

Eviction Prevention Guidance for Culturally Specific Partners

February 2024



Program Guidance

Contacts

Oregon Housing and Community Services
Homeless Services Section
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Change Log

2.15.2024 Update to direct payment assistance language

2.15.2024 Update to pronouns

2.20.2024 Updated gift card policy and direct payment policy. Updated equity and racial justice policy. Updated Key performance measures to plain language.

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Introduction

Guidance for OHCS Housing Retention Section

For our culturally specific partners

The guidelines provided in this Program Guidance are intended to be consistent with OHCS Program regulations and other applicable laws, Executive Orders, and state and federal regulations. Guidelines should not be construed to supersede, rescind, or otherwise amend such laws, Executive Orders, or regulations. Grantees are responsible for ensuring compliance with the requirements of the Program regulations, the grant agreement, and other applicable laws and regulations.

Program Intent

In the 2023 Regular Session, SB5511 appropriated monies from the General Fund to Oregon Housing and Community Services (OHCS) Department for 2023-25 biennium housing stabilization programs, with the goal of keeping Oregonians in their homes. The legislature placed an emphasis on organizations that performed this work under contract with OHCS in the 2021-23 biennium, to ensure continuity in services. Organizations are tasked with continuing to provide housing stabilization and eviction prevention and diversion activities benefitting Oregonians statewide.

Program Summary

Oregon continues to have serious opportunity and systemic gaps that threaten the ability for individuals and diverse communities to shape their own futures and achieve housing stability. To outreach to and engage the culturally diverse populations of Oregon, who are currently underserved, and with a goal of supporting and serving those Oregonians who are at highest risk of housing instability and eviction, OHCS recognizes the supreme importance of culturally specific and responsive programming that allows for adaptive response to diverse community needs while addressing the emergent nature of housing crises. To support the efforts of OHCS' culturally specific partners, the Housing Retention section offers this Program Guidance to outline the allowable activities under this funding for our partners to respond to their communities as required to increase the overall stability of community members facing or currently experiencing housing instability. Program funds allow for specialized advertising and outreach to underserved populations based on their identity in the vulnerable and most at-risk populations historically documented in Oregon.

In the 2023-25 biennium, these populations include:

Native Americans, members of Oregon's nine federally recognized tribes, American Indians, Alaska Natives; Black, Africans, African Americans; Latino/a/x, Hispanic; Asian, Pacific Islanders; Arab/Middle Eastern/ North Africans; immigrants, refugees, asylum seekers; undocumented

persons, DACA recipients, “Dreamers”; linguistically diverse; people with disabilities; LGBTQIA2s+; aging/older adults; economically disadvantaged; farm workers, and migrant workers.

Source: [HECC-Equity-Lens-2021.pdf \(oregon.gov\)](#)

With a focus on supporting these vulnerable populations, our guidance to our culturally specific partners allows our partners to pivot and adapt to community needs with a focus on outcomes and closely documented successes delivered, barriers identified, and demographics served.

Culturally Specific and Culturally Responsive Organizations

ORS chapters 456 and 458:

“Culturally Specific Organization (CSO)” means an entity that provides services to a cultural community and the entity has the following characteristics:

- a) Majority of members and/or clients are from a particular community of color;
- b) Organizational environment is culturally focused, and the community being served recognizes it as a culturally-specific entity that provides culturally and linguistically responsive services;
- c) Majority of staff are from the community being served, and the majority of the leadership (defined to collectively include board members and management positions) are from the community being served;
- d) The entity has a track record of successful community engagement and involvement with the community being served; and
- e) The community being served recognizes the entity as advancing the best interests of the community and engaging in policy advocacy on behalf of the community being served.

“Culturally responsive organization (CRO)” means an entity that, as determined by the Housing and Community Services Department:

- a) Comprehensively addresses power relationships throughout the organization by methods that include addressing conflicts and dynamics of inclusion and exclusion;
- b) Has relationships with and is responsive to communities that the organization serves, including communities of color;
- c) Hires, promotes, trains and supports staff who are culturally and linguistically diverse in ways that reflect the communities that the organization serves, including communities of color;
- d) Provides culturally responsive service; and
- e) With respect to paragraphs (a) to (d) of this subsection, has adopted governance structures, policies, and cultural norms to hold its leadership and staff accountable and to continue

improvements.

Prioritizing Equity and Racial Justice in Programming

All grantees must prioritize equity and racial justice in their grant programs. This means that grantees must take proactive steps to ensure that their grant programs are designed and implemented for the communities in which they serve with racial justice at the forefront of their service delivery:

- a) Grantees must **proactively** ensure that their grant programs are accessible to all eligible individuals regardless of race, color, national origin, religion, sex, familial status, or disability.
- b) Grantees must take proactive steps to reach out to and engage with communities that have been historically underserved or marginalized.
- c) Grantees must ensure that their grant programs are designed and implemented in a way that promotes equity and racial justice. This may include, but is not limited to:
 - Providing targeted outreach and support to historically underserved or marginalized communities.
 - Ensuring that application review and selection processes are fair and unbiased.
 - Providing technical assistance and support to help subgrantees build their capacity to promote equity and racial justice.
- d) Grantees must comply with all applicable fair housing laws and the equal protection clause of the 14th amendment to the US constitution. Please consult your legal counsel for advice in program design and determining criteria for client eligibility.

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General Program Requirements

Key Performance Measures

Grantee shall, and shall cause and require its subgrantee(s) by contract to administer the program in a manner consistent with OHCS program requirements designed to achieve the following performance goals:

- Increased housing security for households facing imminent eviction or homelessness will be determined by the proportion of households stably housed at the end of the program. This is gauged by the percentage of all program participants residing in permanent housing upon completion of

the program or project that was supported by these funds..

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

Staff Training

Grantee and subgrantee(s) staff that provide direct services and supervise staff who provide direct services and manage homeless grants must receive relevant training. Required training must occur for staff minimally, within one year from the beginning date of employment and current staff must receive training minimally once every two years from the date of the previous training taken. Grantee and subgrantee(s) must track who attended each training, the date of the training and the synopsis of the training. Records for training must be made available to OHCS, upon request. Training is an eligible expense of program development and must minimally include:

- Trauma Informed Services;
- Mental Health First Aid;
- Harm Reduction;
- Supporting Victims of Domestic Violence;
- Fair Housing; and
- For those using OHCS funds for Street Outreach, training must include Outreach Safety Strategies.

Other trainings may be required by OHCS more often than every two years.

Privacy Notification

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

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

“Personally identifiable information is protected by federal laws (Privacy Act of 1974, as amended) and will be collected for the purpose of determining program eligibility, providing assistance/service, data collection, reporting and monitoring. Personally identifiable information will be shared with Oregon Housing and Community Services and other state agencies with an information sharing agreement with OHCS and are administering programs that serve the same or similar clients or populations, as is necessary to carry out the intent of an assistance or service program for the benefit of the person applying for such assistance or service and will be disclosed to Oregon Housing and Community Services without written authorization.”

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

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

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

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

Confidentiality

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

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

1. Identification of how all applicant/participant records are secured and confidentially maintained.
2. A statement that all applicant/participant records must be maintained within state guidelines for the proper retention and destruction of records.
3. A requirement that all Grantee officers, employees and agents are aware of and comply with the Grantees’ confidentiality policy and must include an acknowledgement of such policy, in writing.
4. A provision for the electronic collection of applicant/participant information which states that:
 - a. Computer terminals must be in a secure location, limiting access to only those persons who have a legitimate interest in and are responsible for applicant/participant records.
 - b. Computer monitors must be cleared (or a screen saver activated) immediately after accessing a(n) applicant/participant record.

- c. Computer terminals must be on a “locked” mode or turned off if the terminal is unattended.
- d. Access to personally identifiable HMIS data shall be given to only authorized personnel as necessary for performing the work required for OHCS-funded programs.
- e. A statement that all records shall be open for review to federal and state authorized representatives, and auditors and/or examiners during their regular audits and monitoring functions of OHCS funded programs.

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

Domestic Violence Shelter Confidentiality Provision

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

Service Termination or Denial of Assistance

Grantees and subgrantee(s) must have written termination, denial, and grievance policies and procedures. The policies and procedures should be readily available to program participants either at intake or by posting the policy in a public place. It is important to effectively communicate these policies and procedures to applicants/clients and ensure they are fully understood.

Grantees and subgrantee(s) are required to provide **verbal documented or written notice** to applicants/clients when denied program assistance or assistance is terminated. The notice must include the specific reason(s) for the denial/termination and identify the steps to appeal the Grantee’s and subgrantee’s decision.

Grievances and Appeals

Grantees are required to have an established, written stand-alone policy for addressing applicant/participant grievances/appeal requests. Grantees must ensure that subgrantee(s) have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. Applicants/Participants must have the right and opportunity to grieve/appeal any decision that terminates, denies, limits, reduces or modifies benefits for any reason.

Applicants/Participants must be notified of their right for a grievance or appeal of such decision and Grantee policy must clarify how and when applicants/participants are notified of their right to grieve/appeal decisions. Such grievance/appeal policy can be posted in a public place; however, applicants/participants must receive a written notification for any decision that terminates, denies, limits, reduces or modifies any benefit.

Applicants/Participants must still receive a denial notice in writing even if the reason for denial is a Grantee's/subgrantee's lack of funding. At a minimum, the policy must include the following components:

1. Informs the participant/applicant that they can contest any Grantee's or subgrantee's decision that terminates, denies, limits, reduces or modifies any benefits and identifies the steps to follow to contest the decision;
2. Informs the participant/applicant of the reason for termination, denial, limitation, reduction or modification of benefit;
3. Allows any aggrieved person a minimum of thirty (30) days to request an administrative review/appeal of such decision;
4. Informs the applicant/participant of their right to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the decision;
5. Identifies what reasonable accommodations are available for applicant/participants who have language, mobility or disability barriers that would prevent them from participating in the review/appeal process and how to request such accommodations; and
6. Informs the applicant/participant and OHCS in writing of the final determination and basis for the decision within ten (10) days of the final determination.
7. Under ORS 183.415, any contested cases in which applicants have been denied services, those applicants have a right to request a hearing through the Office of Administrative Hearings (OAH). Grantee must provide guidance on steps to request a hearing in their notification process and must include:
 - A statement of the party's right to hearing, with a description of the procedure and time to request a hearing, or a statement of the time and place of the hearing;
 - A statement of the authority and jurisdiction under which the hearing is to be held;
 - A reference to the particular sections of the statutes and rules involved;
 - A short and plain statement of the matters asserted or charged;
 - A statement indicating whether and under what circumstances an order by default may be entered; and

A statement that active duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act and may contact the Oregon State Bar or the Oregon Military Department for more information. The statement must include the toll-free telephone numbers for the Oregon State Bar and the Oregon Military Department and the Internet address for the United States Armed Forces Legal Assistance Legal

Services Locator website. [1971 c.734 §13; 1979 c.593 §18; 1985 c.757 §1; 1997 c.837 §2; 1999 c.849 §§27,28; 2003 c.75 §29; 2007 c.288 §2; 2013 c.295 §3]

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

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

Nondiscrimination

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

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

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

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

Screening criteria cannot be discriminatory and must be consistently applied. A **priority population** means persons that are determined to have the greatest need and will receive

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

OHCS reserves the right to require a prioritization of participants when such prioritization is intended from a specific funding source. Grantees and their subgrantee(s) must adhere to such prioritization required by OHCS.

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

Limited English Proficiency

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

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

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

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

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

Conflict of Interest

In the performance of work, program grantees and subgrantee(s) will create no potential or actual conflict of interest, as defined by ORS Chapter 244, for a director, officer, agent, or employee of Grantee or subgrantee(s). A conflict of interest exists if, among other things, a decision or recommendation could affect the finances of the Grantee's or subgrantee's officers, agents or employees or the finances of their officer's, agent's, or employees' relative. If a conflict of interest exists, the Grantee's or subgrantee's officer, agent or employee must always give written notice of the conflict, and in some situations the officer, agent or employee is restricted in their ability to participate in the matter that presents the conflict of interest. No Grantee or subgrantee(s) officer, agency or employee may carry out the initial evaluation required to obtain services for any person in which an actual or perceived conflict of interest does or would exist, unless in rare circumstances it is in the interest of the participant for the expediency of housing placement services or to create a seamless service delivery while keeping the participant engaged in services and such situation is documented in the participant file.

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

Organizational Conflict of Interest

The provision of any type or amount of assistance must not be conditioned on an individual's or household's acceptance or occupancy of emergency shelter or housing owned by Grantee, subgrantee(s) or an affiliated organization. Conflict of interest waivers regarding rent assistance and rental agreement requirements can only be approved by OHCS. If a Grantee or subgrantee(s) wishes to apply for a waiver, they must contact the OHCS homeless program analyst or manager for guidance in submission of a waiver request, which must be approved by OHCS.

A Grantee and subgrantee(s) can conduct a participant's intake assessment to determine program eligibility if the participant resides in housing where the Grantee or subgrantee(s) has ownership

interest for the expediency of housing placement services and to create seamless service delivery while keeping the participant engaged in services. A waiver of the conflict-of-interest policy for this purpose is not required.

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

Individual Conflict of Interest

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

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

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

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

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

requirements of such a policy.

Program Eligibility

RESIDENT STATUS	HOUSING STATUS	INCOME STATUS
<ul style="list-style-type: none"> • Resident of the state of Oregon 	<ul style="list-style-type: none"> • Literally homeless • At imminent risk of homelessness • Fleeing domestic violence • Homeless under other federal statutes • Unstably housed 	<ul style="list-style-type: none"> • Income equal to or less than 80% of the area median income (AMI)

- Program participant household must reside in the state of Oregon
- With income equal to 80% area median income (AMI) or lower AND
- Be experiencing homelessness or housing instability
 - Category 1: Literally homeless
 - Category 2: Imminent risk of homelessness
 - Example: Notice to vacate housing
 - Category 3: Fleeing Domestic Violence
 - Category 4: Homeless under other federal statutes
 - Example: McKinney Vento qualification
 - Category 5: Unstably housed
 - Example: Highly rent overburdened (over 50% of income spent on direct housing costs)

OHCS is allowing for local prioritization processes except for ensuring that program participants who are at most imminent risk of eviction need to be prioritized for services and supports. This is generally those who have an active eviction case, or who have received an eviction notice. While general practice prioritizes populations most at risk of homelessness, OHCS allows for flexibility of program design as needed when serving targeted culturally specific populations.

Household

“Household” means an individual living alone, family with or without children, or a group of individuals who are living together as one economic unit.

Housing Status

Households experiencing homelessness or housing insecurity are eligible to receive program funded services. Housing status may be obtained through a self-certification process alone without regard to further documentation of housing status. Eligible applicants for program services must meet one of the following categorical definitions of homeless or unstably housed

and be at risk of homelessness.

Category 1: Literally Homeless—Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

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

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

The primary nighttime residence will be lost within 21 days of the date of application for homeless assistance;

- No subsequent residence has been identified; **AND**
- The individual or family lacks the resources or support networks (e.g., family, friends, faith-based or other social networks) needed to obtain other permanent housing.

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

- Are defined as homeless under other listed federal statutes;
- Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the program assistance application;
- Have experienced persistent instability as measured by two moves or more during the preceding 60 days; **AND**
- Can be expected to continue in such status for an extended period due to special needs or barriers.

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

- Is fleeing, or is attempting to flee, domestic violence;
- Has no other safe residence; **AND**
- Lacks the resources or support networks to obtain other permanent housing.

Category 5: Unstably Housed—Individual or family who:

- Is at risk of losing their housing, and does not otherwise qualify as homeless under the above listed (1-4) categories, provided that:
- They have been notified to vacate current residence or otherwise demonstrate high risk* of losing current housing; AND
- Lack the resources or support networks to obtain other permanent housing.

*High risk may be demonstrated by but is not solely defined as: having experienced a loss of income or other threat to housing stability. In addition, sharing housing of other persons due to loss of housing, economic hardship, or a similar reason (“doubled up”) may demonstrate a high risk of losing current housing. Owing rental arrears or not having the ability to pay for future rent may also demonstrate high risk status.

Income

To be eligible to receive services, applicants are required to be low income; a household must be at or below 80% of area median income.

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

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

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

Grantees’ policies and procedures must identify what method they will use to calculate income eligibility and income eligibility must be calculated consistently between applicants of the same program. Grantees must ensure that subgrantee(s) have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

Documentation methods may include:

- Previous 12 months of income;

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

Convert periodic wages to annual income by multiplying:

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

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

A “Snapshot” of current income can be used as an exception to Grantee’s policies and procedures, when warranted and documented in the client file. **Snapshot Method** means the process of determining the estimated annual income that uses a snapshot of the household income at the time of application. It does not rely on a specific period in the past to determine the annual income amount. The method must only be used when a household’s income has recently changed drastically and is not expected to change from the time of the snapshot (such as in a recent job loss) or when income tends to be very volatile. The snapshot method cannot be used to avoid accounting for income.

- (1) **Standardization:** Grantees/subgrantee(s) have the discretion to calculate income standards in a manner best suited for the organization, based on their own policies. Example policies include using a year-to-date amount divided by the number of months in the year-to-date amount, using the last 30 days of paystubs or the last 60 days of paystubs. The main requirement is that the way income is calculated is consistent between clients. Exceptions to the standard way of calculating income must be identified in policy (such as circumstances in which a snapshot method is used).
- (2) **Consistency:** Grantee/subgrantee(s) must be consistent in how income calculation standards are applied, even if that means it excludes someone from being able to be assisted. Grantee/subgrantee(s) cannot use the most current paystub for one person, the last 30 days for another, and a year-to-date for someone else, especially if the fluctuating use shows that it is being done to under-calculate income. Income calculation standards must be documented in policy and such policy will be subject to OHCS monitoring.
- (3) **Client quit a job:** If an applicant quits their job within the past 30 days and meets other eligibility, assistance may still be provided; however, the income can be calculated on the snapshot method. The snapshot method is an exception to a standardization of income calculation and must be identified in

the Grantee/subgrantee(s) policy as well as documented in the client file as to why the exception was granted.

- (4) Overtime and Bonuses cannot be excluded from income calculations. Income cannot be excluded just because it would put the applicant/participant over the income limit. Year-to-date income methodology is an effective way to determine income when income is varied and includes overtime or bonuses.
- (5) Income from a live-in aide is not considered part of the income determination; however, a live-in aide must meet the following criteria:
 - a. Live-in aide means a person who resides with one or more elderly household member, or near-elderly household member, or member of the household with disabilities, and who:
 - i. Is determined to be essential to the care and well-being of the household member;
 - ii. Is not obligated for the support of the household member;
 - iii. Would not be living in the unit except to provide the necessary supportive services; and
 - iv. Provides documentation of payment for the live-in aide services provided to the household.
- (6) Child tax credits, Earned Income Tax Credits, Stimulus Payment and Tax Refunds are not considered income.
- (7) Self-employment: When calculating self-employment, use the previous year's tax information, if available. Use the gross income and subtract out the deductions claimed on Schedule C to get a net income. Schedule C is the Profit and Loss form used for a Business, which deducts expenses, such as their vehicle, supplies, offices expenses, travel, utilities, etc. The net income is then divided by 12 and the result is used for the household's monthly income.

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

Citizenship and Immigration Status

OHCS expects Grantees to provide services regardless of immigration status to all eligible households. Immigration status or citizenship may not be used a reason for denial of services.

Prioritization Guidance

OHCS recognizes that prioritization of resources is a reality when there is more need than available resources. OHCS also notes that prioritization about who is served first needs to consider local factors and needs while also ensuring that discrimination and fair housing laws are followed accordingly. The rest of the determination processes need to be documented by

partners to determine the best needs for each local community. To that end, OHCS has the following criteria for prioritization under this program:

OHCS is requiring that households who are facing an active eviction case be prioritized for financial assistance funding over those who are simply at risk of eviction. Grantee must develop a written strategy for identifying and prioritizing households that have received an eviction notice, or have a pending first appearance, have a written notice to vacate, or otherwise at imminent risk of eviction.

Oregon Residency

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

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

Eligibility Documentation

Documentation of all participant/applicant eligibility information must be available in participant/applicant files or if kept electronically, available upon request in the format requested. Documentation of all efforts to obtain higher preference of verification (Third party and Intake Worker/Case Manager Observation) when lower forms of preference are used, must be in writing and kept in the participant/applicant file.

Remote Application and Documentation

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

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

Grantees must have a stand-alone policy for the use of a remote application and eligibility documentation process. Grantees must ensure that subgrantee(s) have policies that align with

OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. Such policy must be applied equitably across services that use or are supported by OHCS funding and were allowed by the funding source. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

The Grantee's Remote Application and Documentation policy must address the following elements:

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

(1) **Order of Preference**

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

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

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

Allowable Expenses

CATEGORIES	
PROGRAM DELIVERY	
Outreach and engagement activities	Outreach and engagement activities associated with the community served by the grantee. These expenses can include outreach staff time, transportation, promotional materials, meetings, and events.
Translation Services	Development of a language access plan and translation of web and print materials into languages most utilized in the service community. Expenses tied to enabling access to services for users with limited English proficiency.
Web, print, social media, and advertising	Promotions and advertising for the grant program and other available housing-related services provided by the grantee. Web media, print media, social media advertising and promotional expenses.
Research and development	Grant program design, research to determine community needs and service delivery best practices, third-party development and programming, software development costs, pilot programming, and program testing.
Program implementation planning	Planning activities related to preparing to implement the program. Planning meetings, events, onboarding, and training expenses.
Equity and accessibility efforts	Expenses tied to accommodations and efforts to ensure the program is delivered equitably with the most vulnerable and underserved Oregonians in mind. Expenses tied to building equitable service delivery into the program design and ensuring the program is accessible to those who are differently abled or lack the resources to engage in the traditional platforms/points of program entry.

Program evaluation	Regular evaluation of program efficacy, outcomes, generating reports, charts, and visualizations. May include materials and expenses tied to these efforts.
Training & Technical Assistance	Staff training related to the development and implementation of the grant program. This includes training materials, training space rent and expenses, equipment, and transportation.
HMIS and data system expenses	Set up and maintenance of HMIS access and utilization. This includes hardware, set-up fees, maintenance, software, subscription fees, and training needs.
Personnel – Staff time	Staff wages, salaries, and employment benefits for staff who deliver services and those who directly oversee program operations.
Non personnel	Operation of the program and overhead expenses, such as rent, utilities, office supplies, equipment, and vehicle leasing.
Capacity Building (5% max)	Please see “Capacity Building” below chart for more information.
Case Management Services	Direct services and referrals tied to activities associated with individualizing and integrating employment, health care, connections to benefits, and other housing-related options for or with an individual or household. Case managers assist clients in assessing and coordinating any services necessary to address their housing instability. It is a collaborative process that involves planning, implementing, monitoring, and evaluating the options and services for each client. Please see “Case Management Services” below chart for more information.
Housing and Health Navigation Services	Housing navigation and housing education are services that help individuals and families experiencing housing instability or homelessness to identify opportunities and address barriers to housing. A specialist who assists people in locating and securing affordable housing is called a housing navigator. Healthcare navigators can help patients navigate the clinical care system. Responsibilities include helping patients to find and access treatment. Housing stability is a social determinant of health and health stability supports housing stability. Thus, we view them as interdependent.
Hotline and in-person services	Telephone and web data systems, call routing, tracking, and data collection. HMIS expenses billed separately. On site service delivery and setting up trauma-informed spaces for clients to converse privately related to their cases and housing or case concerns.

Participant Support Meetings and Events	Meetings and events involving program participants as a part of the grant program to engage in supportive activities such as cohorts, services geared toward gaining employment, raising income, budgeting, educational opportunities, case management activities, etc.
Transportation/Travel	Transportation, meal expenses, and lodging tied to approved grant activities such as out-of-area educational conferences. Travel is allowable as a direct program cost when such travel will provide direct benefit to the participant or grant program.

PROGRAM EXPENSES	
Rent and utilities payments and arrears	Past due rent and utilities payments, without a maximum number of allowable months.
Future rent and utility assistance	Future rent and utility payments, without a maximum number of allowable months. Grantee must have policy related to serving program participants and community equitably.
Security deposits	Security deposit payment in current unit or unit household is moving into to attain housing stability.
Moving expenses	Moving expenses related to a new housing unit or out of a housing unit that does not offer stability. Expenses can include moving truck, packing supplies, movers, and helpers for differently abled households. No moving into or out of the state Oregon will be supported by program expenditures. Services are for residents of Oregon and those seeking long-term housing stability in the state of Oregon.
Application fees	Rental application fees for new housing unit.
Civil legal services (legal advice, legal representation, court fees)	Civil legal services are legal assistance to low-income households who have non-criminal legal concerns. Legal services may include: Mediation to help disputing parties to reach a mutually agreeable settlement. Arbitration to make a binding decision to settle a dispute. Preparation of legal documents. Representation of clients in negotiations, court, or arbitration.
Landlord/Tenant Mediation Services	Mediation is "a process in which a mediator assists and facilitates two or more parties to a controversy in reaching a mutually acceptable resolution of the controversy. Includes all contacts between a mediator and any party or agent of a party, until such time as a resolution is agreed to by the parties or the mediation process is terminated." ORS 36.110[5]). In landlord-tenant mediation, a neutral third party, the mediator, helps landlords

	and tenants resolve conflicts and disputes related to their rental relationship. Mediation may or may not be mandatory depending on if it falls under Chapter 90 Statute. The mediator works to facilitate a mutually beneficial, and a legally-binding (if signed by both parties) resolution to their dispute. Mediation is an informal and voluntary way of resolving disputes between tenants and landlords.
Pet rent and pet deposit	Pet rent payments and payments of security deposits for pets in housing units. Per statute, landlords are not able to charge pet rent or deposit for service animals. Please see “Pet Deposit” below chart for more information.
Stability stipends for housing related expenses	Please see “Stipends and Incentive payments” below chart for more information.
Housing-related fees	Rent/utility late fees, housing-related court fees, and utility reconnection fees.
Work supports	Expenses including training costs, transportation assistance, childcare and eldercare needs, and clothing to support employment needs.
Furniture and household goods	Up to a maximum of \$2000 per household for basic furniture and household goods to make the unit habitable for the household needs. These expenses can include bed, bed frame, seating, dining table, needed lighting, kitchen supplies, food supplies, bathroom supplies, personal protective equipment, etc.
Transportation	Costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repairs/insurance are allowable and travel related expenses to support participant appointments for employment, benefits, medical needs, or any other related activity tied to their housing stability plan.
ADMINISTRATIVE COSTS (15% maximum of full award)	
Admin expenses	Costs and expenses associated with the administration of the grant. This can include direct and indirect costing of Operations, IT, Executive Team, Human Resources, and Finance expenses tied to administering the program.

Case Management Services: are inclusive of:

- Intake and assessment, including time spent assessing a household and determining whether or not the household is determined eligible;
- Once an eligibility determination is made, case management services also work to connect clients to resources within the organization, or external to the organization if needed for stability supports;
- Direct client services include developing an individualized housing and service plan,

monitoring and evaluating household progress, identifying creative and immediate housing solutions outside of the traditional homeless service system (diversion), and ensuring that households' rights are protected;

- Services that increase access to the income supports. This includes increasing access to earned income, or access to disability benefits programs administered by the Social Security Administration for eligible adults who are experiencing or at risk of homelessness and have a serious mental illness, medical impairment, and/or a co-occurring substance use disorder (i.e., SOAR or similar style services);
- Services for clients entering into or are in permanent supportive housing and need assistance to stabilize;
- Placement services includes services or activities designed to assist households in locating, obtaining, and retaining suitable housing, tenant counseling, assisting households to understand leases, inspections, securing utilities, making moving arrangements, and representative payee services concerning rent and utilities;
- Mediation and outreach to property owners/landlords related to locating or retaining housing;
- Data entry

Gift Cards

Gift cards issued to eligible clients for the purpose of purchasing items must be in support of the participant's housing stability goals and allowable under OHCS rules and program guidance, and any requirements in the grant agreement between OHCS and grantee. Grantee must provide adequate documentation to support the purpose and the expense and grantee must have an OHCS-approved Gift Card Policy. Use of gift cards must be rare, for very specific housing-related goals and only when other payment options are not available.

Gift Card Requirements:

- The expense must be allowable under OHCS rules and program guidance and must show a connection to housing stability. Programs will be monitored, and expenditures will be disallowed without sufficient documentation.
- Gift cards must be purchased and issued to clients within the same grant period. For any gift cards that are not issued to clients before the close of the grant period in which they were purchased, grantees must submit a negative request for funds for the grant period in which the gift cards were purchased totaling the amount of the unissued gift cards and other non-OHCS funds must be used for the cost of the gift cards.
- Grantee must maintain complete record of gift card purchases and recipients. Gift cards must be kept in a secure location prior to being issued.
- Client must receive documentation that identifies the purpose and intent of the gift card and must acknowledge, by written, legible, wet signature, the same, and such documentation must be kept in the client's file.

- Grantee or subgrantee must develop a gift card policy and obtain **OHCS' written approval** of the policy. At a minimum, the policy must include:
 - Justification as to why gifts cards are issued rather than providing assistance through conventional means.
 - Authorization levels of approval for gift card purchase and issuance within grantee or subgrantee's organization.
 - Dollar limitations per client/participant.
 - Frequency in which gift cards can be issued in lieu of other alternative payment options.
 - Requirement that issuance of gift card is in support of a client's plan to increase housing stability and that plan is included in the client file.
 - Proper documentation: policy must require client-facing policy that identifies allowable purchases and use of gift card. Policy document must be signed as received and read by client/participant. One copy should be provided to client and one copy should be kept in clients' file.

Direct Payment Assistance

OHCS funds housing services as well as supportive services for low-income households experiencing or facing housing instability in the state of Oregon. Direct assistance payments allow participants the flexibility to meet a range of housing related needs without the complication of third-party payment systems navigated by service providers. Grantee can allow for direct assistance if it can address the housing stability of the participant, it is an allowable expense under the program guidelines, grantee has developed an approved OHCS policy that clearly states the cases in which direct payment assistance is necessary and the reasons why there are limited alternative options in providing the service to the household. Grantees and subgrantees must make reasonable efforts to obtain the cooperation of landlords and utility providers to accept payments directly from the program.

Recommended alternatives to direct payment assistance:

- Offer third party payments from grantee or subgrantee directly to landlord, utility company or vendor on behalf of the participant/household.
- Partner with bus or transportation services that bill for their eligible clients.
- Partner with vendors (stores/businesses) for a voucher system. A voucher is a document which is worth a maximum dollar value, and which may be used only for specific items at a specific vendor. Vouchers are very similar to purchase orders. In advance, the organization establishes agreements with a vendor under which the vendor agrees to accept a "voucher" at the point of sale and then invoices the organization for the actual purchase.

- Partner with clothing stores that will bill for clothing selected by eligible clients and the clothing can be picked up once the bill is paid (for example, Salem-Keizer Schools currently has this arrangement with Kohl's).
- Grantee/provider staff can purchase items for client either online or at a store/business using company credit card. Records of detailed receipts must be submitted for reimbursement.

Grantee or subgrantee must develop a direct payment assistance policy and obtain **OHCS' written approval** of the policy. At a minimum, the policy must include:

- The business case for when direct payment would be considered, how it contributes to participant success, and aligns with case management for housing stability plans.
- Authorization levels of approval for direct payment approval and issuance to client within grantee or subgrantee's organization.
- Dollar limitations per client/participant/household.
- Frequency at which direct payment assistance can be issued in lieu of other alternative payment options.
- Requirement that direct payment assistance is in support of a client's plan to increase housing stability and that plan is included in the client file.
- Process for staff to document each use of direct payment including:
 - How the amount of direct payment was calculated.
 - Why direct payment assistance was provided rather than conventional means.
 - Form of direct payment
 - Sign off for authorization of payment.
- Proper documentation: policy must require a client-facing policy document that identifies allowable purchases and uses of direct payment assistance. The policy document must be signed as received and read by client/participant. One copy should be provided to client and one copy should be kept in client file.

Capacity Building (5% maximum of full award)

Capacity building assists organizations to develop networks to undertake joint activities and coordinate their services to achieve common goals and provide better service to participants experiencing housing instability. If a grantee wishes to hire technical assistance consultants, it is an allowable expenditure.

Funding can be used to support projects and activities that increase a grantee's service area's capacity to provide emergency housing and homeless services. Capacity building includes capacity building internal to the grantee as well as within the external service area and community. Capacity building includes increasing a grantee/subgrantee's capacity to deliver OHCS funds and include service provider investments.

The specific focus of capacity building is to enhance local eviction prevention provider capacity to design and implement strategies to build, rebuild and sustain community capacity – especially in deprived communities and in towns, cities and regions suffering from economic decline, worklessness and benefits dependency. Supporting organizations with mentoring, finance, strategy building, and system analysis are a vital part of capacity building. Records of capacity building activities must be kept in accordance with OHCS Records Requirements, inclusive of meeting records, outcomes, and evaluation records, along with any fiscal records associated with the project.

Objectives of Capacity Building are:

- a. To enhance, or more effectively utilize, skills and abilities and resources of eviction prevention service providers;
- b. Strengthen understandings and relationships amongst eviction prevention service providers; and
- c. Address issues of values, attitudes, motivations, and conditions to support housing stability activities in a sustainable manner.

Capacity building is not a category through which to simply share program information and available services with other providers which can be accomplished through marketing and outreach efforts. Capacity building projects are activities that are specifically designed to increase the community’s ability to provide eviction prevention services. Costs associated with advertising and public relations designed solely to promote the subgrantee/subrecipient organization and their activities are allowable to be billed under communications.

Transportation

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

OHCS funds cannot be used to build assets, such as the purchase of a vehicle or loan payments and cannot be used for debt payments, such as traffic violations/fines to obtain a license. Private transportation options can include minor vehicle repair, car insurance, and the least costly option for vehicle registration, with written subgrantee policy on use of funds for these services and such policy must be available to OHCS upon request. Subgrantees must ensure that subgrantees have policies that align with OHCS requirements and are consistent with the intent of such a policy as

outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy. For example, repair to a vehicle might be preferable to a bus pass if the community does not have public transportation or if the client works at night when public transportation is not operational.

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

Pet Deposit

A pet deposit is a security deposit required by a landlord in order to house an individual or family. Pet deposits are limited to one pet. Pet deposit does not include monthly pet rent or repayment of any damages by a pet exceeding the pet deposit.

Pet Rent means a monthly rent charged on a pet and required by the landlord through a rental/lease agreement.

Duplication of Benefits

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

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

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

Records Requirements

Case Files

Documentation of client eligibility and services received must be maintained in client case files (paper or electronically). Documentation for applicants found to be ineligible for assistance or for clients who are no longer eligible to receive assistance is required and will include the client's request for assistance, why they are ineligible and how it was communicated to the applicant. Ineligible clients do not need to be entered into HMIS unless the use of HMIS is a part of the Grantee or subgrantee's intake/assessment process.

File documentation will be the basis of OHCS monitoring to ensure Grantee and subgrantee(s) are in compliance with program requirements and regulations. OHCS recommends that Grantees and subgrantee(s) use a client file checklist to ensure adequate documentation of case files. Sample forms are available on the OHCS website.

Records Access

Grantees and their subgrantee organizations are required to permit OHCS, the Oregon Secretary of State's Office, the federal government, and the duly authorized representatives of such entities access to, and the right to copy, all program client and fiscal records for such purposes as research, data collection, evaluations, monitoring, and auditing. At the sole discretion of OHCS, access to records shall include the removing of records from the Grantees' and subgrantee(s)' office.

Records Retention

Grantees and subgrantee(s) shall retain all program records pertinent to client services and expenditures incurred under CSO/CRO program in a manner consistent with the requirements of state and federal law. This includes, but is not limited to, those requirements listed in Administrative Rule, Operations Manual and Special Schedules.

Find the OHCS Special Schedule at the Oregon State Archives:

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

Find the State Agency General Records Retention Schedules at the Oregon State Archives:

https://sos.oregon.gov/archives/Pages/records_retention_schedule.aspx.

Grantees and subgrantee(s) shall retain and keep accessible all such **fiscal and program records**, client records, digital and electronic records, books, documents, papers, plans, and writings for a minimum of **(6) six years**, or such longer period as may be required by applicable law, whichever date is later. Applicable law includes the following final payment and termination of CSO/CRO program funding, or until the conclusion of any audit, controversy or litigation arising out of, or relating to CSO/CRO program funded programs.

Outcomes

Our Housing Retention contracts outline the number of individuals or households to be served by our grantees in the 23-25 biennium with allocated funding. For the designated number of households served, the following is the key performance measure for success in our eviction prevention programming:

Grantee shall, and shall cause and require its subgrantee(s) by contract to administer the program in a manner consistent with program requirements designed to achieve the following performance goals:

- Increased housing security for households facing imminent eviction or homelessness will be determined by the proportion of households stably housed at the end of the program. This is gauged by the percentage of all program participants residing in permanent housing upon completion of the program or project that was supported by these funds.

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

Data Entry

HMIS

Grantees and their subgrantee(s) are required to enter CSO/CRO program related client data into the Service Point Homeless Management Information System (HMIS). Victim Services Providers, serving survivors of domestic violence, are also required to collect client data, but will not directly enter data into an HMIS. Victim Service Providers must enter client level data into a comparable database that complies with HMIS requirements. Grantees and subgrantee(s) are responsible for acquiring and documenting informed written consent from program participants and protecting program participant's confidentiality.

OHCS reserves the right to request other key datasets including the following:

- Detailed budget and spending reports, especially the breakout of costs spent on clients (financial assistance) and costs spent on program delivery (staffing, subcontracts, and related costs).
- Number of clients served to date, including demographics and other trends as indicated in the HMIS system.
- Number of requests for assistance to date.

Additional guides and assistance with HMIS data entry, data quality and reporting may be found on our website at: <https://www.oregon.gov/ohcs/for-providers/Pages/index.aspx>.

Data Timeliness

Timely and accurate data entry is critical to ensuring meaningful data analysis and reporting. For all project types, Grantees and subgrantee(s) must enter data within 72 hours or sooner, depending on local CoC HMIS policies.

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Monthly Reports

Monthly disaggregated data using the SAP Business Objects (the HMIS reporting tool) System Query Report. Report is due 20 days following the end of each month. Grantee must upload the report into Procorem or utilize an automated export of disaggregated HMIS participant data. The System Query data may be submitted by the HMIS administrator for all OHCS funded HMIS Participating Agencies/Providers in the Oregon Multi-Continuum HMIS instance.

Annual Report

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

Qualitative Responses
<ul style="list-style-type: none">• What were the most pressing community needs, and how did you help? Describe specific activities.
<ul style="list-style-type: none">• Describe the case management and housing navigation services provided by the project. What communities did you serve? What activities did you engage program participants in?
<ul style="list-style-type: none">• Describe your Tenants Rights Education activities under your contract. Who do you serve, and how did you reach them? Describe workshops and other educational activities provided. What impact is this work having on the communities you serve?
<ul style="list-style-type: none">• What are the greatest service needs? What are the top languages needed? How do you ensure that the needs of those who present for services are met?
<ul style="list-style-type: none">• What additional services did clients request?
<ul style="list-style-type: none">• Are there any programs or services that you believe will be needed by clients in the next 6 months?
<ul style="list-style-type: none">• What other agencies did you refer clients to, and why?
<ul style="list-style-type: none">• What needs are currently unmet in your community?
<ul style="list-style-type: none">• Was your waitlist reduced over the course of the funding, or did the community need outpace operations and funding?

Monitoring

OHCS will conduct a program monitoring of Grantees once every two fiscal years or more frequently at OHCS' discretion. OHCS program monitoring may include desk audit, site visit and/or site visit with subgrantee(s) (or subgrantee organization's subgrantee(s)). Fiscal monitoring will be conducted once every two fiscal years unless circumstances and/or risk assessment require

less or more frequent monitoring at OHCS' discretion. Grantees will be notified thirty (30) days in advance of the monitoring visit and informed of what documents and records will be reviewed and any required staff or Board interviews. OHCS will provide Grantees with a written monitoring report inclusive of any findings, concerns, or comments. Grantees are required to submit timely corrective action to findings and failure to do so can result in the withholding of funds or a requirement to return CSO/CRO program funds to OHCS or other remedies as described in the Grantee's grant agreement/contract.

Grantees must notify and receive approval from OHCS when adding subgrantee(s) and/or renewing subgrantee(s). Notification and approval normally occur during the Grantee's grant agreement/contract funding application process. However, if changes are made outside of the funding application, Grantees must submit a request to the Housing Retention team Program Analyst for approval of subgrantee(s) additions, deletions, or modifications within 30 days of such change.

Subgrantee Monitoring

For the purposes of this operations manual the term “subgrantee(s)” shall mean any Grantee’s subcontractors, contractors, vendor, subgrantee(s) and any subcontractors, contractors, vendors or subgrantee(s) of a subcontractor, contractor, vendor or subgrantee(s). Subgrantee(s) must follow program intent, rules, and guidelines for the expenditure of funds.

All subgrantee(s) must comply with all applicable program rules and regulations as noted in this manual, the Grantee’s grant agreement/contract and Program Element: Scope of Work. Records of subgrantee(s) monitoring performed by the Grantee or subgrantee(s) will be reviewed during OHCS monitoring. Subgrantee(s) monitoring reports must be retained by the Grantee and available for review by OHCS or other authorized entity, in compliance with program rules.

At least once during each biennium, Grantee must monitor the activities and expenditures of its subgrantee(s) to ensure:

- compliance with Grantee’s grant agreement/contract and program rules and requirements; and
- achievement of performance goals.

Grantee’s monitoring of its subgrantee(s) must include:

- an evaluation of each subgrantee’s risk of non-compliance with rules, regulations, and terms and conditions of any applicable subaward for purposes of determining the appropriate level and type of subgrantee(s) monitoring;
- a review of financial and performance reports;
- a review of subgrantee(s) policies and procedures, forms, documentation, client records including eligibility, notifications and documentation;
- a review of participant records to ensure compliance with security, maintenance, retention and destruction of records; and
- follow-up on all deficiencies pertaining to any OHCS funding in accordance with all program rules and regulations.

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

- Frequency of subgrantee(s) monitoring, which must be minimally once during a biennium or the term of the Grantee’s grant agreement/contract;
- The number of relevant samplings of fiscal transactions per program;
- The number of relevant samplings of participant files and that such review includes eligibility, notification and documentation;
- The number of relevant samplings of HMIS entries to ensure appropriate entry and tracking of participant information and service transactions;

- A review of participant records to ensure compliance with security, maintenance, retention, and destruction of records; and
- A review of subgrantee's policies and procedures, forms, documents and notifications to ensure compliance with all program, state and federal rules, regulations and requirements.

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

Financial Management

Mandatory use of OPUS

The OPUS database is the system of record for financial transactions with OHCS and use of OPUS is mandatory for fund allocation, draw down, and fiscal reporting processes.

The OPUS system is a web-based centralized data system designed to meet business processing needs. Grantee staff must complete training before being authorized to use the fiscal operations program of OPUS. Training can be provided by the Fiscal Grant Specialist at OHCS.

Subgrantee shall, and shall cause and shall require its subrecipients by contract to comply with the following program specific reporting requirements:

Ensure that data collection and reporting for Housing Retention funded activities be conducted through the use of the OHCS approved OPUS database or other OHCS designated service data information system and assure that data entry into OPUS occurs in an accurate and timely manner.

This program uses the following categories within OPUS:

- Administration
- Program Delivery
- Program Development
- Outreach and Advertising
- Participant-facing expenses

OHCS maintains an OPUS Manual and OPUS Help Desk. Staff can be reached at:

Email: opushelp@oregon.gov

Ph: (503) 986-2099

Toll Free: (800) 453-5511, Option 6

Request for Funding Documentation

Grantees must retain supporting documentation of all costs charged to the applicable grant and be able to provide evidence that grant funds were spent on allowable costs. When Grantee submits a Request for Funds (RFF) on OPUS, they are required to download documentation of the costs for which they are requesting payment. Any RFF submitted without accompanying documentation or with insufficient documentation will be returned to the Grantee with instructions to provide additional information.

Budget Change Requests and Amendments

Changes in a Grantee's scope of work will necessitate a contract amendment. All budget changes require OHCS approval by submitting a Budget Change Request form electronically to your Housing Retention Program Analyst.

At the discretion of OHCS, additional information may be required for a budget change request.

Request for Funds

Grantee must request reimbursement of grant funds through the OPUS system, at least once every two calendar months. OHCS recommends that best practice is submission of a request at minimum of once every calendar month.

OHCS Spend Down and Reallocation Policy

The following procedures are established for all funds allocated to Grantees through the Grant Agreement process.

Spending Targets

All funds, with the exception of administrative allocations, will be spent proportional to the Expenditure Period at the rate prescribed below (as tracked through the OPUS "Award Summary" report).

Minimum spending targets:*

- At 25% through Expenditure Period, at least 10% of the funding must be spent.
- At 50% through Expenditure Period, at least 25% of the funding must be spent.
- At 75% through Expenditure Period, at least 65% of the funding must be spent.
- At 90% through Expenditure Period, at least 90% of the funding must be spent.

Any spending below these targets will be evaluated against the Time-Bound Expenditure Plan. Any spending **below both rates** is subject to rescission.

**Note: Some OHCS grants require more aggressive spending requirements. Any such requirements supersede these thresholds*

OHCS and Grantee Collaboration

When spending is below the thresholds described above, and prior to funding rescission, OHCS and Grantee agree to find solutions that resolve the issues, provided it is within OHCS' control (in its sole discretion) to adjust to meet Grantee's needs and does not conflict with federal or state law. Solutions for resolution may include, but not are limited to:

1. OHCS program staff will discuss best practices and training and technical assistance resources to aid in resource utilization. This could include special and discretionary funding allocations to assist with capacity or training needs.
2. If OHCS is aware of local political advocacy or engagement, OHCS will work with the Grantee to ensure those parties are involved in planning discussions;
3. OHCS staff may contact Grantee to brainstorm and potentially facilitate connections with service providers or provide a list of service organizations and recommended contacts to utilize funding.

OHCS will provide written notice to cure to Grantee and OHCS will allow proposals from Grantee to cure spending issues and prevent funding rescission. Grantee will have 15 calendar days to send the Program Analyst a time-bound expenditure plan for approval to demonstrate how compliance with spending targets will be achieved.

General Fund Grant Allocations

Standard practice for allocation of General Fund for programs is to divide the biennial allocation in two, with 50% allocated in year one, and 50% allocated in year two. Grantee may submit a written request to OHCS to allocate more than 50% in year one which will be reviewed by Housing Retention Program Analysts and determined on a case-by-case basis.

Late Term Rollovers

Grantee can contact an OHCS Program Analyst to update the original Time-Bound Expenditure Plan (adding rollover to the annual allocation) if the rollover is determined within 90 calendar days after the initial Time-Bound Expenditure plan is created. These Implementation Report and spenddown updates will be considered to be the initial Time- Bound Expenditure Plan, as long as an Amended Implementation Report has not already been submitted.

Committed Funds

For grants that include the category of program delivery, Grantees can include these funds as part of the commitments in OPUS; however, the Spend Down Policy and remedies apply only to expended funds as identified in the OPUS “Award Summary” report.

Administration

Grantees are allowed to use up to fifteen percent (15%) of their total CSO/CRO program allocation for administrative costs, including those allowed for subgrantee(s) organizations with whom the Grantee contracts. There is an expectation that administrative funds will be shared with subgrantee(s) commensurate to the services provided through the program by subgrantee(s).

Please note, that indirect costs are allowed to be applied to the Administration category. Allowable administrative costs typically, but not exclusively, benefit the organization as a whole and cannot be attributed specifically to a particular program. All amounts billed must be supported by actual costs.

Allowable costs include, but are not limited to:

- Senior executive management personnel salaries and benefits (unless they are directly involved in program operations), administrative staff travel costs.
- General services such as accounting, budget development, personnel, contracting, marketing, agency audit, agency insurance.
- Board expenses (excluding meals);
- Organization-wide membership fees and dues specific to homeless systems and programs.
- General agency facilities costs (including those associated with executive positions), such as rent, depreciation expenses, and operation and maintenance (as part of the organization’s direct or indirect cost allocation plan);
- Equipment rental/purchase, insurance, utilities, and IT costs that are not program specific but relate to the administration of the agency as a whole.
- Indirect costs, including Negotiated Indirect Cost Rate Agreements (NICRA)

Applicable Rules and Regulations

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

- **ORS 456.515 through 456.725 (OHCS)**
 - https://www.oregonlegislature.gov/bills_laws
- **ORS 458.505 through 458.545 (Community Services):**
 - https://www.oregonlegislature.gov/bills_laws
- **OAR 166-300 (Retention Schedule):**

- <https://secure.sos.state.or.us/oard/ruleSearch.action>
- **OAR 813-005 (General):**
 - <https://secure.sos.state.or.us/oard/ruleSearch.action>
- **HMIS Data Standards Manual:**
 - <https://www.hudexchange.info/resource/3824/hmis-datadictionary/>
- **Limited English Proficiency** federal interagency website can be found at:
 - <http://www.lep.gov/>
 - Guidance and additional materials can be found at
 - https://www.hud.gov/program_offices/fair_housing_equal_opp/limited_english_proficiency_0

This manual as guidelines for our culturally specific and responsive program are amended from time to time along with all other references made within this manual. All references made in this manual are understood to be as written, and as amended from time to time.

- **ORS** cited are amended from time to time and can be found at:
 - https://www.oregonlegislature.gov/bills_laws/Pages/ORS.aspx
- **OARs** cited are amended from time to time and can be found at:
 - <https://secure.sos.state.or.us/oard/ruleSearch.action>
- **CFRs** cited are amended from time to time and can be found at:
 - <http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=%2Findex.tpl>
- **OMBs** cited are amended from time to time and can be found at:
 - <https://www.whitehouse.gov/omb/information-for-agencies/circular>

Program Definitions

Discrimination: The unjust or prejudicial treatment of different categories of people, especially on the grounds of ethnicity, age, sex, gender, or disability

Eviction Prevention: Strategies and programs designed to keep individuals and households in their homes, helping them to avoid the risk of homelessness. Eviction prevention is often seen as an “upstream” solution to keep individuals and households stably housed, to avoid them falling into unsafe housing conditions, and to avert the damaging impacts on mental and physical health, economic wellbeing, and access to future housing options that often come with evictions on record. These strategies intervene and provide support at different points in the eviction process – before an eviction is filed with the courts, during an eviction proceeding, and after an eviction judgment is given. The goal is to address the roots causes of evictions with interventions at different stages in the eviction process, tailored to meet a range of needs and circumstances.

Essential Components of Service Delivery: Included in the Operational Standards. They are the use of Housing First, maximizing participation in Coordinated Entry, ensuring availability of Low-Barrier Shelters in the community, incorporating the Lived Experiences of Homelessness into

program design and implements and ensuring service provision has components for Equity and Racial Justice.

Housing First: An approach to connect individuals and families experiencing homelessness quickly and successfully to permanent housing without preconditions and barriers to entry, such as sobriety, treatment or service participation requirements.

Eviction: The court-ordered removal of a tenant from the property where they reside. A landlord may decide to evict a tenant for nonpayment of rent, damages, illegal activity, violating the terms of a lease, or if the landlord wishes to take possession of the property.

Eviction court: A court that hears cases that seek evictions from real estate premises.

HMIS: Homeless Management Information System. Victim Service Providers must use an HMIS Comparable Database.

Housing Termination or Termination of tenancy: The first step in the eviction process and is often used interchangeably with the term eviction. When terminating tenancy, the owner gives the tenant notice to vacate the unit because of a lease violation(s).

Illegal Retaliation by a Landlord: It is harassment, intimidation or the taking of adverse action against a tenant. Some examples may include increasing rent, decreasing services, serving an eviction notice, threatening eviction, or filing an eviction case.

Just Cause/No Cause, Just Cause is a legally sufficient reason. Just cause is sometimes referred to as good cause, lawful cause, or sufficient cause. A litigant must often prove to a court that just cause exists and therefore the requested action or ruling should be granted.

The phrase "no cause" can have different meanings depending on the context. Here are some examples:

- To not have a clear, legitimate reason to do something.
- A landlord can use a "no cause" notice when there is no lease agreement or when the rental agreement between the landlord and tenant does not establish a definite term.
- Not able to be shown to be right or reasonable. Without any grounds to support it.

Landlord: A person who rents land, a building, or an apartment to a tenant. In a lease contract, the landlord transfers part of his or her interest to the tenant, allowing the tenant to occupy and use the property. The landlord can limit the tenant's use of the property or require the tenant to do something in the lease contract. However, once the lease is signed, right of entry to the property by the landlord is regulated.

Legal Aid Services: Free legal advice or representation for a person who cannot afford it.

Tenant: A person or entity who temporarily occupies or possesses real estate that belongs to a landlord.

Mediation: "A process in which a mediator assists and facilitates two or more parties to a controversy in reaching a mutually acceptable resolution of the controversy. Includes all contacts between a mediator and any party or agent of a party, until such time as a resolution is agreed to by the parties or the mediation process is terminated." ORS 36.110[5]).

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

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

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

HMIS: Homeless Management Information System. Victim Service Providers must use an HMIS Comparable Database.

Housing First: An approach to connect individuals and families experiencing homelessness quickly and successfully to permanent housing without preconditions and barriers to entry, such as sobriety, treatment or service participation requirements.

Housing Insecurity: A broad term that encompasses several dimensions of housing problems people may experience. It includes:

- **Affordability:** When housing costs become burdensome relative to income.
- **Safety:** Concerns about the safety and security of the housing environment.
- **Quality:** Issues related to the condition and maintenance of the housing unit.
- **Insecurity:** Housing does not or cannot meet long-term stability needs.

- **Loss of housing:** Experiencing homelessness or the imminent risk of losing housing.

Participant: A household who may or may not be a client but is receiving OHCS-funded services.

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

Priority Population: Persons that the Grantee/subgrantee(s) has determined as having the greatest need and will receive services first (such as veterans and homeless families with children). (For example, for the purposes of HSP, TANF participants are a priority as required by the federal funds.)

Rent cap: A term that can have two different meanings. One meaning is the maximum amount of rent a landlord is allowed to charge a tenant, also known as 'rent ceiling'. This is a way of regulating the rental market and protecting tenants from excessive rent increases. Another meaning is the limit on the number or percentage of units that may be rented at any one time in a community. This is a way of maintaining the balance between owners and renters in a community.

Subgrantee(s): Entities that, by contract with the Grantee agency, provide assistance payments/services and may receive funding directly from the Grantee agency. Through its agreements with Grantee agency, subgrantee(s) must comply with all requirements for the program. Subgrantee(s) include a Grantee's subcontractors, contractors, vendor, subgrantee(s) and any subcontractors, contractors, vendors or subgrantee(s) of a subcontractor, contractor, vendor or subgrantee(s).

Target Population: Persons a Grantee/subgrantee(s) wishes to reach out to who are under-represented in their service population, but delivery of funds cannot be limited to only the target population.

McKinney Vento definition of homelessness the term "homeless children and youths": means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of 42 U.S.C. 11302(a)(1)); and includes:

- a. children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;

- b. children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 42 U.S.C. 11302(a));
- c. children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- d. migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (a) through (c).

Veteran:

Served on active duty with the Armed Forces of the United States:

- For a period of more than 90 consecutive days beginning on or before January 31, 1955, and was discharged or released under honorable conditions;
- For a period of more than 178 consecutive days beginning after January 31, 1955, and was discharged or released from active duty under honorable conditions;
- For 178 days or less and was discharged or released from active duty under honorable conditions because of a service-connected disability;
- For 178 days or less and was discharged or released from active duty under honorable conditions and has a disability rating from the United States Department of Veterans Affairs; or
- For at least one day in a combat zone and was discharged or released from active duty under honorable conditions;
- Received a combat or campaign ribbon or an expeditionary medal for service in the Armed Forces of the United States and was discharged or released from active duty under honorable conditions; or
- Is receiving a nonservice-connected pension from the United States Department of Veterans Affairs.