records
Insurance Records	DHS Printout
Court Documents	Utility Bills
Government Records	Pay Stub
Social Security Records	Tribal ID

Other paperwork identifying household ~~member~~client

During the Intake

Verifying, entering, and/or updating all necessary information provided by all household clients ~~the applicant~~ helps to ensure that the household is eligible for LIHWA, and that the intake worker has all documentation required to process the application and make a LIHWA commitment.

During each intake, the intake worker should document the following information:

➢ Names, ~~birthdates~~dates of birth, and Social Security Numbers for every household ~~member~~client. In cases where issues inhibit ~~applicants~~ clients from providing a valid Social Security Number, OPUS will issue a unique client identification number (OPUS System ID) to assure non-duplication of services when entering household information into the system. When an OPUS System ID number is used and the client meets the exception criteria, **it must be noted in the client file which exception criteria has been met** *(See exception criteria on page 1.5). (Confidential/sensitive information should never be entered into OPUS)*

➢ Contact information (phone number, email, mailing address, and physical address).

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➢ Residence information (type of dwelling).

➢ Demographic information (intake workers must ask for this information; however, services will not be denied for refusal by the client to provide information).

➢ Verification of GROSS income for all household adult and/or minor clients (Except income EARNED by minors, such as from part-time jobs while enrolled in high school). This may include Declaration of Household Income (DHI), Social Security calculator worksheet, and/or other local agency forms.

➢ Vendor/account information (water and sewer services, either combined or separate). Because the LIHWA Program commits payments to cover the balance in full, the utility/vendor bill needs to be current as of the date of data entry. If the billing cycle does not cover this date, the intake worker will need to verify with utility/vendor for updated account information via Utility Verification Form).

Intake workers must include copies of all relevant documentation that the client provides to produce a finalized application (*See page 1.13 of Intake Manual for further explanation of documents required for a completed application).*

Depending on local resources available to the client, intake workers should also provide additional information and contact numbers to the client. This should include, but is not limited to, weatherization and energy assistance, case management, interagency services, and local community programs.

Avoiding Duplicate Applications

To avoid duplicate applications, client information must be entered into the OPUS database.

Using Mail-In/Hard Copy Applications

If a client qualifies for multiple assistance programs (i.e., LIHEAP and LIHWA) while using mail-in/hard copy applications, the intake worker may use the original application submitted by the client, marking it as "original," to create multiple applications, and add program-specific materials to each application, if it is done at the same intake. **A separate LIHWA disclaimer form must be completed for the LIHWA application**. All completed file requirements as outlined later in this manual still apply.

LIHWA Program OPUS Data Entry and Authorization Form

The following are general steps and information for completing either an OPUS intake or filling out a hard copy application:

Client Information Section *(Found in OPUS in "Client View" screen, begin with the client considered Head of Household and enter data for all household clients.):*

1. **Legal Name:** Enter full legal name for the client listed on the most current documentation from the SSA or state-issued photo ID.

2. **Birthdate:** Enter date of birth for the client (Month/Day/Year).

3. **SSN/SYSID:** Enter the Social Security Number (SSN) for the client.

   Valid Social Security Numbers are **required** for LIHWA , and agencies are strongly encouraged to retain a copy of the Social Security Card or other documentation (when provided) for the client file in accordance with state retention schedules. **Agencies must require proof of Social Security Numbers from all household clients.**

   In those cases where circumstances prevent clients from providing a Social Security Number, OPUS will issue a unique client identification number (OPUS System ID) to prevent duplication of services when entering household information into system**.**

   Links to:

   - The Social Security Administration website

   - SSA info about SSNs here and here

     Note: A valid SSN will not begin with 000, 666, or 900-999.

4. **Social Security Number Verification:** Select if the SSN was verified, if it was not verified, or if the client received an exemption. If the SSN has *not* been verified and documented, the client will not be counted for the purposes of benefit determination, but that client's income (if applicable) will be counted in the total gross income calculation for the household. When an OPUS System ID is used and the client meets the exception criteria, it must be noted in the client file which exception criteria have been met. Examples of exceptions for not providing an SSN may include, but not limited to the following:

   - Unavailable to custodial guardian/parent

   - Domestic Violence (DV) (any information regarding DV should only be documented in/on the paper file, **NOT** in OPUS)

   - Minors under the age of one (1)

   - Adults applying for SSN with letter of SSN application

5. **Adult Identification Verified**: Check the box if the if the adult client's identification has been verified and documented. If adult ID has *not* been verified and documented, the client will not be counted for the purposes of benefit determination, but that client's income (if applicable) will be counted in the total gross income calculation for the household.

6. **Email Address**: Enter the email address for the client, if applicable.

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7. **Phone:** Enter a primary telephone number for the client. When available enter secondary phone number(s).

8. **Mailing Address:** Enter the client's mailing address, especially if different from physical address.

9. **Physical Address:** Enter the client's physical address. The physical address on the application **must match** the service address on the utility bill/vendor receipt. If the physical address is not on the standardized utility bill, vendor receipt, or landlord letter, an alternate documentation of physical address must be provided. *Changes to OPUS should not occur for minor discrepancies in the address format between utilities (i.e., 1234 W. Main St. versus 1234 Main St. W.).*

ALL DEMOGRAPHIC DATA MUST BE REQUESTED FOR EACH CLIENT (*However, services will not be denied for refusal to provide demographic information*)

6.10. **Language:** Select the applicable language for the client.

7.11. **Gender:** Select the applicable gender for the client.

8.12. **Ethnicity:** Select the applicable ethnicity for the client.

9.13. **Race:** Select the applicable race(s) for the client.

10.14. **Oregon Tribes:** Select the applicable Oregon Tribe(s), if any, for the client.

11.15. **Education:** Select the highest level of education completed for the client.

12.16. **Disability:** Select the applicable disability status for the client.

13.17. **Veteran:** Select the applicable veteran status for the client.

14.18. **Homebound:** Select the applicable homebound status. If the client is homebound, select the transportation status for the client when prompted.

19. **Non-Cash Benefits:** Select all applicable non-cash benefit(s) that the client receives (i.e., food stamps, public housing, WIC, etc.).

20. **Income/Employer:** Select if the client had any income for the determination period elected by the local agency (either the prior full calendar month or the previous 30 days).

21. **Source**: Enter the source of income (i.e., name of employer, type of deposits such as SSA or Unemployment). Those sources of income **earned** by minors enrolled in high school do not need to be reported but may be notated. If income is **received** in care of a minor, that income must be counted either under the minor client's name or adult client's name who holds guardianship.

22. **Type**: Select the type of income received by the client.

23. **Amount**: Enter the total GROSS amount received by the client during the elected time period.

24. **Frequency**: Select the frequency for the amount entered. *All clients must be determined eligible or ineligible monthly prior to determining eligibility for quarterly or yearly periods.*

25. **Verified How:** Select the type of documentation used to verify income for the client (i.e., check pay stub, FSRN, award letter, etc.).

26. **Don't use this record when creating Energy Module payments:** Check this box for income considered non-countable for LIHWA (i.e., TANF).

27. **Employer Information:** Enter employer's information, if available (at a minimum, enter employer's phone number)**.**

Dwelling Information (*Found in the "Residence View" screen in OPUS*):

28. **Residence Type:** Select the residence type (i.e., duplex, tri-plex, house, etc.).

29. **Residence Status:** Select the residence type (i.e., rent, own, etc.).

30. **Energy Sources:** Select all applicable energy sources for the residence, and select the primary source used for heating purposes.

Vendor Information (*Found in the "Client Vendor" screen in OPUS):*

31. **Client:** Select the client considered head of household and/or who is listed on the bill.

32. **Account Number:** Enter the account number provided on the most recent vendor/utility bill or that which was identified through verbal contact. If a standardized account number is not used by the utility/vendor, at a minimum, the client's name must be listed in lieu of account number. *Leaving the account number box blank is not acceptable.*

33. **Name on Account:** Enter the name on the account exactly as noted on utility bill. **The intake worker should place notes when the client's name is different (i.e., spelling is different, landlord is account holder, etc.).** For rentals where the client pays the landlord, the landlord authorization form must be on file.

    Every effort should be made to place an adult client of the household on the utility bill/account. In cases where this is not feasible, justification must be well documented in client's file and in OPUS. Examples may include, but not limited to:

    ➤ Domestic Violence (DV)/Safety Concerns (any information regarding DV should only be documented in/on the paper file, ***NOT*** in OPUS)

    ➤ Military Deployment of the Account Holder

> ➢ "Payee" or "Power of Attorney" Arrangement
>
> ➢ Incarcerated Account Holder

Payment Information (*Found in the "Payment New" screen in OPUS):*

34. APC: Select the correct APC based on the client's residence county and the LIHWA program funding source.

35. Applicant Information: Select the client considered head of household and/or utility/vendor bill and verify the information is correct for household income and number of eligible clients in the household.

36. Energy Type: *This does not apply to LIHWA, just leave this as is.*

37. Life Threatening Crisis: Select the timeframe in which the client is in a life-threatening crisis due to their water and/or sewer services (i.e., disconnected service, pending disconnection service), if applicable.

38. Refer for Weatherization: Click the box if the client is referred to Weatherization Services.

39. COVID19 Impacted: Click the box if the client has been impacted by COVID19.

40. Referral to Non-Energy Service: Click the box if the client is referred for Non-Energy Service (i.e., prescription assistance, rental assistance, food box, etc.).

41. Energy Advocacy: Click the box if the client is provided advocacy for either water/sewer or energy (i.e., assisting with payment plan, arrearage forgiveness, medical certification, etc.).

42. Calculating Income: Determination of income is based on all household income ***before any deductions*** (this is known as **gross income**). *(See "What Is Income and What Is Not Income" chart in Section Two.)*

All income from all clients in the household—earned through self-employment or regular employment, unearned or received through benefit, or otherwise—must be documented and verified. The only exception to this is income EARNED by minor clients of the household who are still enrolled in high school. Income must be entered exactly as calculated; do not round up or down, do not project or average income. Intake workers must verify with the local agency to determine if income is collected and calculated based on the prior full calendar month or previous thirty (30) days.

> **NOTE:** Each source of income must be associated with a specific client of the household.
>
> **NOTE:** For self-employment, the intake worker should use the net amount (gross income minus business receipts).
>
> **NOTE:** Income that exchanges hands within a household is not countable income.

Income Calculations: Income for each client of the household is calculated as follows, based on the local agency's election of eligibility determination:

Monthly: Collect all income paid to or received by the client during the prior full calendar month or previous 30 days from the date of intake. Once entered into OPUS, it will automatically project out the annual income (multiplying the monthly income by twelve (12)).

Quarterly: If the client is ineligible based on monthly income, collect all income paid to or received by the client during the prior full three (3) calendar months or previous 90 days from the date of intake. Once entered into OPUS, it will automatically project out the annual income (multiplying the quarterly amount by four (4)).

Annual: If the client is ineligible based on monthly and quarterly income, collect all income paid to or received by the client during the prior full twelve (12) calendar months or previous 365 (or 366) days from the date of intake.

Income certification: Household income must be certified at the time of intake (mail-in applications may consider date signed as date of intake). That certification is valid for a maximum of sixty (60) days. Agencies may require income certification from all households more often, however, timelines must be consistent for all households and all completed file requirements (as outlined on page 1.12) must be followed. **Express enrollment using a LIHEAP or LIHEAP-ARPA payment serve as the exemption for this.**

Express enrollment: Express enrollment may be used to determine income eligibility as long as the intake worker verifies that the household composition and residence are the same. Completed LIHEAP or LIHEAP-ARPA applications may be used for the household in the current program year (i.e., LIHWA in September 2022 must use LP22 or LP22-ARPA, LIHWA in May 2023 must use LP23 or LP23-ARPA). Include a printout of the OPUS household screen or payment view/receipt with the application in place of income, SSN, and ID documentation.

43. **Program Payment Type:** Select payment type out of the following program options: Standard, Crisis, or Combo.

44. **Authorization Number:** Enter the application authorization number or leave blank to allow for OPUS to generate a number automatically**.**

45. **Vendor Information:** For either water, sewer, or split payments, select the vendor's name, enter the amount owed to the vendor, and select the account status (i.e., current, past due, etc.). **Please note: The "Disconnected" option should only be used when utility service is actually disconnected.**

46. **Payment Comment Box:** This section must be used for payment notes and/or special circumstances for the payment. This includes, but is not limited to:

- Total account balance and amount required to avert disconnect/reconnect

- Justification for crisis or combo payment and amount *(particularly when the benefit exceeds documented need or may result in a credit on a utility/vendor account)*
- Reason for denial or void

47. **Signatures:** The client signs and dates the application after they have reviewed with the intake worker the information and have been notified of their benefit award amount, as well as having read the LIHWA Program disclaimer. The intake worker then signs and dates the application; upon request, a copy of the application is then provided to the client for their records.

Electronic signatures and authorizations: For those circumstances where obtaining a traditional original signature is either not possible or presents an unreasonable hardship for the client, an emailed, faxed, or electronically transmitted document can be accepted. However, all documents must be printed and either stamped or marked as "Original."

Verbal signatures and authorizations: For those circumstances in which a signature and date cannot be obtained for the LIHWA disclaimer and application, such as for intakes completed over the phone, the intake worker may read aloud the LIHWA disclaimer to the client. If the client agrees that the information submitted is true and accurate to the best of their knowledge, the intake worker will write "verbal signature exemption", then date the document and indicate appropriate notes in OPUS. If the agency receives an electronic or hardcopy signature for the application at a later date, the intake worker may make notations in OPUS and add it to the original file.

Power of Attorney Signatures: If a non-household member is signing the application/OPUS Water Intake Report, a Power of Attorney form or a "permission to sign" form with a justification must be included in the file and noted in OPUS.

LIHWA PROGRAM APPLICATION---Required Language for Applications

LIHWA DISCLAIMER

With my signature, I, the Applicant, agree to the following statements regarding the Low-Income Household Water Assistance (LIHWA) Program:

❖ I attest that the information stated in this application is true and accurate and will be used to determine my eligibility for water and/or wastewater assistance.

❖ I understand that the information provided, if misrepresented or incomplete, may be grounds for immediate application termination and/or could result in penalties as specified by law, including but not limited to enforcement under the Federal and Oregon False Claims Acts.

❖ I agree, as the water and/or wastewater services account holder, to the additional Release of Information to the water and/or wastewater provider or its authorized partners and representatives as necessary to verify services provided and those costs associated with services and process payment.

❖ If I pay my landlord or authorized representative for water and/or wastewater services, I have provided a signed Landlord Authorization Form as Release of Information.

❖ In addition, I agree that data from this application and from my water and/or wastewater services account (not including my personal identifying information) may be used for reporting or program evaluation purposes by the water and/or wastewater provider, its authorized partners and representatives, and the State of Oregon, including but not limited to Oregon Housing and Community Services (OHCS) and its authorized partners and representatives.

_____   _____
Applicant Signature   Date

DESCARGOS DE RESPONSABILIDAD DEL PROGRAMA

Con mi firma, yo, el Solicitante, estoy de acuerdo con las siguientes declaraciones en lo que respecta de Asistencia de Agua y Aguas Residuales (LIHWA):

❖ En certificado que la información provista en esta solicitud es verdadera y correcta y se usa para determinar mi elegibilidad para asistencia de agua y aguas residuales.

❖ Yo entiendo que la información provista, si tergiversada o incompleta, puede resultar en una terminación inmediata y/o puede resultar en sanciones según lo especificado en el lay, incluyendo, pero no limitado a, los Actos de Reclamos de federal o Oregón.

❖ Como titular de la cuenta de servicios de agua y/o aguas residuales, yo estoy de acuerdo con la liberación de información adicional al proveedor de servicios de agua y/o aguas residuales o sus representantes a verificar los servicios prestados y los costos asociados con esos servicios y para procesar pagos.

❖ Si pago mi propietario u otro representante autorizado para servicios de agua y/o aguas residuales, yo previsto la forma de Autorizado de los Propietarios con firma para la liberación de información.

❖ En adicional, yo estoy de acuerdo que los datos e información en esta solicitud y este del proveedor de servicios de agua y/o aguas residuales (no incluyendo mi información personal o identificativa) puede ser utilizado para reportar o evaluar del programa por el proveedor de servicios de agua y/o aguas residuales, sus socios y representantes autorizados, y el Estado de Oregón, incluyendo pero no limitado a la agencia de Vivienda y Servicios Comunitarios del Estado de Oregón (OHCS) y sus socios y representantes autorizados.

Firma del Solicitante   Fecha

~~Each agency must have a process in place to assure compliance with this program guideline. Staff should verify policies and procedures with their local agency.~~

Completed Files and Distribution of Authorization Copies

The original application and all supporting documentation must be maintained by the local agency. As part of an official agency file, the original application should be kept in the sub-grantee's or sub-recipient's official program files. It is not necessary to maintain separate number and alpha files. All official program files must comply with standard records management principals. There must be a date recorded on all authorizations for audit purposes.

Each agency must have a process in place to assure compliance with this program guideline. Staff should verify policies and procedures with their local agency.

~~A completed file must have the following:~~

~~• File is defined as an original application with all supporting documentation for a single payment from~~

~~a single funding source including original signatures. "Signature on file" is not acceptable.~~

~~• The completed application and OPUS must match.~~

~~1. The file must contain one of the following with all required signatures and dates in addition to current year~~

~~disclaimer:~~

~~➢ Local Application~~

~~➢ OPUS Water Intake Report~~

~~Local applications and/or OPUS Water Intake Reports must be signed and dated by the applicant, the~~

~~intake worker, data entry worker (if applicable), and an authorizing agency representative. If a nonhousehold member is signing the application/OPUS Water Intake Report, a Power of Attorney form or~~

~~a "permission to sign" form with a justification must be included in the file.~~

~~An intake worker is generally defined as the person who gathers information, conducts the interview~~

A completed file **must have** the following:

1. A signed LIHWA application, using either a local application or the OPUS Water Intake Report, with all required signatures and dates/times. **Signature notes**: The same person may sign for both the intake and data entry lines (~~as long as notated for both~~by signing on the intake line) but there must be a separate person signing for the authorizing agency representative. ~~The same person cannot sign for both intake/data entry and authorizing agency representative.~~ All applications must be reviewed by both

intake/data   entry   and   authorizing   agency   representative prior to being authorized in OPUS.

2. Income documentation for all household clients, excluding income EARNED by minor clients of the household who are still enrolled in high school. This could include, but is not limited to:

   ➢ Wage Slips

   ➢ Employer Statement

   ➢ Official State and/or Court documents

   ➢ Benefit Award Letters

   ➢ Self-employment form

   ➢ Bank Statements (only to verify SSI payments)

   Any gaps in income during the eligibility period may be covered by statements from employers, proof of the following gross income, or a Declaration of Household Income (DHI) or Declaration of Zero Income (DOZI) form. If an adult client has no source of income for the entire eligibility period, they are required to complete a DHI/DOZI. *The Food Stamps screen should only be used as last resort verification for limited types of income.*

   Income documentation may be replaced with a printed screenshot of the OPUS household screen or payment view/receipt of the LIHEAP or LIHEAP ARPA payment received in the current program year if using express enrollment.

3. Copy of a current utility bill. Because the LIHWA Program commits payments to cover the balance in full, the utility/vendor bill needs to be current as of the date of data entry. If the billing cycle does not cover this date, the intake worker will need to verify with utility/vendor for updated account information via Utility Verification Form).
   The service address on the bill must match the client's physical address. Verbal contact with
   The service address on the bill must match the client's physical address. Verbal contact with
   The service address on the bill must match the client's physical address.
   Verbal contact with utilities/vendors must be documented and included in the client file. If verbal contact is made by phone or through utility portal, the following information must be included on a *Utility Verification Form*. A printout of the client's information obtained via a utility portal may be used in place of a utility verification form. This form must include:

   ➢ Name(s) of utilities provider/vendors

   ➢ Name of Person(s) contacted (if verifying via a log-in required utility portal, make note)

   ➢ Date(s) of contact

> ➢ Utility provider/vendor account number(s)
>
> ➢ Verification of name and address on account(s)
>
> ➢ Current total account balance due
>
> ➢ Signature of agency representative completing form (clients <u>may not</u> fill out the Utility Verification Form for themselves, it must be done by agency staff)

4. <u>Documented justification</u> for a crisis/combo payment, as described in *Section Three*.

5. <u>Documented proof of all household clients'</u> Social Security Numbers and copies of Identification for all adult clients in the household.

   Proof of SSN and ID may be replaced with a printed screenshot of the OPUS household screen or payment view<u>/receipt</u> of the LIHEAP or LIHEAP ARPA payment received in the current program year if using express enrollment.

6. Copy of any additional correspondence/documentation used during intake, such as:

   > ➢ Notice of Action (NOA)
   >
   > A NOA is required when an application is placed on hold, in pending status, or when a benefit amount changes. A NOA may be required by the local agency for other changes or modifications.
   >
   > ➢ Declaration of Household Income Form (DHI) and/or other local agency form(s)
   >
   > ➢ Self-Employment Form
   >
   > ➢ General Release of Information Form
   >
   > ➢ <u>Any additional file/documentation that may be required by the agency. Staff should verify policies and guidelines with their local coordinator.</u>

   Please Note: Any local forms with signature lines must be signed by the client(s).

Pending Applications

Applications that need additional eligibility verification documentation may be placed in either ***pending status*** or ***hold status*** in OPUS. <u>The intake worker should fill out a Notice of Action (NOA) Form with the following information:</u>

- <u>Reason the application has been placed in pending/hold</u>

- <u>Information needed to complete the application</u>

- <u>Date by which the information is to be provided (within fifteen (15) calendar days unless otherwise authorized by the local agency)</u>

- <u>Result if information is not received by deadline (including denial of application)</u>

Once the NOA has been filled out, then the intake worker should review details with the client if in person or mail the NOA to the client for prompt reply. If changes are made to the client record after issuing a payment in OPUS, during pending status, the household must be "re-qualified" in OPUS for these changes to be reflected on the payment.

Denied Applications

An application is ***denied*** if the client fails to meet program eligibility requirements at the time of application or after the appropriate pending/hold period has been exhausted.

Clients must be provided a copy of the application or an NOA, which outlines the reason for their denial. For clients whose applications were placed in pending/hold then denied due to non-completion, the original NOA is sufficient notice of denial.

All notices of denial (including pending notices) must document reason for denial and include information regarding fair hearings. Any client whose claim for LIHWA assistance is either denied or is not processed with reasonable promptness is entitled to ask for a fair hearing at the local agency level.

All denied applications must be kept on file and have an intake (and data entry) and authorizing signature. Unless a client refuses, a client signature is required on all denied applications. **If refused, write "Refused" in place of the client signature.**

OPUS will require comments for denying household payments.

Clients may contact Oregon Housing and Community Services (OHCS) within thirty (30) days of the agency hearing decision to request that OHCS review the agency hearing decision for material deficiencies. The request must be in writing and delivered or mailed to OHCS at 725 Summer St NE Suite B, Salem OR 97301, or by email to HCS.waterassistance@hcs.oregon.gov. Review by OHCS, and the manner thereof, is at the sole discretion of OHCS.

Voided Applications

An application is ***voided*** when it is found to be in error after processed in OPUS or if the application is withdrawn by the applicant *after* it has been signed by an intake worker but not batched in OPUS. If the application has already been batched in OPUS, the local agency must seek assistance with the void process through the OPUS HelpDesk.

Voided applications do not need to be printed, but the reason for voiding an application must be documented in OPUS.

Accurate data entry is very important. Data entry errors can lead to duplicate or denied applications. Inaccurate entry of address or account number(s) could result in checks being mailed to the wrong address or applied to the wrong account.

<u>**Unusual Eligibility Situations**</u>

The following section provides basic guidance regarding eligibility determination in unusual situations. This information is not intended to be comprehensive, and discretion should be used in circumstances that do not fall neatly into the categories listed below.

- **Dwellings with a Shared Meter:** Many applicants reside in a dwelling that utilizes a single or master meter. These may include, but are not limited to:

  a) **Multifamily Complexes and Manufactured/Mobile Home Parks**: Multifamily properties or manufactured/mobile home parks that have one water/sewer meter supplying more than one residential unit. Typically, the property/park owner or landlord is the utility account holder. *A landlord authorization form must be on file.*

  b) **Roomer/Boarder:** A roomer/boarder is a person who rents a room from the building owner. A roomer/boarder does not have a separate site address from other occupants of the building and independently provides their own necessities of life (i.e., food, living costs). A roomer/boarder in a single-family structure must verify he or she is not part of the economic unit of the other tenants of the structure (i.e., rental agreement). *A landlord authorization form must be on file.*

  c) **Co-Habitants/Roommates:** Persons living in a housing arrangement with their own room, who share common spaces (i.e., kitchens, living rooms, TV rooms, recreation rooms) and the cost of necessities of life. Cohabitants/roommates are generally *not* considered roomers. Persons sharing common spaces are part of a household with other members and eligibility must be assessed for the whole group as an economic unit (household).

  d) **Neighbors/Land Sharing:** Applicants who obtain their water/sewer from a neighboring residence are not eligible to receive LIHWA independently. However, they may apply as part of the neighboring household.

  e) **Hotels/Motels:** Applicants may be eligible for LIHWA if they have resided in a hotel/motel for more than thirty (30+) days **OR** if they are paying a "rental" (long-term) rate. Applicant is responsible for verifying length of stay and/or special rate. *A landlord authorization form must be on file*.

  f) **Group Homes:** Applicants who live together and receive support from caregivers. Group homes administered under a contract with or administered by a government unit are considered an "institution" and are not eligible to receive LIHWA services (i.e., most nursing home facilities). Contact the State LIHWA Coordinator for eligibility questions.

  g) **Institutions**: Applicants living in institutions are not eligible to apply for LIHWA. Institutions include, but are not limited to, correctional facilities, nursing homes, alcohol/drug rehabilitation

centers, treatment programs, dormitories, fraternities, sororities, domestic violence shelters, and homeless shelters.

- **Commercial or Non-Residential Utility Account**: Applicants with a commercial or non-residential utility account are **_not_** eligible to receive LIHWA.

- **Companion/Attendant/Caregiver (C/A):** Some applicants may have someone living with them who provide health/supportive services. If the caregiver lives with the applicant and that is their only residence, they will be counted as part of the household and their income will be included. If the caregiver provides documentation that they have their own residence, they will not be included as part of the household and income will not be included. If the live-in caregiver is paid solely by the applicant and no other money is paid from outside of the household the income of the caregiver will not be counted as income. If the live-in caregiver is paid from a source outside of the residence that amount shall be counted as income.

- **Household Separation:** If a previously served household separates, adults who move to a new household and reapply need to be assessed for eligibility at that time.

- **Counting Children in more than one household:** Children can be counted in more than one household based on local agency decision and policy. Both households may qualify for a standard payment.

- **Account holders other than adult(s) in the household:** Renting households may have the account holder as the landlord, which will require the Landlord Authorization Form to be on file. Some households may establish accounts in the name of minor household member or adult outside of the household to avoid large arrearages or maintain utility service. In this later case, agencies are advised to work with the applicant, utility, and OHCS to re-establish an account in the proper name including arranging for additional LIHWA assistance if necessary.

- **Passing of account holder or other unusual situations:** In unusual situations, such as if a client passes away before the LIHWA payment reaches the utility/vendor, contact the State LIHWA Coordinator for assistance.

- **Agency Staff as Clients:** Eligible agency staff may apply for LIHWA. Employee applications must be approved and signed by the Executive Director or their designee. **A list of agency staff receiving LIHWA must be retained for auditing purposes and supplied to OHCS upon request**.

- **Family and Friends as Clients:** Eligible family members and friends may apply for LIHWA; however, a staff person other than a family member or friend should conduct the interview. In agencies where it is otherwise not possible to meet this criterion, the staff person **_must_** record the relationship in OPUS and on the application. All applications of family and friends must be approved and signed by the agency Executive Director or their designee. **When friends or family members are assisted at the**

agency, a list of those served and the relationship must be retained for auditing purposes and supplied to OHCS upon request.

Please note that these are minimum requirements, and the definition of "friend" is not always clear. For further guidance staff should verify policies and procedures with their local agency.

- **Tribal Members:** The following Tribes received LIHWA funds directly from US Health and Human Services (US HHS):

  ➢ Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians

  ➢ Confederated Tribes of Grand Ronde

  ➢ Confederated Tribes of Siletz Indians

  ➢ Confederated Tribes of Warm Springs

  ➢ The Klamath Tribe

  For those agencies with the above tribes in their service territory: If a member from one of the above listed tribes lives on a reservation or on tribal trust lands, they should be referred to seek assistance from their tribal LIHWA program first. If for any reason an eligible tribal member is unable to access their tribal LIHWA program (i.e., out of funds, geographically inaccessible, unanticipated hardship), they should be served as any other eligible household.

  Households affiliated with Oregon tribes **not listed above** should be treated as any other household.

  Any deviation from these policies must be approved by the State LIHWA Coordinator within local agency work plans.

Fraud and Determination of Fraud

Fraud can involve clients, employees, or vendors. In all cases of actual or suspected fraud, the sub-grantee shall take necessary action to recover the funds and must inform OHCS. Fraud occurs when a household or business takes any of the following actions knowingly, willfully, and with deceitful intent by:

- Making false statements, or knowingly assisting clients to make a false statement(s) to the agency or its agent(s), either orally or in writing, to receive benefits, services, or payments, for which the household/business are not eligible.

- Concealing information that would change or disallow benefits for the household.

- Violating provisions set forth in the program regulations, vendor contracts, or other documents pertaining to LIHWA.

Identity Theft

OHCS is committed to mitigating identity theft amongst low-income Oregonians who receive LIHWA funding. In addition to protecting the privacy and confidentiality of clients, agencies should also be making efforts to ensure that day-to-day program practices guard against identity theft.

Recovery of Ineligible Assistance

The local agency is responsible for recovering duplicate payments, overpayments, and forgeries. Agencies should first determine if the ineligible assistance is due to agency error or applicant error. *If assistance has been provided due to agency error, the agency is responsible for repayment and/or recovery of ineligible benefits.*

If ineligible benefits are due to client error or fraud, agencies should follow the recovery procedure as outlined below:

Notify the vendor with information about the problem, and request return of the funds. If entire amount is returned from the vendor, the case is closed.

If funds have already been applied to the client's account by the vendor, the client is responsible for repaying the full benefit amount to the local agency. Send a certified letter to the client requesting reimbursement and provide a specific date for response. If fraud is suspected, include the fact that no response to the letter will result in the case being turned over to appropriate authorities for fraud investigation.

1. Send a copy to OHCS and keep all related documents in the client file. The client's Authorization Number must appear on all correspondence.

2. If there is no response within thirty (30) days from initial client contact, send a second letter to the client by certified mail, return receipt requested, with a copy to OHCS. This letter shall state that the matter is being turned over to OHCS, as of a specific date (use seven (7) days from date certified letter was received), for fraud investigation.

All cases of actual or potential fraud must be reported to the State LIHWA Coordinator at OHCS. Additionally, all attempts to recover LIHWA funds by an agency must be reported *in writing* to OHCS.

Should the client not complete their obligation to repay all ineligible funds received, notify OHCS.

Declaration of Household Income (DHI)

All household income must be accompanied by documentation. For adult clients claiming no income or irregular income without documentation for verification, must sign a Declaration of Household Income (DHI).

This form *must* be used for the following circumstances:

- A client has no income

- A client has irregular income—such as resulting from occasional work like mowing lawns, childcare, donating blood, collecting cans/bottles—and/or a household whose income is from an informal child support agreement

- Regular cash gifts; *clients receiving gifts at least three (3) consecutive months will be counted as income*

The DHI form must contain:

- "Head of household" or main client's name

- Name of adult client claiming zero or irregular income

- Amount and type of income (if applicable)

- The month/timeframe for which information is being collected

- A brief description of how basic needs (shelter, utilities, food) is being met

- A statement certifying accuracy of information

- Client's signature and the date signed

Local agencies may require applicants and/or households claiming zero income to submit additional information. Staff should verify policies and procedures with their local agency. **If client has regular income with gaps during the eligibility period, the DHI may be used in place of statements from employers or proof of the following gross income.**

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Self-Employed Clients

For clients who are Self-Employed, income should be based upon the adjusted gross income, or net income, remaining after the cost of doing business (gross income minus business expenses). Business expenses include all costs necessary to maintain the business.

Previous year's losses or expenses are not allowed to be carried forward.

All self-employed applicants (including those landlords who own rental properties) should complete the self-employment form.

Additional supporting documentation may be required at the local level. Staff should verify policies and procedures with their local agency.

SECTION TWO: INCOME

This Section contains:

✔ Income Definition and Determining Income Eligibility
✔ Income and Income Exclusion Chart
✔ Proof of Income
✔ What Is Not Income
✔ Private Disability Insurance and Gross Income
✔ Calculator for Social Security Retirement Benefits

Income Definition and Determining Income Eligibility

To be eligible for assistance, a household's total gross income must be within the income guidelines, per total number of household clients with SSN and ID verified, provided by OHCS for each program year *(See Section Five).*

Households must provide documentation of their gross income for the eligibility period determined by their local agency (see Section One on calculating income—either priorlast full calendar month or previous 30 days). Declaration of household income (DHI) formsDHI forms must be used for the adult clients of the household claiming zero or irregular income (local agencies may require additional information). *Because TANF is countable income for LIHEAP, proof of receipt of TANF may be included in place of a DHI/DOZI but the income must not be counted towards the total household income.*

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Please Note:

- **Income that exchanges hands within a household is not counted.**

  Example: Bill lives with Mary and pays her cash for rent; the money he gives her would not be counted as income for Mary.

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- **If the name listed on the income documents differs from the legal name(s), the reason must be documented in the comment section. All income documents must have the client's name on them or be linked to a specific client in some form (SSN#, etc.).**

Income and Income Exclusion Chart

Income types	Definition	Considered Income?		Proof of Income
		Yes	No	
Adoption Assistance	Financial assistance and medical coverage granted to an adoptive family to offset the short-and long-term costs of adopting an eligible child	X		Official state and/or court documents
Alimony	An allowance paid to a person by that person's spouse or former spouse for living expenses	X		Court documents, written statement from person paying support, DHI form
Annuities	A specified income payable at stated intervals for a fixed or a contingent period, often for the recipient's life	X		Statement from investment firm or bank statement (as a last resort)
Cash Gifts - Irregular	Irregular cash gifts or payment on behalf of the household also includes loans and cash draw down on credit cards. (Gifts given for three consecutive months or more will be counted as income)		X	
Cash gifts - Regular	Must provide regular support for an individual or for the household, paid directly to the household. (Gifts given for three consecutive months or more will be counted as income)	X		Written statement from person providing support, DHI form
Child Tax Credit (CTC)	A tax credit for parents with dependent children		X	
Child Support	Money paid for the care of one's minor child. Include Child Support income that is provided to minors	X		Court documents, written statement from person paying support, DHI form, Reliacard statement or bank statement (as a last resort)
Contract for Deed	A land contract is a contract between a seller and buyer of real property in which the seller provides financing to buy the property for an agreed-upon purchase price and the buyer repays the loan in installments	X		Contract documents, receipts

Income types	Definition	Considered Income?		Proof of Income
		Yes	**No**	
DHS Cash Assistance (SNAP in the form of cash assistance instead of food stamps) *(See also Food Stamps)*	Cash assistance deposited directly into household bank account		X	
Disability Insurance (Private)	Income payable at stated intervals for a fixed or a contingent period	X		Official documentation such as an award letter or benefit verification letter (see addendum at the end of Section Two for additional information)
Dividends	A sum of money paid to shareholders of a corporation out of earnings	X		Letter from corporation listing amount or a bank statement
Earned Income	Wages, Salaries, Commissions, Bonuses, Profit Sharing, Tips, Vacation Pay, Overtime Pay, Severance Pay, Sick Leave	X		Wage Stubs or statement from employer
Earned Income Credit (EIC) [See also Child Tax Credit (CTC)]	A tax credit for low-income households		X	
Employers paid fringe benefits	Health Insurance, retirement, etc.		X	
Energy Grants	Money received under last year's LIHEAP, OEAP or from private utility energy assistance programs		X	
Federal Disaster Payments	Payments made by federal agencies under a presidential declaration of disaster		X	
Food Stamps (see SNAP) *(See also DHS Cash Assistance)*	Assistance given under a federal program to eligible persons for food at designated grocery stores or markets		X	

Income types	Definition	Considered Income?		Proof of Income
		Yes	**No**	
Foster Care	Payments made to foster families. Types of foster care: Family Foster Care, Special Rate Foster Care, Family Shelter Care, Relative Foster Care, Independent Living Program	X		Official state and/or court documents
Foster Grandparents Program	A program for limited income people age 60 and older to serve as a role model, mentor and friend for a small stipend		X	
GI Bill	Any of various Congressional bills enacted to provide funds for college educational cost, which may include tuition, fees, books, and housing costs		X	
Home Ownership Voucher Program	Section 8 home ownership program		X	
ICP – Independent Choices Program	The Independent Choices Program (ICP) provides Medicaid recipients with monthly cash payments and to manage or self-direct their own care instead of receiving care services managed by the state. These monies are not to be considered income for the Medicaid recipient, but are considered wages for the person the Medicaid recipient is paying for their care		X	
Income Earned by household members still enrolled in high school	Income Earned by household members eighteen (18) and over, who are enrolled in high school		X	
Income Earned by minors	Income Earned by household members under the age of eighteen (18)		X	
Income Exchanged within the same household	Income received by one household member and paid to another within the same household		X	
Income Not Counted By Law- Domestic Volunteer Service Act	Title I: Volunteers In Service To America (VISTA), AmeriCorps, University for Action (UYA), Urban Crime Prevention Program		X	

Income types	Definition	Considered Income?		Proof of Income
		Yes	No	
Income Not Counted By Law- Domestic Volunteer Service Act	Title II: Retired Senior Volunteer Program (RSVP), Foster Grandparent Program (FGP), Older Americans Service Program (Senior Health Aides, Senior Companions)		X	
Income Not Counted By Law- Domestic Volunteer Service Act	Title III: Service Corps of Retired Executives (SCORE)and Active Corps of Executives (ACE)		X	
Income Not Counted By Law- Title V of the Older Americans Act	Experience Works, Senior Health Aides, Senior Companions, Volunteer Respite care		X	
Income Not Counted By Law – Title I of the Workforce Investment Act of 1998 (WIA)	Supportive services to WIA participants. Services include transportation, health care, childcare, handicapped assistance, meals, temporary shelter, counseling, etc.		X	
Indian Per Capita Judgment Payments	Payments made to any tribe or group whose trust relationship with the Federal Government has been terminated and for which Legislation in effect before October 12, 1973, authorized the disposition of its judgment funds		X	
Informal income	Income resulting from occasional sources such as yard work, childcare, collecting bottles/cans, donating blood and/or plasma, etc.	X		Receipts, DHI
Inheritance	Property, monetary passing at owner's death to the heir(s) on a regular basis (not counted if one-time, lump sum payment)	X		Letter, Statement from lawyer, Bank Statement
In-kind Income	Food or rent received in lieu of wages		X	
Interest	The sum of money paid to one for the use of their money	X		Bank statement (only if amount is over $200, and is withdrawn)

Income types	Definition	Considered Income?		Proof of Income
		Yes	**No**	
Job-related expenses for non-self-employed applicants	Business expenses comparable to self-employment, such as a salesperson, truck driver, cab driver, or mechanic		X	
Job related Reimbursements	Job related expenses such as mileage, meals, uniforms, medical expenses, etc.		X	
Lump Sum – Non-recurring	Income considered of a nature not likely to occur or happen again (i.e., lump sum insurance payments, workers compensation settlements, lottery winnings, sale of property, house, or car, etc.)		X	
Lump Sum- Recurring	Income received annually from the same source (i.e., wages, trust funds, etc.) Use OPUS income frequency "one time"	X		See definition of type of income received
Military Pay	Benefits paid to a person who is serving in a military force	X		Official document(s) stating amount (i.e., leave and earnings statement)
Pensions	Assistance, paid at regular intervals to a person or to the person's surviving dependents in consideration of past services, age, merit, poverty, injury, or loss sustained, etc.	X		Statement from source, bank statement as a last resort, only if supported with client statement/documentation about any deductions (1099R is a good back-up for bank statement)
Rebates & Refunds	Income Tax rebates and refunds		X	
Rental Income	Income received from rental properties	X		Receipts, DHI, Self-Employment form)
Retirement	A monthly payment made to someone who is retired from work	X		Statement from source, bank statement- as a last resort only and must include written justification

Income types	Definition	Considered Income?		Proof of Income
		Yes	**No**	
Reverse Mortgage	A mortgage in which a homeowner, usually an elderly or retired person, borrows money in the form of annual payments which are charged against the equity of the home		X	
Royalties	A compensation or portion of the proceeds paid to an owner of a right, as a patent, oil, or mineral right, for the use of it or an agreed portion of the income from a work paid to its author, composer, etc.	X		Statement from source, bank statement.
Self-Employment Income	Income from a business, less business expenses	X		Agency developed Self-employment form and any supporting documentation that local agency may require.
Senior Companion Program	A program which offers an opportunity for volunteers aged 60 and over to provide companionship and support to homebound adults, most of whom are also seniors		X	
SNAP (Formerly Food Stamps)	Supplemental Nutrition Assistance Program.		X	
Social Security Disability Insurance (SSDI)	Social Security pays benefits to people who can't work because they have a medical condition that's expected to last at least one year or result in death. Federal law requires this very strict definition of disability. While some programs give money to people with partial disability or short-term disability, Social Security does not. Certain family members of disabled workers can also receive money from Social Security. NOTE: Deductions CAN be taken from SSDI.	X		Official documentation for the current year such as the benefit verification letter or from Social Security Administration (SSA) For more information about benefit verification, see **My Social Security** or use this **link**.
Social Security retirement benefits (SS)	The Social Security Retirement Insurance Benefits are a federally funded program administered by the U.S. Social Security Administration (SSA). These are benefits that apply to individuals who have earned	X		Official documentation for the current year such as the benefit verification letter from Social Security Administration (SSA)

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Income types	Definition	Considered Income?		Proof of Income
		Yes	**No**	
	enough Social Security credits and are at least age 62.			For more information about benefit verification, see **My Social Security** or use this **link**.
Supplemental Security Income (SSI)	Supplemental Security Income (SSI) is a federal income supplement program funded by general tax revenues (not Social Security taxes): - It is designed to help aged, blind, and disabled people, who have little or no income; and - It provides cash to meet basic needs for food, clothing, and shelter. (Note: no deductions are taken from SSI)	X		Official documentation for the current year such as the benefit verification letter from Social Security Administration (SSA) or a current bank statement. For more information about benefit verification, see **My Social Security** or use this **link**.
Strike Benefits	Benefit from Union Action	X		Copy of check, statement from Union
Student Aid *(See also Work Study.)*	The full amount of all financial assistance paid directly to the student or to the educational institution. This includes scholarships, grants, or loans, or GI Bill funds		X	
Temporary Assistance For Needy Families (TANF)	A program which provides assistance to needy families so that children may be cared for in their own homes or in the home of relatives		X	*Note: Do not remove a TANF entry already in OPUS; mark the "do not count" box ~~and collect a DHI~~*
Third Party Payments	Payment that goes directly to landlord, utility bill, etc. on behalf of the household		X	
Tribal General Assistance (Tribal TANF)	A program that provides assistance to tribal families		X	Note: Do not remove a Tribal TANF entry already in OPUS; mark the "do not count" box ~~and collect a DOZI~~
Tribal per capita payments	Tribal profits paid to a tribal member directly	X		Statement from tribe regarding payment amounts

Income types	Definition	Considered Income?		Proof of Income
		Yes	**No**	
Trust Fund	Money, securities, property, etc. held in trust and received on a regular basis (not counted if one-time, lump sum payment)	X		Letter, statement from lawyer, bank statement
Unemployment Insurance	An allowance of money, usually weekly, to an unemployed worker by a state or federal agency	X		Printout or statement from the employment office. (Ensure that gross weekly benefit amount is used)
Utility Allowance	An allowance of money, usually monthly, used to subsidize a person's utility costs.		X	
Veterans Benefits	Benefits paid directly to a person who has served in a military force or a surviving family member	X		Benefit award letter, correspondence from the VA office, benefit payment check, bank statement
Women, Infant, and children (WIC) Program	Women, Infants, and children (supplemental food program)		X	
Workers Compensation	Compensation for time lost due to a work-related illness or injury	X		Check stubs, statement from Workers Compensation, bank statement (as a last resort)
Work Study *(See Student Aid)*	The Work-Study program helps to provide graduates and undergraduates with part-time employment during the school year by paying a portion of the student's salary	X		Pay stubs

Proof of Income

Count **_all_** income for **_all_** household <u>clients</u>. The following items are acceptable as proof (*verification*) of income. If other items are submitted, please check with your supervisor for approval.

All income that comes to the head of household or adult household member in the name of a minor household member must be counted as income<u>, in OPUS under either the adult or minor</u>.

- **Adoption Assistance –** Official state and/or court documents.

- **Alimony –** Court order stating amount of support paid or received, written statement from person paying support, or if client is receiving support as part of an informal agreement and obtaining documentation creates a hardship on the client, a Declaration of Household Income (DHI) Form **must be** completed and signed.

- **Annuities –** Statement from the investment firm listing amount and frequency or bank statement (as a last resort).

- **Cash Gifts: Regular –** Written statement from person providing support, (DHI) form, and/or other local agency form (s). Gifts given for three consecutive months or more will be counted as income.

- **Child Support –** Court order stating amount of support paid or received, documentation from the Department of Child Support, bank statement (as a last resort), Reliacard statement, written statement from person paying support; or if the client receiving support as part of an informal agreement and obtaining documentation creates a hardship on the client, a (DHI) and/or other local agency form(s) **must be** completed and signed.

- **Contract for Deed –** Contract documents, receipts.

- **Disability Insurance (private) –** see "Private Disability Insurance and Gross Income" at the end of Section Two

- **Dividends –** Letter from corporation listing amount, bank statement.

- **Declaration of Household Income (DHI) and/or other local agency form(s) – <u>Must be</u>** completed and signed.

- **Earned Income –** Wages, Salaries, Commissions, Bonuses, Profit Sharing, Tips, Vacation Pay, Overtime Pay, Severance Pay, Sick Leave – Wage stubs or statement from employer specifying gross wages for one of the following time periods; one (1) month, three (3) months or twelve (12) months. (Wages earned through an employer.) *Local agencies will establish additional policies or documentation requirements to ensure accuracy and consistency.*

- **Foster Care –** Official state and/or court documents.

- **Informal Income –** Receipts, Declaration of Household Income (DHI).

- **Inheritance-** Letter, statement from lawyer, bank statement.

- **Interest –** Bank statement(s). Only to be counted if over $200.00 per year and is withdrawn.

- **Lump Sum Recurring-** See definition of type of income received for proof required if it is income received annually from the same source (e.g., wages, trust fund, etc.) Use OPUS income frequency "one time"

- **Military Pay –** Official document(s) stating amount (e.g., leave and earnings statement, bank statement). When a household member is deployed, that person remains a household member. The deployed person's gross income is counted as household income.

- **Pensions –** Statement from source, bank statement as last resort with documentation.

- **Rental Income –**Receipts, DHI, or self-employment form.

- **Retirement –** Statement from source or bank statement as a last resort with written justification.

- **Royalties –** Statement from source, bank statement.

- **Self-Employment Income –** Agency developed self-employment form and any supporting documentation that local agency may require.

- **Social Security Disability Insurance (SSDI)/Social Security Retirement (SS)/Supplemental Security Income (SSI) -** Official documentation for the current year such as the benefit verification letter from Social Security Administration (SSA) or a current bank statement (for SSI only). For more information about benefit verification, see My Social Security or use this link. Note that deductions CAN be taken from SSDI/SS but not generally from SSI. (*Follow **this link** to an Excel version of the calculator and refer to the addendum at the end of this section for policies around using the calculator*.)

- **Strike Benefits –** Copy of check, statement from Union.

- **Tribal per capita payments –** Statement from tribe regarding payment amounts.

- **Trust Fund-** Letter, statement from lawyer, bank statement.

- **Unemployment –** Printout or statement from the employment office; ensure that gross weekly benefits amount is used to calculate income.

- **Veterans Benefits –** Benefit award letter, correspondence from the VA office, benefit payment check, bank statement.

- **Workers Compensation –** Benefit Statement, check stub or bank statement (as a last resort).

- **Work Study –** Pay stubs.

What Is Not Income

- **Cash Gifts: Irregular –** Irregular cash gifts or payment on behalf of the household, includes loans and cash draw down on credit cards. Gifts given for three consecutive months or more will be counted as income.

- **Child Tax Credit (CTC) –** A tax credit for parents with dependent children.

- **DHS cash assistance –** SNAP in the form of cash instead of food stamps.

- **Earned Income Credit (EIC) –** A tax credit for low-income households.

- **Employers paid fringe benefits –** Health insurance, retirement, etc.

- **Energy Grant(s) –** Money received under last year's Low-Income Energy Assistance Program (LIHEAP), Oregon Energy Assistance Program (OEAP), or from private utility energy assistance programs.

- **Federal Disaster Payments -** Payments made by federal agencies under a residential declaration of disaster including, but not limited to, individual family grants from the Federal Emergency Management Agency (FEMA).

- **Food Stamps (SNAP) –**See SNAP on page 2.13.

- **Foster Grandparents Program –** A program for limited income people age 60 and older to serve as extended family members.

- **GI Bill-** Any of various Congressional bills, enacted to provide funds for college educational cost, which may include tuition, fees, books, and housing costs.

- **Home Ownership Voucher Program –** Section 8 Program. Payments may be cash payments or payments made on behalf of the household.

- **Income Earned by household members still enrolled in high school –** Income earned by household members eighteen (18) and over who are enrolled in high school.

- **Income Earned by minors –** Income earned by household members under the age of eighteen (18).

- **Income Not Counted By Law –** Income paid within the following programs:

Domestic Volunteer Service Act of 1973 (P.L. 93113)

Title I: Volunteers in Service to America (VISTA), AmeriCorps, University Year for Action (UYA), Urban Crime Prevention Program.

Title II: Retired Senior Volunteer Program (RSVP), Foster Grandparent Program (FGP), Older Americans Community Service Program (Senior Health Aides, Senior Companions).

Title III: Service Corps of Retired Executives (SCORE) and Active Corps of Executives (ACE).

Title V of the Older American Act: Experience Works, Senior Health Aides, Senior Companions, Volunteer respite care providers.

Title I of the Workforce Investment Act of 1998 (WIA)**:** Supportive services to participants. Supportive services include assistance that enables people to participate in the program, e.g., transportation, health care, childcare, handicapped assistance, meals, temporary shelter, counseling, and other reasonable expenses or participation in the program. Exclude all WIA-supported income received by dependent household members who are 18 years old or younger or attending school K-12.

- **Indian Per Capita Judgment Payments –** Payments made to any tribe or group whose trust relationship with the Federal Government has been terminated and for which Legislation in effect before October 12, 1973, authorized the disposition of its judgment funds.

- **In-kind Income –** Food or rent received in lieu of wages.

- **Job Related Expenses for Non-Self-Employed Applicants –** Business expenses comparable to self-employment, such as a salesperson, truck driver, cab driver, or mechanic.

- **Job Related Reimbursements –** Job related expenses such as mileage, meals, uniforms, medical expenses, etc.

- **Lump Sum: Non-recurring –** Income considered of a nature not likely to occur or happen again (i.e., lump sum insurance settlements, workers compensation settlements, lottery winnings, sale of property, house or car, etc.).

- **Rebates and Refunds –** Income tax refunds, Property tax refunds, renters' refunds, security deposits of utilities and rentals.

- **Reverse Mortgage –** A mortgage in which a homeowner, usually an elderly or retired person, borrows money in the form of annual payments which are charged against the equity of the home.

- **Senior Companion Program –** A program which offers an opportunity for volunteers aged 60 and over to provide companionship and support to homebound adults, most of whom are also seniors.

- **SNAP –** Supplemental Nutrition Assistance Program – Formerly known as Food Stamps. Assistance given under a federal entitlement program to eligible persons for food at designated grocery stores or markets.

- **Student Aid** (see Work Study) **–** The full amount of all financial assistance paid directly to the student or to the educational institution. This includes scholarships, grants, or loans.

- **Temporary Assistance For Needy Families (TANF) & Tribal TANF** – A program which provides assistance to needy families so that children may be cared for in their own homes or in the home of relatives.

- **WIC –** Benefits from the Women, Infant, and Children (WIC) Nutrition Program, Child Nutrition Act.

Private Disability Insurance and Gross Income

In some insurance documents the maximum amount the client can receive may be referred to as the *"gross amount"* or *"gross benefit"* or *"total benefit."* There may also be a deduction for a Social Security amount referred to as an *"offset"* or *"deduction"* and then an *"adjusted net"* or *"net benefit amount."*

In some insurance documents the maximum amount the client can receive may be referred to as the *"gross amount"* or *"gross benefit"* or *"total benefit."* There may also be a deduction for a Social Security amount referred to as an *"offset"* or *"deduction"* and then an *"adjusted net"* or *"net benefit amount."*

In these specific cases, the only way to get the correct gross income amount may be to use what's often referred to as the "net" amount by some insurance companies. However, clear documentation is essential in determining accurate income for the household. It is also important to note that the amount of the "offset" or "deduction" in the insurance documents must match the amount in the SSA benefit verification letter.

The examples below were taken from actual client files:

Example A

Client A receives a gross monthly benefit of private disability insurance for $1,166.39, less a*n offset* or *deduction* of Social Security (SS) in the amount of $847.00 resulting in a ***net monthly benefit of $319.39***. Client A also presents a benefit verification letter from the Social Security Administration showing a benefit of $847.00.

In this example and under the current policy, we would use the gross amount for the private disability insurance of $1,166.39 and add the SS income of $847.00 for a total gross income amount of $2,013.39.

However, the maximum the client will ever receive from both sources is $1,166.39. This is the amount that should be used to determine income eligibility.

Example B

The disability insurance benefit for Client B with dependent is determined as follows:

$1,786.15	Gross Monthly Benefit
- $825.00	Deduction for Social Security Disability
- $414.00	Deduction for Dependent Social Security Disability
+ $162.18	Cost of Living Adjustment (COLA)
= $709.33	***Monthly Benefit Paid***

In this example and under the current policy, we would add the gross amount of $1,786.15 and the $162.18 COLA for a total of $1,948.33. Because we also have Social Security benefit verification letters, we would add the Social Security benefits of $825.00 and $414.00 for a total gross income from both sources of $3,187.33.

However, the maximum the client will ever receive from both sources is $1,948.33 ($1,786.15 + $162.18). This is

the amount that should be used to determine income eligibility.

Calculator for Social Security Retirement Benefits

➢ This calculator is for use only in the months of December through January after Cost-of-Living Adjustment (COLA) has been released (generally in October):

- An applicant does not have a current Benefit Verification Letter AND

- It would be an unreasonable hardship to obtain a current Benefit Verification Letter AND

- **My Social Security** is not an option AND

- The automated SSA telephone system 800-772-1213 is also not an option.

➢ The COLA takes effect on January 1 for both Social Security Retirement and SSI recipients. If the applicant's current benefit amount (January 1 through December 31) is known and the amount of the COLA is known, the previous calendar year monthly benefit amount can be estimated.

➢ Benefit Verification Letters are generally released in January but are also now available electronically in December.

➢ The calculator may not be used in two consecutive years for any client.

➢ If the calculator is used, a copy of the calculator must be printed and included in the client file in addition to whichever benefit verification letter was provided by the client. In OPUS, the income verification drop-down box must show that the calculator was used and must also include a brief description as to why it was necessary.

➢ Use of this calculator is optional. However, if an agency decides to use it, the calculator must be used consistently for all clients in similar circumstances.

Intakes during October through November that are missing the Benefit Verification Letter:

Ideally, the letter from the previous *program* year application would be available/accessible from the client file, which would provide the award for the current calendar year. A copy of this letter should be used along with notation of the COLA increase (i.e., attaching the calculator).

Intakes during December through January that are missing the Benefit Verification Letter:

Clients may likely provide a letter for the upcoming calendar year rather than one for the current calendar year. First, verify the availability/accessibility of the letter from the previous *program* year application from the client file. If that letter is not available, the calculator may be used with the *new* letter.

An example of the Social Security calculator follows:

Social Security Income Calculation Worksheet

Social Security Retirement & Supplemental Security Income (SSI) recipients received a cost of living increase of 2.8% for Calendar Year 2019. The standard 2019 Medicare Part B Premium is $135.50 for 2019. For 2020 the COLA is 1.6% and the Part B Premium is $144.60.

Social Security Retirement

To calculate 2019 (prior year) Social Security income amount _from a 2020 benefit verification letter_:

1	ENTER the Social Security benefit amount for 2020, minus the medicare premium.	a.		*A bank statement may not be used because it will not show other deductions.*
2	If the 2020 benefit verification letter shows something other than the standard Medicare Part B amount and/or other deductions are shown, put the total amount in b. The standard Medicare Part B premium for 2020 is $144.60. The 2019 premium was $135.50.	b.		*This could be zero.*
3	CALCULATION: Adds lines a and b (Results in estimated 2020 gross benefit).	c.	$ -	
4	Cost of living adjustment (COLA) factor *<COLA % increase/100)=1=factor entered>* 1.016	d.	1.6%	
5	Divide line d by line c. The result is the **estimated** monthly **gross** 2019 income.	e.	$ -	*Estimated monthly gross is what we'd need to use for reporting (as well as income eligibility).*

This estimated gross income calculator may only be used in December and January when:

→ An applicant does not have a current Benefit Verification Letter AND

→ It would be an unreasonable hardship to obtain a current Benefit Verification Letter AND

→ **My Social Security** (https://www.ssa.gov/myaccount/) is not an option AND

→ The automated SSA telephone system **800-772-1213** is also not an option.

To calculate 2020 Social Security income amount _from a 2019 benefit verification letter_:

1	ENTER the Social Security benefit amount for 2019, minus the medicare premium.	a.		*A bank statement may not be used because it will not show other deductions.*
2	The standard 2019 Medicare Part B premium is $135.50. If 2019 benefit verification letter shows something other than the standard Medicare Part B amount and/or other deductions are shown, put the total amount in b.	b.		*Part B is not mandatory so this could be zero.*
	The standard 2020 Medicare Part B premium is $144.60.			
3	CALCULATION: Adds lines a and b (Results in estimated 2019 gross benefit).	c.	$ -	
4	2020 Cost of Living Adjustment (COLA) factor *<COLA % increase/100)=1=factor entered>* 1.016	d.	1.6%	
5	This is is the estimated monthly gross **2020** income.	e.	**$ -**	*Estimated monthly gross is what we will use for income eligibility, reporting, and determining energy burden.*

This estimated gross income calculator may only be used in December and January when:

→ An applicant does not have a current Benefit Verification Letter AND

→ It would be an unreasonable hardship to obtain a current Benefit Verification Letter AND

→ **My Social Security** (https://www.ssa.gov/myaccount/) is not an option AND

→ The automated SSA telephone system **800-772-1213** is also not an option.

The current year calculator worksheet is posted on the [OHCS website](#).

SECTION THREE: PAYMENT TYPES

This Section contains:

✔ Eligible Costs
✔ Ineligible Costs
✔ Determining Payment Amounts
✔ Multifamily Properties/Parks with Master Meters
✔ Payment Types

Eligible Costs

The purpose of the LIHWA Program is to **PAY OFF ALL** arrearages of drinking water and/or sewage disposal services costs. Eligible costs are those related to water and/or sewage disposal services. For a continuously updated list of eligible and ineligible costs, please see the LIHWA website. Examples of these include, but are not limited to, the following:

- Water base, use, and volume charges

- Sewer base, use, and volume charges

- Stormwater base, use, and volume charges

- Disconnection and reconnection fees

- Late and delinquent account fees

- Residential backflow prevention fees

- Administration fees specific for water, sewer, and stormwater

- Utility user tax

- Regional and local service fees related to water, sewer, and stormwater (i.e., Portland Harbor Superfund, water boards, bonds, etc.)

- Same day service and after-hours fees

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Ineligible Costs

Ineligible costs are those incurred for other services or unrelated costs as well as those incurred due to client manipulation (i.e., tampering). Examples of these include, but are not limited to, the following:

- Franchise fees

- Streetlight fees

- City operations fees

- Fees and charges related to meter tampering or damaged meters (due to household causes)

- Charges, fees, or bonds for electricity, heat, garbage, or other services

- Charges, fees, or bonds for city staffing services (i.e., police, fire, etc.)

- Irrigation fees or charges

- Road construction or maintenance fees

- Returned check fee

Those ineligible costs related to infrastructure—those costs necessary to repair or replace water and sewer pipes or mechanics—may be covered with CSBG or another allowable fund. In some cases, these repairs must be made prior to applying a LIHWA payment to ensure continuity of service. However, LIHWA funds shall not be used to cover these costs.

Determining Payment Amounts

Once a household is determined income eligible, agencies must determine the total account balance(s) for drinking water and/or sewage disposal services **at time of intake or data entry** (whichever is later) to determine type and amount of the LIHWA payment. *When households have separate water and sewer vendors, OHCS highly recommends processing a split payment for both services at one intake whenever possible.*

> *Example*: A client has water service from Vendor A and sewer service from Vendor B. Agencies are recommended to execute vendor agreements with both Vendor A and Vendor B prior to committing those payments. The single LIHWA payment would then be split between Vendor A and Vendor B, based on arrearages and current charges.

If it is applied **consistently to all households in the service area**, aAgencies may elect to apply a *stabilizing payment to LIHWA payments, if applied consistently to all eligible households in their service area. This payment is in an amount as determined by local agency policy, and is on top of the arrearages and current balance.*in the

~~amount of the household's average monthly eligible charges (the typical or usual monthly amount). *All households may be eligible for this credit except for households with a zero ($0) balance; in these cases, the household is eligible for the $100 minimum standard payment.*~~ For split payments, each vendor shall receive a **full stabilizing payment.**

Calculations for the total LIHWA payment may be inclusive of only eligible costs.
Clients will be responsible for any remaining ineligible costs. Utilities may require account payment in full to
Clients will be responsible for any remaining ineligible costs. Utilities may require account
payment in full to avert disconnections or reconnect client accounts. **Agencies must develop internal policies regarding client advocacy to ensure continuity of services**.

Multifamily Properties/Parks with Master Meters

As LIHWA payments cannot be in the form of direct client payments, the local agency must obtain a signed Landlord Authorization Form and verify arrearages at the utility prior to qualifying individual household units at a multifamily property/park with master meters. If arrearages are present, the agency may award LIHWA payments upon total arrearages based on the proportionate share of eligible household units to total property/park units. For OHCS affordable housing portfolio properties, those eligible units may cover 100% of the arrearages. Agencies may convene outreach in the same manner as LIHEAP for obtaining eligibility determination and applications. The following examples provide a variety of scenarios with master meters:

15-unit multifamily property has $3,750 in arrearages. There are 3 units who applied and are qualified. Each unit's LIHWA payment is committed for $250 ($3,750 / 15), which pays of those units' portion of arrearages.

55-unit multifamily property has $0 in arrearages. This property is ***not eligible*** for LIHWA.

30-unit OHCS affordable housing property has $3,600 in arrearages. There are 8 units who applied and are qualified. Each unit's LIHWA payment is committed for $450 ($3,600 / 8), which pays off all arrearages in full.

The following examples provide some unusual circumstances **without** master meters:

Two independent dwellings with separate meters on a single property (i.e., main house and rental house) has two accounts that are both in the name of the primary dwelling (owner's) household name. The secondary dwelling (renter) household may apply with a landlord authorization form for any arrearages.

A manufactured/mobile home park, that is supplied by city water, has dedicated meters for each rental space. As the park obtains water/sewer services from an eligible LIHWA vendor but also has the ability to affect continuity of services, the park is a third-party vendor.

It is at the local discretion at the agency to assure payment effects are passed forward to the eligible households. OHCS cannot enforce actions by the landlords. Therefore, agencies are encouraged to advocate for the clients and

work with the landlords whenever possible.

Payment Types

The following are the different types of payments for the LIHWA Program and their definitions:

- **Standard Payment** – The Standard Payment has a floor (minimum) of $300 and a ceiling (maximum) of $1,000, determined by the individual households' eligible arrearages, current charges, and (if applicable) stabilizing credit. Households who receive a Standard Payment are not required to have a past due or shut-off notice.

- **Crisis Payment** – The Crisis Payment has a floor (minimum) of $1 and a ceiling (maximum) of $5,000. This payment is in addition to a Standard Payment, is based on current actual need, and is in response to an eligible current crisis situation (See Section Four on Crisis Services). Households must have received a Standard Payment prior to receiving a Crisis Payment.

- **Crisis Payment** – The Crisis Payment has a floor (minimum) of $1 and a ceiling (maximum) of $5,000. This payment is in addition to a Standard Payment, is based on current actual need, and is in response to an eligible current crisis situation (See Section Four on Crisis Services). Households must have received a Standard Payment prior to receiving a Crisis Payment.

    Households may only receive a single Crisis Payment from either LIHWA-CAA or LIHWA-ARPA, unless authorized   by   the   State   LIHWA   Coordinator.

  Combo Payment – A Combo Payment is issued as a Standard and a Crisis Payment at the same intake appointment. The amount may not exceed the ceiling of the combined payments, or $6,000, without requesting an override from the State LIHWA Coordinator.

-

Households who received any LIHWA payments (Standard, Crisis, and/or Combo) in Program Year 2022 may reapply for LIHWA again in Program Year 2023, as long as agency funding is available. Households determined eligible in these cases may receive an additional Standard LIHWA Payment using the funding stream not previously used (LIHWA-CAA or LIHWA-ARPA) and may not exceed the ceiling of $1,000, unless authorized by the State LIHWA Coordinator.

~~may receive a second Standard LIHWA Payment in Program Year 2023. Households who have already received LIHEAP or LIHEAP-ARPA in Program Year 2023 do not need to be requalified for income eligibility. Further LIHWA payments may be created using the second funding stream (either LIHWA-CAA or LIHWA-ARPA), who have already received a Standard LIHWA Payment from one funding stream (either LIHWA-CAA or LIHWA-ARPA) may be determined eligible to receive a LIHWA payment from the remaining funding source in Program Year 2023.~~

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SECTION FOUR: CRISIS PAYMENTS

This Section contains:

✔ Crisis Payments
✔ Life Threatening Crisis

Crisis Payments

A crisis exists when a household faces a sudden or unexpected event beyond their control resulting in the inability to pay drinking water and/or sewage disposal services costs.

A crisis may be caused by or defined as:

- Excessive arrearages and current water and/or sewage disposal services charges
- Interruption of drinking water and/or sewage disposal services
- Medical conditions - high costs or essential equipment
- Sudden loss of job, public benefits, or other income
- Malfunction of water/sewer infrastructure or appliances
- Domestic violence
- Other circumstances that may pose a potential health and/or safety threat.

Circumstances which do not necessarily (but may) qualify as a crisis include:

- Chronic non-payment of water/sewer costs
- Unexplained or excessively high water/sewer costs
- Other situations which are not sudden, unexpected, or beyond the control of the household

While a household must have exhausted a Standard Payment prior to receiving a Crisis Payment, an agency may provide both simultaneously *(See Combo Payment page 3.4)*.

As with Standard Payments, coordinators are encouraged to contact the State LIHWA Coordinator if they feel extreme circumstances warrant an exception to the maximum benefit guidelines.

All Crisis and Combo Payments must be approved by the local coordinator, or their designee, with a description of the situation written in the Comments Section of the Authorization form and in OPUS. *Crisis and Combo Payments over the maximum benefit guidelines must also be authorized by the State LIHWA Coordinator.*

Life-Threatening Crisis

A life-threatening crisis exists when a household member(s) health and/or well-being would likely be endangered by the interruption of drinking water and/or sewage disposal services. Generally, this would require an active medical certificate but may be deemed a life-threatening crisis by the local service provider if extreme circumstances are present.

In addition to the above, the household must either be disconnected or at imminent risk of disconnection (within 5 days of application) to be considered as having a life-threatening crisis situation.

Life-threatening crisis situations must be addressed within 18 (if already disconnected) to 48 (at risk of disconnection) hours of application. These timeframes must be documented to ensure compliance with the federal requirement and must include comments outlining how the situation was addressed.

Agencies are authorized to provide any of the following forms of assistance, or a combination thereof which best resolves a given emergency situation:

- **Bill Payment Assistance**—Direct Client Vendor payments to eligible households to assist in making their household drinking water and sewage disposal services bill commitments.

- **Other Equipment Repair/Replacement**—Even though these costs <u>ARE NOT TO BE</u> included in the LIHWA payment, agencies may use other internal funds (i.e., CSBG) to make these repairs. Such repairs include repair or replacement of inoperative, non-functional, or unsafe household appliances/equipment necessary to alleviate water/sewer crises.

- **Other Emergency Services**—Other services including, but not limited to, information, referral, coordination of benefits, advocacy, case management, and/or other goods and services necessary to relieve immediate threat to health and safety.

These are minimum requirements; individual agencies may have additional requirements. Staff should verify crisis-related policies and procedures with their local coordinator.

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SECTION FIVE: ELIGIBILITY GUIDELINES

This Section contains:

✔   Eligibility Income Guidelines

Eligibility Income Guidelines

60% of State Median Income by Household Size
For Use in Federal Fiscal Year 2023

Estimated State Median by Household Size-Source HHS

Household Unit Size	Annual Gross Income*	Monthly Gross Income*
1	$31,266	$2,605.50
2	$40,886	$3,407.17
3	$50,506	$4,208.83
4	$60,126	$5,010.50
5	$69,747	$5,812.25
6	$79,367	$6,613.92
7	$81,171	$6,764.25
8	$82,974	$6,914.50
9	$84,778	$7,064.83
10	$86,582	$7,215.17
11	$88,386	$7,365.50
12	$90,189	$7,515.75
Each Additional Member	$1,803	$150.25

* Gross income means all household income before any deductions

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SECTION SIX: AGENCY NETWORK INFORMATION

This Section contains:

✔ Oregon Contacts for Community Action Agencies
✔ Energy Assistance Referral Listing by County

Oregon Contacts for Community Action Agencies

These links below provide the low-income water and energy assistance resources in partnership with OHCS:

OHCS LIHWA Program Website

OHCS Energy Assistance and Weatherization Programs Website (including Service Providers' Resources page)

Community Action Partnership of Oregon (including the Oregon Energy Coordinators & Affiliates page)

Community-based organizations that provide water and energy assistance programs in Oregon include:

ACCESS	Access
CAO	Community Action Organization in Washington County
CAPECO	Community Action Program of East Central Oregon
CAT	Community Action Team, Inc.
CCNO	Community Connection of NE Oregon
CCSSD	Clackamas County Social Services Division
CinA	Community In Action
CSC	Community Services Consortium
KLCAS	Klamath-Lake Community Action Services
LCHSD	Lane County Human Services Division
MCCAC	Mid-Columbia Community Action Council
MULTCO	Multnomah County Department of County Human Services
MWVCAA	Mid-Willamette Valley Community Action Agency
NI	NeighborImpact
ORCCA	Oregon Coast Community Action Agency
UCAN	United Community Action Network
YCAP	Yamhill Community Action Partnership

LIHWA Program – Local Provider Listing by County

AGENCY	COUNTIES	CONTACT(S)	PHONE	EMAIL
ACCESS	Jackson	Rose Reeser	541-618-4018	rreeser@accesshelps.org
CAO	Washington	1) Jessica Marpe 2) Todd Speight	1) 503-693-3244 2) 503-693-3247	jmarpe@caowash.org tspeight@caowash.org
CAPECO	Gilliam, Morrow, Umatilla, Wheeler	Sheri Gutierrez	541-289-7755 Ext. 208	sgutierrez@capeco-works.org
CAT	Clatsop, Columbia, Tillamook	Katie May	503-366-6546	kmay@cat-team.org
CCNO	Baker, Grant, Union, Wallowa	~~Emily Hurd~~Kasilda Eldridge	541-963-3186	kasilda~~emily~~@ccno.org
CCSSD	Clackamas	1) Linda Fisher 2) Serene Grant	1) 503-650-5749 2) 503-650-5640	1) lindafis@clackamas.us 2) sezell@co.clackamas.or.us
CinA	Harney, Malheur	1) Kris Hurd 2) Balbina Torres	1) 541-889-1060 Ext. 107 2) 541-889-9555	1) kris@cina.team 2) balbina@cina.team
CSC	Benton, Lincoln, Linn	Connie Johnson	541-704-7647	cjohnson@communityservices.us
KLCAS	Klamath, Lake	Nicole Clifton	541-882-3500	nicolec@klcas.org
LCHSD	Lane	Stephanie Talbott	541-682-7473	Stephanie.talbott@lanecountyor.gov

Field Code Changed

MCCAC	Hood River, Sherman, Wasco	Kasey Buckles	541-298-5131 Ext. 214	kbuckles@mccac.com
MULTCO	Multnomah	Courtney Keating	503-988-7478	Courtney.n.keating@multco.us
MWVCAA	Marion, Polk	1) Traia Campbell 2) Michelle Ehara	1) 503-585-8491 Ext. 3001 2) 503-585-8491 Ext. 3013	1) Traia.campbell@mwvcaa.org 2) Michelle.ehara@mwvcaa.org
NI	Crook, Deschutes, Jefferson	Lori Sharton	541-323-6573	loris@neighborimpact.org
ORCCA	Coos, Curry	1) Laura Hunter 2) Anne Lowe	1) 541-435-7097 2) 541-435-7080	1) lhunter@orcca.us 2) alowe@orcca.us
UCAN	Douglas, Josephine	Jessica Hlavinka	541-672-3421 Ext. 3931	Jessica.hlavinka@ucancap.org
YCAP	Yamhill	Brittany Hanson	503-984-3182	brittanyh@yamhillcap.org

SECTION SEVEN: ACRONYMS AND DEFINITIONS

This Section contains:

✔ Acronyms
✔ Definitions
✔ Energy Burden Table

Acronyms

Acronyms are a fact of life for many service programs, so we begin with some of the most commonly used abbreviations that you will find throughout this manual. In addition, others have been added that are commonly used in the water and energy assistance field.

ACF	Administration for Children and Family
C/A	Companion/Attendants/Caregiver
CAA	Community Action Agency
CAF	Children, Adults and Families – DHS-State
CAPO	Community Action Partnership of Oregon
CR	Crisis Payment
CSBG	Community Services Block Grant
DHI	Declaration of Household Income
DHS	Department of Human Services
EIC	Earned Income Credit
FS	Food Stamps
FWS	Federal Work Study
HES	Household Energy Supplier
HHS	Department of Health and Human Services
LIHEAP	Low-Income Home Energy Assistance Program
LIHWA	Low-Income Household Water Assistance Program
MGA	Master Grant Agreement
NOA	Notice of Action
OHCS	Oregon Housing and Community Services
SNAP	Supplemental Nutritional Assistance Program
SS	Social Security
SSA	Social Security Administration
SSR	Social Security Retirement
SSD	Social Security Disability
SSI	Supplemental Security Income

SSN/SYSID	Social Security Number/OPUS System ID
TANF	Temporary Assistance for Needy Families
UI	Unemployment Insurance
WAP	Weatherization Assistance Program
WC	Workers Compensation
WIC	Women, Infant, Children
WX	Weatherization

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Definitions

Authorization Form – The official term for a LIHWA Program application. This document is used to ensure the required information is collected to deem a household eligible for the LIHWA Program and complete the required data entry into OPUS.

Caregiver/Personal Care Attendant – An attendant is a person who works during the day and/or lives at the residence. Both types of attendants may be paid for by any of the following: applicant, relatives, State, or company providing home assistance payments. An attendant (regardless of who pays) is an independent employee.

Combo Payment – A combined Standard and Crisis Payment provided on behalf of an eligible household at the same intake, not to exceed $6000. *Contact the State LIHWA Coordinator if they feel extreme circumstances warrant an exception to the maximum benefit guidelines.*

Completed Application – An application is completed when responses to all application questions have been verified, appropriate documentation has been provided, and both the applicant and intake worker have signed the application or OPUS Water Intake Report.

Completed File – An original, completed application with all supporting documentation for a single payment from a single funding source, including original signatures or those signatures as authorized.

Commitment Date – The date a utility or fuel vendor has been notified of an agency commitment.

Crisis Payment – The LIHWA payment provided (above and beyond the Standard Payment) to help low-income households resolve crisis situations, including, but not limited to, loss of household water and/or sewage disposal services and other situations as described in the manual. The Crisis Payment for the LIHWA Program is between the floor of $100 and ceiling of $5000, household must have exhausted a Standard Payment prior to receiving a Crisis Payment.

Declaration of Household Income Form (DHI) – A form required for household members claiming no income or irregular/personal income*.*

Denied Application – An application is denied when it has been completed and signed but the applicant fails to meet program eligibility requirements.

Disabled – Persons who are unable to engage in any substantial paid activity by reason of any medically determinable physical or mental impairment.

Eligible – Households whose verified income is in accordance with the LIHWA Program income eligibility requirements and are partially or fully responsible for their household drinking water and/or sewage disposal services costs.

Employed – Having employment and receives wages or a salary on a regular basis.

Energy Type – The type of energy or fuel supply that is the major or primary portion of a household's heating or cooling source.

Gross Income – Total household income from all sources **before** any deductions.

Household – Any individual or group of individuals, who are living together as one economic unit, for whom residential drinking water and/or sewage disposal services are customarily provided in common or who make

undesignated payments for these services in the form of rent and share a common account.

Indian Per Capita Judgment Payments – Payments made to any tribe or group whose trust relationship with the Federal Government has been terminated and for which Legislation in effect before October 12, 1973, authorized the disposition of its judgment funds.

Intake Date –This is the date the application is received and or completed by the local agency pending available funding (as determined by the local agency).

Life-Threatening – Conditions where there is likelihood of death.

LIHWA Payment – A payment made under the LIHWA Program on behalf of an eligible household to a service provider (vendor).

Net Income – Total household income from all sources **after** all deductions.

Notice of Action – A notice sent to a client and/or vendor that informs of any change or adjustment to the client's application after it was submitted.

OPUS – The web-based data collection system used by energy assistance providers to **process** client data and calculate LIHWA payments.

Outreach – Any water or energy assistance, education, or public information efforts that do not require an in-office visit (i.e., water or energy assistance or education taking place at temporary or seasonal facilities, in-home efforts, mailings, advertising, and interpretive/translation services).

Payment Receipt – An OPUS-generated report that provides important information to an applicant who receives a LIHWA payment.

Payment Type – The category of LIHWA assistance, including Regular, Crisis, or Combo.

Personal Income – Irregular income from occasional sources such as yard work, childcare, collecting cans/bottles, and donating blood.

Program Year (PY) – Program year for LIHWA refers to the funding period beginning on October 1st and ending on September 30th of the following year.

Roomer/Boarder – A roomer/boarder is a person who rents a room from the building owner. A roomer/boarder does not have a separate site address from other occupants of the building—however, a roomer/boarder does not share in providing, or being provided for, the necessities of life (e.g., food, living costs) with other residents of the structure.

Standard Payment – The Standard Payment for the LIHWA Program is between the floor of $300 and ceiling of $1000 for an eligible household, based on the individual household's situation.

Tribal per capita payments – Tribal profits paid by a tribe directly to enrolled tribal members.

Vendor – A company who provides drinking water or sewage disposal services continuously via pipes.

Voided Application – An application that has been determined to be in error or withdrawn after it has been signed by an intake worker.

Water/sewer costs included in rent – Water/sewer costs are included as an undifferentiated part of their rent payment.

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SECTION EIGHT: INDEX

DATE: March 3, 2023

TO: Housing Stability Council
Andrea Bell, Executive Director

FROM: Ryan Flynn, Assistant Director, Disaster Recovery & Resilience (DRR)
Chelsea Catto, Chief Policy Officer, DRR

SUBJECT: Temporary Administrative Rule Approval for DRR Wildfire Recovery Housing Project

_____

MOTION: Housing Stability Council approval for the Disaster Recovery & Resilience Section's temporary Administrative Rules (OAR 813-100-005, 0010 & 0015) that set maximum income limits for a wildfire recovery multi-unit housing project funded under HB 5006 (2021) Sections 278 and 279, at or below 120% area median income, with no more than 80% of the units of a housing project having an income level between 100% and 120%, in conformance with ORS 456.620(4).

Summary:
The adoption of Administrative Rules is required for operating programs through OHCS and other state government agencies. The adoption of housing program administrative rules can be structured to either implement temporarily, remaining in place for six months, or permanently. Permanent rules remain in place until updated or amended by a future rule making process. Both processes follow specific and deliberate public noticing requirement, with more robust participation tied to the adoption of permanent rules.

The Disaster Recovery & Resilience division of OHCS respectfully requests Housing Stability Council approval of temporary rules established under Division 813-100 that will set maximum income limits for the Mosaic wildfire recovery multi-unit housing project funded under HB 5006 (2021) Sections 278 and 279.

Background:
The 2020 Labor Day Fire event in Oregon included 21 fires that burned more than 1.2 million acres and destroyed over 4,300 homes, including 328 multi-family units in Jackson County. Based on data for the eight impacted counties approved for FEMA Individual Assistance, 41% of impacted residents were renters.

DRR staff have utilized state funding made available during the 2021 legislative session under HB 5006 to finance a number of wildfire recovery projects, including multi-family housing. When funding wildfire recovery multi-family housing projects, DRR staff prioritize placing deeper affordability requirements on units when possible, in order to better support households at or below 80% median family income. However, because the 2020 fires destroyed a significant portion of the housing stock for low- and moderate-income households, which is defined as up to 120% median family income, DRR staff need the flexibility to pursue multiple strategies to help communities replenish this critical affordable housing supply and ensure multi-family developments are financially feasible.

The Oregon Rebuilding Oregon initiative, which was envisioned to direct $10 million to fund innovative strategies to rebuild market-rate and affordable housing for 2020 wildfire recovery under HB 5006 (2021) Sections 278 and 279, was the basis for funding the Mosaic project. The Mosaic project was approved by Housing Stability Council on December 2, 2022, under a previously executed waiver of OAR 813-010-0042(2) to allow for the proposed unit income mix of 80% of units at an income level between 100% and 120% median family income. With this project in mind, the DRR team seeks to establish temporary OARs that will allow the establishment of income limits specific to the Mosaic project, in conformance with ORS 456.620(4). The temporary administrative rules will follow the maximum income limit of 120% median family income established under OAR 813-010-0042(2) and will require that no more than 80% of the units of the housing project shall have an income level between 100% and 120%.

Motion: OHCS is requesting Housing Stability Council approval to adopt the Disaster Recovery and Resilience temporary Administrative Rules within OAR 813-100-0005, 0010 & 0015,

TEMPORARY ADMINISTRATIVE ORDER

CHAPTER 813
OREGON HOUSING AND COMMUNITY SERVICES DEPARTMENT

FILING CAPTION: Adopting temporary rules to implement HB 5006 (2021), wildfire recovery program.

EFFECTIVE DATE: 03/06/2023 THROUGH 09/01/2023

AGENCY APPROVED DATE: 02/22/2023

NEED FOR THE RULE(S):
These temporary rules will allow the establishment of income limits specific to the Mosaic project, in conformance with ORS 456.620(4).   The administrative rules will follow the maximum income limit of 120% median family income established under OAR 813-010-0042(2) and will require that no more than 80% of the units of the housing project shall have an income level between 100% and 120%. In order to expedite the delivery of recovery programs, OHCS is implementing temporary rules in order to align with framework previously approved by the Housing Stability Council.

JUSTIFICATION OF TEMPORARY FILING:
Because the 2020 fires destroyed a significant portion of the housing stock for low- and moderate-income households, which is defined as up to 120% median family income, DRR staff need the flexibility to pursue multiple strategies to help communities replenish this critical affordable housing supply and ensure multi-family developments are financially feasible. OHCS is currently working with local communities to finalize contracts and deploy resources. These temporary rules will ensure all timelines are met, while satisfying contractual legal sufficiency.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:
House Bill 5006 (2021)

HOUSING IMPACT STATEMENT:
These rules do not affect the development of a 1200 square foot house on a 6000 square foot lot.

CONTACT:
Jaci Davis
503-986-6796
Jaci.Davis@hcs.oregon.gov
725 Summer St NE Suite B
Salem, OR 97301

RULES:
813-100-0005, 813-100-0010, 813-100-0015

ADOPT: 813-100-0005
RULE TITLE: Purpose and Objective
RULE SUMMARY: Outlining the purpose of Division 100 intent to clarify wildfire recovery programs.
RULE TEXT:

OAR Chapter 813, division 100 accomplishes the general purpose of HB 5006 (2021) Sections 278 and 279, which include the development of multi-family housing units for wildfire recovery.

STATUTORY/OTHER AUTHORITY: ORS 456.620
STATUTES/OTHER IMPLEMENTED: ORS 456.555

ADOPT: 813-100-0010
RULE TITLE: Eligible Multi-Unit Project(s)
RULE SUMMARY: Referencing eligibility criteria
RULE TEXT:

Eligible project is the Mosaic project, funded under HB 5006 (2021) Sections 278 and 279.

STATUTORY/OTHER AUTHORITY: ORS 456.620
STATUTES/OTHER IMPLEMENTED: ORS 456.555

ADOPT: 813-100-0015
RULE TITLE: Resident Eligibility and Occupancy
RULE SUMMARY: Detailing program's maximum income limits.
RULE TEXT:

The project shall conform to the maximum income requirement of ORS 456.620(4). At no time shall the maximum income limits exceed 120 percent of the median family income level, as determined by the Department. No more than 80 percent of the units of an eligible housing project shall have an income level of between 100 and 120 percent.

STATUTORY/OTHER AUTHORITY: ORS 456.620
STATUTES/OTHER IMPLEMENTED: ORS 456.555