Appendix 1 to AP-90

Snohomish County
HOME Homebuyer Program Guidelines for Resale and Recapture


Resale and recapture provisions apply to the use of HOME funds for homebuyer assistance programs. Snohomish County will allow for the use of either resale or recapture provisions, as appropriate.

Resale or recapture provisions are triggered when, during the period of affordability, the housing ceases to be the principal residence of the buyer who was assisted with HOME funds. These provisions are imposed for the duration of the period of affordability on all HOME-assisted homebuyer projects through a written agreement with the homebuyer, and are enforced via lien, deed restrictions, or covenants running with the land. The resale or recapture provisions are triggered by any transfer of title, either voluntary or involuntary, during the established HOME period of affordability.

Applicants for HOME funding will need to propose resale or recapture provisions at the time of application for funding and demonstrate how the provisions are consistent with the resale or recapture guidelines.


Resale provisions must be used in situations where HOME funding will be provided as development subsidies (as opposed to direct assistance to the low-income buyer) and where assistance is provided to homebuyers in the form of grants. When resale provisions are proposed, they must ensure that:

- the property will be sold to a low-income buyer who will use the property as a principal residence;
- the price at resale will provide the original HOME-assisted buyer with a fair return on investment;
- the housing will continue to be affordable throughout the period of affordability to a reasonable range of low-income buyers; and
- The agency will have the right of first refusal to purchase the property.
A fair return on investment will be based on the repayment of the owner’s initial investment, any improvements to the property, and a percent of the appreciation of median home prices in the area based on the number of years the property was owned.

Affordable to a reasonable range of low-income buyers is defined as a price affordable to a family at 75% of the area median income or below that will not pay more than 30% of their income for PI (principal and interest).

Additional HOME funds can be used, if available, if gap financing is needed for a subsequent low-income homebuyer to purchase the home.


Recapture provisions will be used when the home, purchased using HOME funds as financial assistance that reduces the purchase price for the homebuyer or as gap financing, is no longer the homebuyer’s principal residence during the period of affordability. The County has selected the following option for recapture of funds under the HOME program:

Recapture Entire Direct HOME Subsidy Method as follows:

Amount to be recaptured. In the event of recapture Snohomish County or subrecipient shall collect from Net Proceeds all HOME Funds, including outstanding principal, plus interest, plus shared appreciation as outlined in the Loan Documents.

In the event that net proceeds are insufficient to repay the HOME Funds, the amount to be recaptured shall be any funds remaining after payment of all superior non-HOME debt and closing costs that are subtracted from the sale price of the home. In no event shall the borrower be required to use funds other than net proceeds to repay the HOME Funds.

4. The special provisions of the HOME Program related to single-family properties with more than one unit (i.e. duplex, triplex, four-plex) [24 CFR Part 92.254(a)(5)(ii)(A)(6)] and lease-purchase programs [24 CFR Part 92.254(a)(5)(ii)(A)(7)] will also apply as appropriate.
5. The County will be responsible for the enforcement of the recapture provisions and will require the subrecipient to obtain the recaptured funds from the homeowner. Recaptured funds must be used by the subrecipient for other eligible HOME activities or returned to the County. The subrecipient is responsible to monitor that the homeowners continue to use the home as their primary residence.

6. The County must be notified of any possible foreclosures or transfers in lieu of foreclosure during the period of affordability to ensure that resale and recapture provisions are followed. The County will recoup any net proceeds from available funds due to foreclosure.
HEARTH

The Continuum of Care Program

Emergency Solutions Grants Program

Local Standards

Funded through the

U.S. Department of Housing and Urban Development

McKinney-Vento Homeless Assistance Act as amended

November 2015
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A – Rent Reasonableness Certification
I. Introduction

Snohomish County is the Collaborative Applicant (CA) for the Everett/Snohomish County Continuum of Care. Staff support is provided to the Partnership to End Homelessness (Continuum of Care Board) by the Snohomish County Office of Community & Homeless Services (OCHS). The standards contained within this document shall be applied to all projects funded within the Everett/Snohomish County Continuum of Care. Standards that apply only to subrecipients of Snohomish County will be differentiated by the term “Subrecipient”; all other standards will refer to “recipient.”

Purpose for Standards

The purpose of the Standards is to:

✓ Provide detail on participant eligibility;
✓ Outline the allowable activities; and
✓ Provide standards for documenting eligibility.

For Subrecipients of Snohomish County, this document is incorporated into the Specific Terms and Conditions (Exhibit A) of the signed agreement (hereinafter Contract) between the County and its Subrecipient. Local policies and procedures are subject to change at any time.

Overview of the HEARTH Act

The U.S. Department of Housing and Urban Development (HUD) Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act) was signed into law on May 20, 2009. The HEARTH Act reauthorizes the McKinney-Vento Homeless Assistance Act of 1987, but with some important changes, including:

➢ The consolidation of HUD’s competitive grant programs, the Supportive Housing Program (SHP), Shelter Plus Care Program (SPC) and the Section 8 Moderate Rehabilitation Program;
➢ The revision of the Emergency Shelter Grants Program and renaming it as the Emergency Solutions Grants (ESG) Program;
➢ The creation of a Rural Housing Stability Assistance Program;
➢ A change in HUD’s definition of homelessness and chronic homelessness;
➢ A simplified match requirement;
➢ An increase in prevention resources; and,
➢ An increased emphasis on performance.

The HEARTH Act implementation is occurring in stages, including the publication of the following regulations:

❖ Definition of Homeless (Final Rule) Docket No. FR–5333–F–02

This final rule was published on December 5, 2011 and provided the definition of “homeless”, “disability”, and “developmental disability”. Additionally, the rule established clear recordkeeping requirements for verifying eligibility to receive assistance.
The interim rule revises the Emergency Shelter Grants Program and renames it the Emergency Solutions Grants Program to broaden existing emergency shelter and homelessness prevention activities and to add short- and medium-term rental assistance and support services to rapidly rehouse homeless people. There is now a greater emphasis on helping people quickly regain stability in permanent housing after experiencing a housing crisis and/or homelessness. The key changes that reflect this new emphasis are the expansion of the homeless prevention component and the addition of the rapid rehousing assistance component.

This interim rule updated the annual action plan requirements, revising the homeless needs narrative to describe the local one-year goals and specific action steps for reducing and ending homelessness. In addition, the ESG narrative section was revised to include new requirements such as written standards for the provision of ESG assistance, performance standards for evaluating ESG activities, and a homeless outreach and consultation strategy.

The annual report requirements were updated to include an evaluation of the jurisdiction’s progress in meeting its specific objectives in reducing and ending homelessness. The ESG narrative section was also revised to include additional reporting information on ESG, including the evaluation of the outcomes for ESG activities measured under the new performance standards developed.

The Continuum of Care (CoC) Interim Rule was published on July 31, 2012 and took effect on August 30, 2012. The purpose of the regulation is to:

- Codify the CoC Planning Process;
- Return individuals and families who experience homelessness to permanent housing in less than 30 days;
- Consolidate the Supportive Housing Program (SHP), Shelter Plus Care Program (SPC) and the Section 8 Moderate Rehabilitation Program;
- Promote a community wide commitment to the goal of ending homelessness;
- Provide funding to quickly rehouse homeless individuals and families while minimizing trauma and dislocation;
- Promote access to mainstream benefits;
- Optimize self-sufficiency;
- Provide funding to support the CoC structure & process; and
- Codify the CoC structure & process.

The overall goal of the HEARTH Act is to reduce and ultimately end homelessness by reducing the duration of time people spend homeless and reducing recidivism back into homelessness. Currently, Snohomish County has funding through the Emergency Solutions Grants Program and the Continuum of Care Program to undertake projects that work toward this goal.
II. Program Overviews

a. Emergency Solutions Grants Program

The Emergency Solutions Grants (ESG) Program is designed to respond to crisis and provide emergency assistance to prevent homelessness and enable homeless households to move toward independent living. ESG funds are authorized under the McKinney-Vento Homeless Assistance Act and are intended to help improve the quality of existing emergency shelters for the homeless, make additional shelters available, meet the costs of operating these facilities, rapidly rehouse homeless individuals and families, provide essential services to them, and to prevent homelessness. ESG projects will be required to assist people in moving to permanent housing and reduce the time spent in shelters and on the streets.

Recent changes to ESG funding have further defined the purpose and expanded the breadth of activities and going forward, the funds will be used for a variety of assistance, including: Emergency Shelter, short- or medium-term Rental Assistance, Housing Search and Placement, and Housing Stability Case Management. The Homelessness Prevention component includes various housing relocation and stabilization services and short- and medium-term rental assistance. The Rapid Rehousing component includes similar services and assistance to help people who are homeless move quickly into permanent housing and achieve stability in that housing. The funds under this program are intended to target households who would be unsheltered but for this assistance. Snohomish County is a recipient of HUD ESG Program funds and will administer this award for eligible agencies referred to as Subrecipients.

b. Continuum of Care Program

The Continuum of Care (CoC) Program consists of projects that provide housing and supportive services to formerly homeless individuals and families. The goal of projects funded under the CoC Program is to assist households with attaining and sustaining permanent housing as quickly as possible. In Snohomish County, CoC Program funds are currently used to support various projects, including Transitional Housing, Permanent Supportive Housing, and Rapid Rehousing. In addition to these allowable project components, the interim rule also allows funding to be used to provide, to a limited degree, Prevention.

Snohomish County is the recipient for the majority of the awarded projects under the CoC Program. The County, as the Collaborative Applicant (CA) for the Everett/Snohomish County Continuum of Care, contracts with various non-profit service providers to carry out these projects. These agencies are referred to as Subrecipients. Within the Everett/Snohomish County CoC, some agencies may also have direct contracts with HUD.

Policy on Project Selection
Annually, HUD publishes a Notice of Funding Availability (NOFA) for the CoC Program competition. The County will notify community members and key stakeholders that the application is available and will publish all parts of the CoC Consolidated Application on the Snohomish County website with a deadline for project applications to be submitted to the County. During this competitive process, the County develops objective scoring criteria based on the criteria from the NOFA and local priorities that are consistent with the Federal Strategic Plan.
to Prevent and End Homelessness. The Project Review Committee (PRC), an independent body, scores projects locally and recommends projects for inclusion in the application submitted to HUD. The County shall notify project applicants in a timely manner, per the NOFA guidelines, whether the project application(s) will be included in the CoC Consolidated Application submission. If a project is not recommended for funding, the County will notify the project applicant, in writing, of this decision.

These guidelines will be updated as necessary throughout the grant period and will continue to expand and include a variety of project components. The County reserves the right to revise the guideline as deemed necessary and will to the extent practicable or as required by HUD, consult with the Everett/Snohomish County Continuum of Care, ESG subrecipients, CoC recipients/subrecipients, homeless or formerly homeless or other interested parties.
III. Coordination Among Providers

The County and the Continuum of Care have been engaged in planning activities to:

- Increase systems coordination among the various housing and service providers;
- Improve access for participants;
- Better target funding; and
- Better address the housing and service needs in our community.

The County, CoC and ESG (Sub)/Recipients will coordinate and integrate, to the maximum extent practicable, CoC- and ESG-funded activities as well as other homeless programs within the area covered by the Everett/Snohomish County CoC with other mainstream housing, health, social services, employment, education, and youth programs, including those identified in 24 CFR § 576.400(b) and (c).

a. Coordinated Entry and Assessment System

The Continuum of Care’s Coordinated Entry and Assessment system (CEA) has been developed in accordance with the HUD Continuum of Care Regulations. Participation in this system is mandatory for ESG and CoC (Sub)/Recipients. See the Snohomish County Continuum of Care: Coordinated Entry Process and Policies, incorporated herein by reference.

b. Fair Housing and Equal Opportunity

i. Affirmatively Furthering Fair Housing

Recipients shall market housing and supportive services to eligible persons regardless of race, color, national origin, religion, sex, age, familial status, or handicap; and, shall provide program applicants and participants with information, in writing, on their rights and remedies under applicable federal, state, and local fair housing and civil rights laws. 24 CFR § 578.93(c). Subrecipients shall submit these written materials to the County as an attachment to the Subrecipient’s Management Plan, as required by the Statement of Work (Exhibit B) of the Contract, effective FY2013. The County shall review these documents for potential violations of fair housing laws and shall assist Subrecipients in coming into compliance with this requirement. If the County encounters a condition or action that impedes fair housing choice, the County shall work with the applicable jurisdiction(s) that provided the Certification of Consistency with the Consolidated Plan to address and remedy the violation(s). 24 CFR § 578.93(c)(2).

ii. Integration and Accessibility

Housing and supportive services must be offered in an integrated manner, such that persons with disabilities may enjoy a meaningful life within the community. See Olmstead v. L.C. (527 U.S. 581 (1999) 138 F.3d 893). Recipients shall offer housing and supportive services to enable individuals with disabilities to interact with nondisabled persons to the fullest extent possible. 24 CFR § 578.93(d). Reasonable accommodations and modifications must be offered when appropriate. See Reasonable Accommodations and Modifications below.

iii. Reasonable Accommodations and Modifications for Persons with Disabilities

Recipients are required to provide reasonable accommodations and modifications for persons with disabilities. A reasonable accommodation is defined as changing the rules,
policies, or services so that a person with a disability has equal opportunity to use and enjoy a dwelling unit or common space. Permitting a person with a disability to have a service animal is an example of a reasonable accommodation. A reasonable modification is defined as modifying a structure so that a person with a disability has the full enjoyment of the housing and related facilities. Installing a grab bar in the bathroom of a person with a disability is an example of a reasonable modification. For federally-funded housing, the recipient bears the burden of paying for the modification. Recipients must inform applicants during the intake process of their right to request a reasonable accommodation or modification.

iv. Preventing Involuntary Family Separation
In an effort to maintain family unity, for housing serving families with children, the age and gender of a child under age 18 shall not be used as a basis for denying any family’s admission. 24 CFR § 578.93(e). Additionally, recipients may not deny admission to any member of the family (e.g., 15-year old son).

v. Prioritized Subpopulations and Fair Housing Implications
Recipients shall comply with applicable civil rights laws, including the Fair Housing Act. Within this framework, these standards establish subpopulations to be prioritized for housing and services that align with the identified needs of the local community and the goals of the Federal Strategic Plan to End Homelessness. Subpopulations may be prioritized as long as doing so does not discriminate against any protected class under federal nondiscrimination laws in 24 CFR § 5.105; subpopulations may also be prioritized according to who needs the specialized supportive services that are offered by the project. 24 CFR § 578.93(b)(2) and (7).

1. Dedicated versus Prioritized
Projects and/or beds that are dedicated to serving a specific subpopulation must continue serving only this subpopulation. (For instance, a Permanent Supportive Housing project that is dedicated to serving chronically homeless individuals must continue serving only chronically homeless individuals). Projects and/or beds that are not currently dedicated to serving a specific subpopulation must give the designated subpopulations priority for admission, in the order established by these standards, when a bed becomes available through turnover. This means that if two otherwise eligible individuals are seeking admission into the program, one who falls within the designated prioritized subpopulation and one who does not, the individual who is in the designated prioritized subpopulation must be given priority for admission. For both dedicated and prioritized beds, if there are no persons on a waiting list or applying for entrance to the program who fall within the dedicated or first priority subpopulation, recipients should not hold the unit vacant, but instead should serve the next prioritized subpopulation who may benefit from the services being provided.

2. Fair Housing Implications
The Local Standards establish priority subpopulations by project type (i.e. Permanent Supportive Housing); recipients may not set more restrictive priorities unless a federal statute or executive order specifically authorizes this limitation, or unless expressly authorized by 24 CFR § 578.93(b)(1) to (7). For instance, while a Permanent Supportive Housing project may prioritize chronically homeless persons with a qualifying disability
per the Local Standards, beds may not be reserved to persons with a *specific* disability (i.e. physical disability). If an individual who is otherwise qualified but who does not have a *physical* disability seeks admission and would benefit from the services offered, this person may not be excluded from the project. Alternatively, for example, recipients may reserve beds for persons with HIV/AIDS if the housing also receives funding from the Housing Opportunities for People with AIDS program (HOPWA).
**IV. Policies & Procedures**

In order to best meet the needs of the community and in accordance with 24 CFR § 576 and 24 CFR § 578, the following policies and procedures have been established to ensure consistent practices in regard to admission, service requirements, duration of assistance, and exiting for all homeless housing projects within the Everett/Snohomish County Continuum of Care. All projects must incorporate the Coordinated Entry prioritization standards for the project type. Refer to the Coordinated Entry Assessment Policies and Procedures.

a. **Emergency Shelter (ESG only)**

The overarching goal of ESG projects is to reduce the time spent homeless. ESG Emergency Shelter funds are intended to respond to crisis and provide short-term emergency assistance to enable homeless households to move toward independent living by obtaining permanent housing as quickly as possible.

i. **Admission**

To the extent practicable, recipients will prioritize individuals and families who are currently living in Snohomish County who have an identified prior residence as living in places not designed for, or not ordinarily used as, a regular sleeping accommodation including a car, a park, an abandoned building, a bus or train station, an airport, or a campground. Recipients that are defined as Victim Service Providers will exclusively serve individuals and families who are fleeing or attempting to flee domestic violence. See Section IV, Victim Service Providers, and Table 6.2, Category 4, for additional details. All participants served in Emergency Shelter must meet the appropriate eligibility requirements as described in Section VI, Participant Eligibility.

**Diversion and Referrals**

Reasonable efforts must be made to divert households from entering emergency shelter. The intent is to catch people who are losing housing before they enter the homeless system. If homeless persons have contacted emergency shelters they may be provided Prevention assistance so that they remain in existing housing, move to other permanent housing, or are connected quickly to permanent housing. Coordination between Emergency Shelters, Rapid Rehousing, and Prevention projects is required to help persons find short-term emergency assistance. To the extent practicable, recipients will refer households to Rapid Rehousing and Prevention projects to prevent them from entering shelter or assisting them to rapidly exit shelter. When Prevention and Rapid Rehousing are either inappropriate or unavailable, recipients will refer households to other resources in the community in order to best meet the households’ needs.

The tracking of diversion and referral efforts requires that information be collected on those seeking emergency shelter. Information pertaining to the appropriate referrals or the alternative intervention will be recorded in HMIS. The specific information is outlined in the Snohomish County Continuum of Care: Coordinated Entry Process and Policies, incorporated by reference.

ii. **Service Requirement**
Each participant will be assessed to identify needs and barriers to obtain housing and increase self-sufficiency. An initial evaluation and assessment must be completed at program entry, including verifying and documenting eligibility. If a participant’s stay in Emergency Shelter is longer than 30 days, then the recipient must reassess and document the need for continued services every 30 days while the participant continues in shelter. The reassessment must show that the participant needs additional time in shelter to obtain other housing, and would be unsheltered without ESG assistance.

Obtaining appropriate housing, particularly permanent housing, and addressing the most immediate and manageable barriers is the priority for emergency shelters. Given the expected short-period of assistance, the focus is on those barriers that can be addressed during the timeframe of assistance. Each participant will have a housing stability/service plan that may include longer-term solutions to other barriers or risk-factors that might destabilize a household after assistance has ended. See Section XII, Recordkeeping Requirements. This plan is to be completed at program entry and updated at least every 30 days for Emergency Shelter. The plan will be derived from the assessment and include at a minimum, housing stability goals and other goals as appropriate to the essential services identified in the Subrecipient’s ESG Application and Statement of Work (Exhibit B) of the Contract. Each participant will participate in developing her/his own individualized housing stability/service plan to obtain housing and maintain housing stability after ESG-funded assistance ends.

Recipients may use their current evaluation and assessment form, reassessment form, tracking method, and housing stability/service plan, or develop new forms or other tracking methods. The evaluation, assessment, reassessment, housing stability/service plan, and goals must be documented according to the recipient’s protocols for documentation, and at a minimum must be in a format that is readily available for monitoring. Essential services must be tied directly to the needs and barriers identified in the assessment and recipients are encouraged to build on the participants’ strengths to attain housing stability and increase self-sufficiency.

iii. Duration of Assistance
ESG-Emergency Shelters must operate a maximum 90-day project model. To the extent practicable, participants will be assisted in obtaining housing within 30 days of entry into the emergency shelter. All ESG-shelters will strive to reduce the average length of stay. However, participants may stay longer in order to prevent them from becoming homeless, on the streets, or other places not meant for human habitation.

The County works with the Continuum of Care community stakeholders to develop policies for the maximum allowable length of stay in emergency shelters as well as to identify benchmarks to enhance efficient utilization of the homeless services system. These policies and benchmarks will be updated during the applicable funding rounds. Updates will be communicated through revisions to these Local Standards and in Subrecipient contracts.

iv. Exiting
To the degree practicable, participants exiting emergency shelter will be assisted in accessing housing that best fits their needs, with a preference for assisting participants to access permanent housing. Exits may also include participants entering treatment facilities
to address mental health, substance abuse, or medical needs; recipients will coordinate with the treatment provider to support a successful transition. When possible, housing options or other resources should be provided at exit, so that participants have knowledge of where to go when treatment is completed.

b. Transitional Housing (CoC only)

The policies and procedures in this Section b apply only to Transitional Housing funded under the CoC Program.

i. Admission
To the extent practicable, recipients will prioritize individuals and families who are currently living in Snohomish County; cannot be more appropriately served by another program or system of care; have an identified prior residence as living in places not designed for, or not ordinarily used as, a regular sleeping accommodation including a car, a park, an abandoned building, a bus or train station, an airport, or a campground; lack a support network and have no other options or resources for housing. Transitional Housing is reserved for persons with high barriers who require longer-term interventions. All participants served in Transitional Housing must meet the appropriate eligibility requirements as described in Section VI, Participant Eligibility.

ii. Service Requirement
For Transitional Housing projects, supportive services must be made available to participants throughout the duration of their residence in the project. Services must be necessary to assist participants to obtain and maintain permanent housing. Each participant must have an individual support plan in place, derived from recipients’ ongoing, at least annual, assessment of participant needs and services must be adjusted accordingly. See Section XII, Recordkeeping Requirements.

iii. Duration of Assistance
Transitional Housing facilitates the movement of homeless households to permanent housing within 24 months of entry. Services may also be provided to former residents of Transitional Housing for no more than 6 months after leaving Transitional Housing to assist their adjustment to independent living.

iv. Exiting
The sole purpose of Transitional Housing is to assist participants to obtain permanent housing. Except in extenuating circumstances, participants will exit transitional housing to permanent housing within 24 months.

c. Homelessness Prevention (ESG Only)

Homelessness Prevention is intended to prevent households from moving into emergency shelter or other homeless situations. ESG funds may be used for Prevention; however, there is insufficient data available at this time that would allow for efficient use of funds. No one demographic, condition, or any combination has yet been shown to correlate with a reliable probability of becoming literally homeless but for Prevention assistance. For this reason, our
community’s investment in this model is conservative and programs are urged to target funds strategically.

i. Admission
Prevention assistance will be prioritized for individuals and families who are currently living in Snohomish County, cannot be more appropriately served by another program or system of care, lack a support network and have no other options or resources for housing. Persons who have been homeless previously, have received Prevention assistance in the past, or have a history of chronic homelessness will be prioritized. Prevention projects must collect documentation that participants would become homeless but for this assistance. All participants served under Prevention must meet the appropriate eligibility requirements as described in Section VI, Participant Eligibility.

ii. Service Requirement
Prevention projects must require the participant to develop a plan on how they will retain permanent housing after assistance ends and to meet with a case manager not less than once per month* to assist the participant in maintaining long-term housing stability as set forth in 24 CFR § 576.401(e)(1)(i). See Section XII, Recordkeeping Requirements.

*Exception: Recipients that also receive funding under the Violence Against Women Act of 1994 (VAWA) or the Family Violence Prevention and Services Act (FVSP) are exempt from the requirement to meet with participants monthly because these programs prohibit making housing conditional on the participant’s acceptance of services. See § 576.401(e)(2).

See also Victim Service Providers.

Re-evaluation of eligibility is required for Prevention; re-evaluation must occur at least every three (3) months. Re-evaluations must be documented in each participant’s file and demonstrate that the participant lacks sufficient resources and support networks necessary to retain housing without assistance. Re-evaluations must also demonstrate that the household’s annual income is less than or equal to 30% of the Area Median Income (AMI). Projects must follow evaluation and participant eligibility rules and regulations as set forth in 24 CFR § 576.401(a) through (e).

All supportive services will be provided as necessary to help participants maintain permanent housing, or move as quickly as possible into permanent housing and achieve stability in that housing. Supportive services are limited with ESG funds and may be used only to provide housing relocation and stabilization services. Prevention assistance must be provided in accordance with the housing relocation and stabilization services requirements in 24 CFR § 576.104 and 576.105, the short- and medium-term rental assistance requirements in 24 CFR § 576.106, and the written standards and procedures established under 24 CFR § 576.400.

Rent Subsidy Models
Prevention funds are used to assist participants to remain in permanent housing and regain stability. Or, where the current housing does not meet the participant’s needs, the participant may move to more suitable housing. Funds may be used to provide short-term (up to 3 months) or medium-term (4 to 24 months) rental assistance over a 3-year period. Funding requirements may be further limited or defined by the Everett/Snohomish County Continuum of Care in NOFA’s or RFP’s but at a minimum, all participants served in
Prevention projects must have an identified rent subsidy model prior to receiving assistance or moving into a unit and this must be consistent throughout their term of service. The steps must be known (and documented) in advance and act as deadlines for increasing income. Whether the rent subsidy is based on participants’ income or a fixed rate, the subsidy declines in “steps” until the participants assume full responsibility for monthly housing costs either by:

- using a fixed timeline; or
- when the participant has reached specific goals

Rent assistance will be graduated, so the participants’ share of rent will increase until they pay full rent. Should participants experience a situation that prevents them from achieving the graduated subsidy goal, then the subsidy may be extended or adjusted with a revised graduated subsidy established. Participants must be in compliance with the program and working on their housing stability plan to be considered for an extension or revised graduated subsidy plan.

Participants may receive up to two subsequent financial assistance payments after their graduated subsidy has ended if they were compliant with their housing stability plan and they experienced a hardship that prevented them from making their payment. Hardships may include a job loss or reduction in pay/hours, medical expenses, or other similar situation. The participant must not have exited the program to receive assistance. However, at no time may the rental assistance exceed 24 months in any three (3) year period.

iii. Duration of Assistance
For participants seeking permanent housing, housing stability case management may not exceed 30 days. Once permanent housing is obtained, rental assistance may not exceed 24 months during any three (3) year period, although the assistance may be further limited or defined by the Everett/Snohomish County Continuum of Care. A graduated subsidy model must be identified and applied to all participants as outlined above in Section c.ii, Service Requirement.

iv. Exiting
Prior to the assistance ending, a plan must be in place that identifies how the participant will maintain stability in permanent housing. If the participant is not yet able to retain permanent housing, they will be re-assessed. Participants may receive additional assistance to prevent them from becoming homeless, on the streets, or other places not meant for human habitation. However, participants may not receive more than 24 months of rental assistance in any three (3) year period.

d. Rapid Rehousing
Rapid Rehousing is a type of permanent housing that offers supportive services, as needed, and/or short-term (up to three (3) months) or medium-term (three (3) to 24 months) rental assistance in order to help homeless individuals or families move as quickly as possible into permanent housing and achieve stability. 24 CFR § 578.37(a)(1)(ii). Participants may locate housing of their choice in the private rental market within Snohomish County.
Rapid Rehousing projects must comply with the Office of Community and Homeless Services (OCHS) Rapid Rehousing Guide, which is incorporated herein by reference.

i. Admission
Rapid Rehousing assistance will be prioritized for individuals and families who are currently living in Snohomish County, cannot be more appropriately served by another program or system of care, lack a support network and have no other options or resources for housing. Persons who have been homeless previously, have received Prevention assistance in the past, or have a history of chronic homelessness will be prioritized. Rapid Rehousing projects must collect documentation that participants would become homeless but for this assistance. In addition to the general priority established above, Rapid Rehousing assistance will be prioritized for individuals and families with the highest vulnerability score based on a Coordinated Entry Prioritization Assessment. Homeless veteran households will be further prioritized. All participants served under Rapid Rehousing must meet the appropriate eligibility requirements as described in Section VI, Participant Eligibility, and as further described in the OCHS Rapid Rehousing Guide.

ii. Service Requirement
Refer to the OCHS Rapid Rehousing Guide.

iii. Duration of Assistance
Refer to the OCHS Rapid Rehousing Guide.

iv. Exiting
Refer to the OCHS Rapid Rehousing Guide.

e. Permanent Supportive Housing (CoC only)

Permanent Supportive Housing provides assistance to individuals with disabilities and families in which one adult or child has a disability. The policies and procedures in this Section e apply to all Permanent Supportive Housing within the Everett/Snohomish County Continuum of Care.

i. Admission
Permanent Supportive Housing will be prioritized for families and individuals currently residing in Snohomish County; who are and have been living in places not designed for, or not ordinarily used as, a regular sleeping accommodation including a car, a park, an abandoned building, a bus or train station, an airport, or a campground; who cannot be more appropriately served by another program or system of care and have no other options or resources for housing; and, who meet the criteria of chronic homelessness. Permanent Supportive Housing projects will also be prioritized for individuals and families with the highest vulnerability score based on a Coordinated Entry Prioritization Assessment. All participants served in Permanent Supportive Housing must meet the appropriate eligibility requirements as described in Section VI, Participant Eligibility.

In addition to the general priority established above, Permanent Supportive Housing projects will utilize the following order of priority. Homeless veteran households will be further prioritized within each priority subpopulation.
1. **Chronically homeless persons with the longest histories of homelessness and with the most severe service needs.**
   The longest histories of homelessness means the person has been residing on the streets or emergency shelter for at least 12 months either continuously or on at least four (4) separate occasions in the last three (3) years, where the cumulative total length of the four (4) occasions equals at least 12 months.

   **Severe Service Needs**
   The most severe service needs, which should be identified and verified through data-driven methods, means that at least one (1) of the following is true:
   
   - History of high utilization of crisis services, which include but are not limited to, emergency rooms, jails, and psychiatric facilities; or
   - Significant health or behavioral health challenges or functional impairments which require a significant level of support in order to maintain permanent housing.

2. **Chronically homeless persons with the longest histories of homelessness.**
   The longest histories of homelessness as defined above, but the person has not been identified as having severe service needs.

3. **Chronically homeless persons with the most severe service needs.**
   The most severe service needs as defined above, but the person does not have the longest history of homelessness, meaning the person has been on the streets or in an emergency shelter on at least four separate occasions in the last three (3) years, where the total length of those separate occasions equals less than one (1) year.

4. **All other chronically homeless persons.**

If no chronically homeless individuals or families are on the waiting list or applying for entrance to the program, Permanent Supportive Housing projects will utilize the following order of priority:

1. **Homeless persons with a disability and the most severe service needs.**
   Persons in a place not meant for human habitation, safe haven, or emergency shelter, with the most severe service needs as defined in the paragraph above.

2. **Homeless persons with a disability with a long period of continuous or episodic homelessness.**
   Persons in a place not meant for human habitation, safe haven, or emergency shelter continuously for at least six (6) months or on at least three (3) separate occasions in the last three (3) years where the cumulative total is at least six (6) months.

3. **Homeless persons with a disability coming from places not meant for human habitation, safe havens, or emergency shelters.**

4. **Homeless persons with a disability coming from transitional housing.**
   Persons that entered transitional housing directly from a place not meant for human habitation, safe haven, or emergency shelter.
ii. **Service Requirement**

Permanent Supportive Housing projects must offer supportive services for the participants that enable them to live as independently as is practicable throughout the duration of their residence in the project. Each participant must have an individual support plan in place, derived from recipients’ ongoing, at least annual, assessment of participants’ needs and services must be adjusted accordingly. See Section XII, *Recordkeeping Requirements*. Services must be necessary to assist participants obtain and maintain housing.

iii. **Duration of Assistance**

There is no designated length of stay for participants of this type of housing.

Participants receiving rental assistance are permitted to be out of their unit for the purpose of brief institutional stays (jail, hospital, treatment) for a period not to exceed 90 days per occurrence.

iv. **Exiting**

Permanent Supportive Housing is intended to be available to participants for as long as it provides housing assistance that meets their needs. Successful exits from Permanent Supportive Housing include:

- Owned by client, no ongoing housing subsidy
- Owned by client, with ongoing housing subsidy
- Exiting to another permanent supportive housing program
- Rental by client, no ongoing housing subsidy
- Rental by client, other (non-VASH) ongoing housing subsidy
- Staying or living with family or friends, for a permanent tenure
- Exiting with a VASH subsidy

f. **All Project Types**

* Safeguards, Safety and Needs of Special Populations*

i. **Victim Service Providers**

The term ‘victim service provider’ means a private nonprofit organization whose primary mission is to provide services to victims of domestic violence, dating violence, sexual assault, or stalking. Such organizations include rape crisis centers, battered women's shelters, domestic violence transitional housing programs, and other programs (Section 401(32) McKinney-Vento Act).

Projects serving individuals or families qualified under Category 4 of the Defining “Homeless” Rule (persons fleeing or attempting to flee violent situations) must follow all related federal and state laws, follow confidentiality policies, and have written policies and procedures regarding the provision of specific services to meet the safety and special needs of this population.

ii. **Veterans**
Projects serving homeless veterans must prioritize those veterans who are ineligible for Veterans Affairs (VA) services, and work closely with the local Department of Veterans Affairs and coordinate resources with VA-funded housing and services (e.g. HUD-VASH, Supportive Services for Veteran Families (SSVF)). Veterans must be screened for eligibility for VA-funded housing and/or services.

iii. **High Needs**
Projects serving individuals and families with very high needs must provide shelter and services that meet the special needs for these populations.

iv. **Imminent Threat of Harm**
Participants who are receiving Tenant-Based Rental Assistance and have complied with all program requirements during their residence and who have been a victim of domestic violence, dating violence, sexual assault, or stalking, and who reasonably believe they are imminently threatened by harm from further domestic violence, dating violence, sexual assault, or stalking (which would include threats from a third party, such as a friend or family member of the perpetrator of the violence), if they remain in the assisted unit, and are able to document the violence and basis for their belief, may retain the rental assistance and move to a different Continuum of Care geographic area if they move out of the assisted unit to protect their health and safety. Recipients must retain a record of the Imminent Threat of Harm for both participants who enter and exit under provisions as described at 24 CFR § 578.51(c)(3).

v. **Education Services**
The educational needs of children and youth must be accounted for, to the maximum extent practicable, and families with children and unaccompanied youth must be placed as close as possible to the school of origin so as not to disrupt the children’s education. Projects that serve homeless families with children and/or unaccompanied youth must have policies and practices in place that are consistent with the laws related to providing education services to children and youth. These recipients must have a designated staff person to ensure that children and youth are enrolled in school and receive education services, as appropriate. 42 U.S.C. 11432 et. seq. Homeless families with children and unaccompanied youth must be informed of their eligibility for McKinney-Vento education services. Recipients shall maintain documentation in the participant’s case file to demonstrate that these requirements have been met.

vi. **Low-Barrier and Housing First**
Recipients that indicated in the applicable CoC Project Application that the project would follow a Low-Barrier and Housing First approach must operate the project accordingly. All other permanent housing projects (including Rapid Rehousing and Permanent Supportive Housing) are strongly encouraged to use a Low-Barrier and Housing First approach to facilitate homeless individuals’ and families’ rapid return to housing. A housing first approach allows eligible homeless individuals and families to enter the project without barriers, such as income or sobriety requirements, or service participation requirements. Application and admission policies should be as streamlined and short as possible to move eligible individuals and families into permanent housing as quickly as possible. Projects using a housing first approach often have supportive services; however, participation in these services is based on the needs and desires of the program participant.
To be considered Low-Barrier, participants must not be screened out based on the following:
- Having too little or no income
- Active or history of substance abuse
- Having a criminal record with exceptions for state-mandated restrictions
- History of domestic violence (e.g., lack of a protective order, period of separation from abuser, or law enforcement involvement)

To be considered Housing First, the project must follow a Low-Barrier approach (as described above) and must not terminate participants from the program for the following reasons:
- Failure to participate in supportive services
- Failure to make progress on a service plan
- Loss of income or failure to improve income
- Being a victim of domestic violence
- Any other activity not covered in a lease agreement typically found in the project’s geographic area
V. Components and Eligible Activities

This section will help to determine and define the allowable activities within a project as defined by the project component under both ESG and CoC. Components define a type of project (e.g., Transitional Housing) and have a set of allowable activities (e.g., Supportive Services). Activities are a set of allowable costs. For example, a phone line for a case manager might be considered a Supportive Services activity under the Transitional Housing component for the CoC Program.

ESG and CoC Programs each have five eligible components that are detailed in Table 5.1 (ESG) and Table 5.7 (CoC). Rapid Rehousing, Homeless Prevention and HMIS are allowable components of both funding sources; however, the activities that are allowable vary by Program. Street Outreach and Emergency Shelter are eligible under ESG only. Permanent Supportive Housing, Transitional Housing and Supportive Services Only are unique to the CoC Program. It is important to become familiar with the allowable activities under the funded component. The areas in grey are currently not being funded.

The funded components of a project are described in the contract with HUD for direct recipients or with Snohomish County for Subrecipients.

a. Emergency Solutions Grant

i. Eligible ESG Components

<table>
<thead>
<tr>
<th>Table 5.1</th>
<th>ESG Eligible Components</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Outreach</td>
<td>Emergency Shelter</td>
</tr>
</tbody>
</table>

ii. Eligible ESG Activities

1. Street Outreach 24 CFR § 576.101 (ESG Only)

ESG funds may be used for costs of providing essential services necessary to reach out to unsheltered homeless people, referred to as Street Outreach. However, there are no Street Outreach projects being funded with ESG at this time. Policies will be developed at the time that the Everett/Snohomish County Continuum of Care chooses to fund projects under this component.

<table>
<thead>
<tr>
<th>Table 5.2</th>
<th>ESG Street Outreach - Eligible Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Essential Services</td>
<td></td>
</tr>
<tr>
<td>Engagement</td>
<td>Case Management</td>
</tr>
</tbody>
</table>

2. Emergency Shelter 24 CFR § 576.102 (ESG Only)

Definition

Emergency Shelter is defined as any facility, where the primary purpose is to provide “a temporary shelter for the homeless in general, or for specific populations of the homeless people and which does not require occupants to sign leases or occupancy
agreements. Any project that was funded under a Fiscal Year 2010 Emergency Solutions Grant may continue to be funded under ESG (24 CFR § 576.2).” However, because of the limited number of funding sources for which emergency shelter costs are eligible, Emergency Shelter will be prioritized for funding under ESG.

<table>
<thead>
<tr>
<th>Table 5.3</th>
<th><strong>ESG Emergency Shelter – Eligible Activities</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Essential Services</strong></td>
<td></td>
</tr>
<tr>
<td>Case Management</td>
<td>Child Care</td>
</tr>
<tr>
<td>Outpatient Health Services</td>
<td>Legal Services</td>
</tr>
<tr>
<td>Mental Health Services</td>
<td>Substance Abuse Treatment Services</td>
</tr>
<tr>
<td>Renovation</td>
<td>Shelter Operations</td>
</tr>
<tr>
<td>Assistance Required Under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970</td>
<td></td>
</tr>
</tbody>
</table>


   **Definition**
   Homelessness Prevention provides housing relocation, stabilization services and short- and medium-term rental assistance necessary to prevent an individual or family from moving into an emergency shelter or another place described in Category 1 of the Defining “Homeless” Rule, see Table 6.2. Snohomish County is not currently pursuing projects for which this definition would apply. Policies will be developed at the time that the Everett/Snohomish County Continuum of Care chooses to fund projects under this component.

<table>
<thead>
<tr>
<th>Table 5.4</th>
<th><strong>ESG Homelessness Prevention – Eligible Activities</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Housing Relocation &amp; Stabilization Services</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Short- and/or Medium-Term Rental Assistance</strong></td>
<td></td>
</tr>
</tbody>
</table>


   **Definition**
   Rapid Rehousing provides housing relocation, stabilization services and short- and medium-term rental assistance to help homeless individuals or families move as quickly as possible into permanent housing and achieve stability in that housing.

   *Please note: Rapid Rehousing varies between ESG and CoC Program Regulations. For a comparison of costs and activities between ESG and CoC Rapid Rehousing, see Appendix D.*

<table>
<thead>
<tr>
<th>Table 5.5</th>
<th><strong>ESG Rapid Re-Housing – Eligible Activities</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Housing Relocation &amp; Stabilization Services</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Short- and/or Medium-Term Rental Assistance</strong></td>
<td></td>
</tr>
</tbody>
</table>
5. **HMIS Component 24 CFR § 576.107 (ESG)**

Section 416(f) of the McKinney-Vento Act requires for the first time that ESG-funded projects participate in the Homeless Management Information System (HMIS). The ESG interim rule makes certain costs eligible to the extent necessary to enable this participation. HUD published a proposed rule on HMIS, 24 CFR part 580, that will govern HMIS when it is published as final.

*Please note: the HMIS Component varies between the ESG and CoC Program Regulations. See Section V.b for CoC information on the HMIS component and HMIS eligible activities.*

County policy is to share HMIS funds with Subrecipients. The amount available will be determined at the time of award and through the contracting process and shall be based upon funding available. If a Subrecipient receives funding allocated for HMIS costs, they must track the time spent entering HMIS data separately on a timesheet and provide back-up documentation when requested. A different line item will be provided on Subrecipient Invoices with the expectation of the HMIS time being reported separately.

6. **Administrative Costs (ESG)**

<table>
<thead>
<tr>
<th>Table 5.6</th>
<th>ESG Administrative Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Snohomish County Human Services Department retains all administrative funds to manage contracts, complete monitoring and cost reimbursement activities.</td>
<td></td>
</tr>
</tbody>
</table>

### b. Continuum of Care

#### i. Eligible CoC Components

<table>
<thead>
<tr>
<th>Table 5.7</th>
<th>CoC Eligible Components</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permanent Housing (PH)</td>
<td>Transitional Housing (TH)</td>
</tr>
<tr>
<td><strong>Including:</strong></td>
<td></td>
</tr>
<tr>
<td>PSH**</td>
<td>RRH***</td>
</tr>
</tbody>
</table>

*High Performing Community (as designated by HUD)

**Permanent Supportive Housing

***Rapid Rehousing

1. **Permanent Housing 24 CFR § 578.37(a)(1)(CoC)**

**Definition**

Permanent Housing is community-based housing, the purpose of which is to provide housing without a designated length of stay. Under the CoC Program, Permanent Housing includes both Permanent Supportive Housing and Rapid Rehousing.
Lease Requirements for Permanent Housing (Permanent Supportive Housing and Rapid Rehousing) 24 CFR § 578.3:

- Initial lease for term of one year;
- Terminable only for cause; and
- Automatically renews upon expiration (goes month-to-month).

a. Permanent Supportive Housing 24 CFR § 578.37(a)(1)(i)(CoC)
   Definition
   Permanent Supportive Housing provides assistance to individuals with disabilities and families in which one adult or child has a disability. Supportive Services designed to meet the needs of the participant must be made available to the participant.

b. Rapid Rehousing 24 CFR § 578.37(a)(1)(ii)(CoC)
   Definition
   CoC funds under Rapid Rehousing may be used to provide supportive services and/or short-term (up to 3 months), and/or medium-term (3 to 24 months) tenant-based rental assistance.

   Please note: Rapid Rehousing varies between ESG and CoC Program Regulations. For a comparison of costs and activities between ESG and CoC Rapid Rehousing, see Appendix D.

2. Transitional Housing 24 CFR § 578.37(a)(2)(CoC)
   Definition
   Transitional Housing is housing that facilitates the movement of homeless individuals and families to permanent housing within 24 months.

   Limitation on Transitional Housing 24 CFR § 578.79
   If permanent housing for a participant has not been located or if the participant requires additional time to prepare for independent living, Transitional Housing may be extended beyond the 24-month limit. However, if more than 50% of participants remain in the project beyond 24 months, HUD may discontinue assistance for the project.

   Lease Requirements for Transitional Housing 24 CFR § 578.3
   Participants must sign a lease or occupancy agreement that is for a term of at least one (1) month but no more than 24 months and cannot be extended.

3. Supportive Services Only 24 CFR § 578.37(a)(3) (CoC)
   Definition
   Projects that contain a Supportive Services Only (SSO) component provide supportive services to unsheltered and sheltered homeless persons for whom the recipient is not providing housing or housing assistance. The lack of housing or housing assistance provision is the defining difference between a project that is considered to be an SSO project, versus a project that is considered to be a housing project even if the only activities funded under the CoC are services. The County is not currently funding projects for which this definition would apply.

Under the CoC Program, only the Homeless Management Information System (HMIS) Lead, in this case Snohomish County, may apply for a project with an HMIS component; however, HMIS may be an eligible cost for a recipient if permitted by the contract.

*Please note: the HMIS Component varies between the ESG and CoC Program Regulations. See Section V.a for ESG information on HMIS eligible activities and Section V.b for CoC information on HMIS eligible activities.*

5. **Prevention 24 CFR § 578.37(a)(5)(CoC)**

Homelessness Prevention is an eligible component under the CoC Program only for Continuums of Care that are designated as a High Performing Community (HPC) as defined by Subpart E of 24 CFR § 578. Snohomish County is not currently designated as an HPC.

**ii. Eligible CoC Activities**

The CoC Program allows for a number of different eligible activities. Each project’s ability to expend funds for the costs listed below is limited by the project’s component, project application, Subrecipient Contract with the County and the NOFA.

Please note that the following is a list of all eligible activities under the CoC Interim Rule. Costs such as *CoC Planning Activities* and *UFA Costs* are eligible only if the County is funded for such activities, and then only the County can bill to them. Acquisition, Rehabilitation, New Construction and Relocation are onetime costs and the County is not currently pursuing such activities due to limited funding. In the table below, activities have been shaded in grey to indicate that they are not billable.

<table>
<thead>
<tr>
<th>Table 5.8</th>
<th>CoC Eligible Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>CoC Planning Activities</td>
<td>UFA* Costs</td>
</tr>
<tr>
<td>Rehabilitation</td>
<td>New Construction</td>
</tr>
<tr>
<td>Rental Assistance</td>
<td>Supportive Services</td>
</tr>
<tr>
<td>HMIS</td>
<td>Project Administration</td>
</tr>
</tbody>
</table>

*Unified Funding Agency

As mentioned above, the CoC Program authorizes a variety of eligible activities; however, projects may charge costs to the grant only that are agreed upon in the contract between the Subrecipient and Snohomish County or between the direct recipient and HUD. Therefore, activities that are not being utilized locally have not been included below.

1. **Leasing 24 CFR § 578.49 (CoC)**

Leasing funds under the CoC Program may be used to lease a structure or individual units to provide housing or supportive services to homeless persons. Funds cannot be used to lease units or structures owned by the recipient, Subrecipient, their parent
organization(s), or other organizations more fully described in 24 CFR § 578.49(a) unless authorized by HUD.

Where utilities are included in the rent amount, utilities (electricity, gas, water) are considered a leasing cost. Where the utilities are separate from the rent, they are considered an operating cost. Utilities for supportive service structures are considered a supportive services cost regardless of utilities being included or excluded from the rent amount.

Leasing funds may be used to pay a security deposit but it must not exceed two months of actual rent. It is permissible to pay first and last month’s rent.

<table>
<thead>
<tr>
<th>Table 5.9</th>
<th>CoC Leasing – Eligible Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Length of Housing Assistance</strong></td>
<td></td>
</tr>
<tr>
<td>Transitional Housing</td>
<td>Permanent Housing</td>
</tr>
<tr>
<td><em>Up to 24 months</em></td>
<td><em>Unlimited</em></td>
</tr>
<tr>
<td><strong>Model of Assistance</strong></td>
<td></td>
</tr>
<tr>
<td>Structure(s)</td>
<td>Portion of Building(s)</td>
</tr>
<tr>
<td><strong>Other Eligible Costs</strong></td>
<td></td>
</tr>
<tr>
<td>Utilities (electricity, gas, water) – only if included in the rent</td>
<td>Security Deposits – not to exceed 2 months of rent</td>
</tr>
</tbody>
</table>

**Requirements**

In order to access leasing assistance, participants must be eligible as described in Section VI, Participant Eligibility. Additionally, units must meet Housing Quality Standards (HQS) as described in Section XI, Inspection Requirements. Rent paid by the recipient for a unit must be reasonable in comparison to similar units, cannot exceed comparable, unassisted units and cannot exceed Fair Market Rent. See Section XII, Recordkeeping Requirements, and Appendix B. Recipients must have a lease or sublease in place with participants.

Recipients are not required to have participants contribute to their rent, but if they choose to charge participants rent, the rent must be calculated in accordance with 24 CFR § 578.77, and cannot exceed the highest of 30% of the participant’s adjusted monthly income, 10% of the participant’s monthly income, or the welfare rent. Any participant rent that is collected is considered Program Income and must be used for eligible costs in accordance with 24 CFR § 578.97. Program income may not be used to meet the CoC Program match requirement. 24 CFR § 84.24(a) to (c).

2. **Rental Assistance 24 CFR § 578.51 (CoC)**

Rental assistance funds may be used to provide homeless individuals or families with short-, medium- or long-term rental assistance as outlined below.

Contracting for and making rental assistance payments to landlords, as well as conducting Housing Quality Inspections are considered to be a service delivery cost of rental assistance and is therefore an eligible cost under this section.
### Table 5.10 CoC Rental Assistance – Eligible Costs

<table>
<thead>
<tr>
<th>Length of Housing Assistance</th>
<th>Model of Assistance</th>
<th>Other Eligible Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Short-Term * * * Up to 3 months</td>
<td>Tenant Based Participants choose unit</td>
<td>Vacancy – up to 30 days following end of the month when unit vacated</td>
</tr>
<tr>
<td>Medium-Term From 3 to 24 months</td>
<td>Sponsor Based Participants reside in housing owned or leased by Sponsor</td>
<td>Property Damage – may not exceed one month’s rent; one-time cost per participant at the time participant exits unit</td>
</tr>
<tr>
<td>Long-Term &gt;24 months</td>
<td>Project Based Units are provided through a contract with the owner</td>
<td>Security Deposits – not to exceed 2 months of rent</td>
</tr>
</tbody>
</table>

### Requirements
In order to receive rental assistance, participants must be eligible as described in Section VI, Participant Eligibility. The units must be rent reasonable as described in Section XII, Recordkeeping Requirements, and meet Housing Quality Standards (HQS) as described in Section XI, Inspection Requirements. Participants must contribute toward their rent in accordance with 3(a)(1) of the U.S. Housing Act of 1937 (24 USC 1437a(a)(1)). Income is calculated in accordance with 24 CFR § 5.609 and 24 CFR § 5.611a. Changes to rental payment amounts must be made as changes in income are identified (no less than annually). Participants must have a lease agreement with the landlord/owner of housing. In addition, recipients may make rental assistance payments only to landlords/owners with whom the recipient has a rental assistance agreement. The rental assistance agreement must include the terms under which rental assistance will be provided, the term of the agreement, that the landlord/owner will provide the recipient with a copy of all written notices to the participant (including notices to vacate, notices of noncompliance, etc.).

3. **Supportive Services 24 CFR § 578.53 (CoC)**
Supportive Services funds may be used to provide supportive services that address the special needs of participants. Services must be limited to those which assist participants in obtaining and maintaining housing. Ongoing, at least annual, assessments of service needs are required and services should be adjusted accordingly. Where supportive services are provided within a facility not contained in a housing structure, the costs of operation of the facility are eligible, including maintenance, repair, building security, utilities and equipment.

The following table is a complete list of eligible costs under this component. See 24 CFR § 578.53(e) for additional details about what these costs include.

### Table 5.11 CoC Supportive Services – Eligible Costs

<table>
<thead>
<tr>
<th>Annual Assessment of Service Needs</th>
<th>Assistance with Moving Costs</th>
<th>Case Management</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Food</td>
<td>Housing Search &amp;</td>
</tr>
</tbody>
</table>
### 4. Operating Costs 24 CFR § 578.55 (CoC)

Operating funds may be used to pay the day-to-day costs of operation of transitional and permanent housing in a single structure or individual units. Operating costs for supportive service facilities are considered supportive services; see Section V.b, Supportive Services.

<table>
<thead>
<tr>
<th><strong>Table 5.12</strong></th>
<th><strong>CoC Operating – Eligible Costs</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Repair &amp; Maintenance</td>
<td>Property Tax &amp; Insurance</td>
</tr>
<tr>
<td>Electricity, Gas &amp; Water</td>
<td>Furniture</td>
</tr>
</tbody>
</table>

*Where >50% of the units are paid for with grant funds

### 5. HMIS 24 CFR § 578.57 (CoC)

HMIS funds may be used to pay the costs of contributing data to the Snohomish County Homeless Management Information System (HMIS).

*Please note: the HMIS Component varies between the ESG and CoC Program Regulations. See Section V.a for ESG information on HMIS eligible activities and Section V.b for CoC information on the HMIS component.*

<table>
<thead>
<tr>
<th><strong>Table 5.13</strong></th>
<th><strong>CoC HMIS – Eligible Costs</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Purchasing/Leasing Computer Hardware</td>
<td>Purchasing Software or Software Licenses</td>
</tr>
<tr>
<td>Leasing Office Space</td>
<td>Electricity, Gas, Water, Phone Service, High Speed Data Transmission</td>
</tr>
<tr>
<td>Staff travel Costs to Conduct Intake</td>
<td></td>
</tr>
</tbody>
</table>

### 6. Project Administration 24 CFR § 578.59 (CoC)

CoC-funded projects may apply to use up to 10% of their project funds to pay for administrative costs. The NOFA may further limit project requests for administrative costs. For instance, during the FY2013 NOFA, local projects were limited to requesting no more than 7% in order to receive maximum points in this section of the application.

For projects through Snohomish County, administrative funds are split between the County (50%) and the Subrecipient (50%) for all projects unless determined otherwise by the County and Subrecipient.
Staff and overhead costs directly related to carrying out eligible costs are considered eligible under those activities and are not considered project administration.

<table>
<thead>
<tr>
<th>Table 5.14</th>
<th><strong>CoC Administrative Costs</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General Management &amp; Oversight</strong></td>
<td></td>
</tr>
<tr>
<td>Preparing Budgets &amp; Schedules</td>
<td>Assure Compliance</td>
</tr>
<tr>
<td>Monitoring for Progress &amp; Compliance</td>
<td>Preparing HUD Reports</td>
</tr>
<tr>
<td>Evaluating Results &amp; Objectives</td>
<td>Managing/Supervising Staff Who Engage in General Management &amp; Oversight</td>
</tr>
<tr>
<td><strong>Training on CoC Requirements</strong></td>
<td><strong>Environmental Reviews</strong></td>
</tr>
</tbody>
</table>

7. *Indirect Costs 24 CFR §578.63*
   Indirect costs are eligible under the CoC Program and must be in accordance with OMB Uniform Guidance.
VI. Participant Eligibility

Eligibility for assistance under CoC and ESG Programs is determined by HUD Regulations 24 CFR § 578, and 24 CFR § 576 respectively. Eligibility is further defined by project component. The table below provides an overview of eligibility by component and funding type. Eligibility may be further restricted by the contract.

a. Eligibility By Component

<table>
<thead>
<tr>
<th>Table 6.1</th>
<th>Eligibility By Component</th>
</tr>
</thead>
<tbody>
<tr>
<td>Component</td>
<td>Funding</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Shelter</td>
<td>ESG</td>
</tr>
<tr>
<td>Prevention</td>
<td>ESG</td>
</tr>
<tr>
<td>RRH</td>
<td>ESG / CoC</td>
</tr>
<tr>
<td>Transitional</td>
<td>CoC</td>
</tr>
<tr>
<td>PSH</td>
<td>CoC</td>
</tr>
<tr>
<td>PSH - CH</td>
<td>CoC</td>
</tr>
</tbody>
</table>

P = Primary Focus
S = Secondary Focus
X = Required
N/A = Not Applicable

*Homeless Status Categories are established by the Defining “Homeless” Rule; see Table 5.2 for corresponding categories

**Participant’s annual income may not exceed the specified % of median family income for the area (AMI), as determined by HUD
b. Homeless Eligibility Criteria

In order to receive assistance, persons must meet the HUD definition of homeless as detailed below in Table 6.2 for the duration of their participation in ESG projects, and at entry for CoC projects.

### Table 6.2 Homeless Eligibility Criteria

<table>
<thead>
<tr>
<th>Cat.</th>
<th>Description</th>
<th>Component</th>
<th>Criteria</th>
</tr>
</thead>
</table>
| 1    | Literally Homeless | Emergency Shelter, Transitional Housing, Rapid Rehousing, Permanent Supportive Housing | A household is literally homeless if they lack fixed, regular & adequate nighttime residence, meaning:  
- Sleeping in a place not designed for, or not ordinarily used as, a regular sleeping accommodation, including a car, a park, an abandoned building, a bus or train station, an airport, or a campground.  
- Living in a shelter designated to provide temporary living arrangements, including congregate shelters, transitional housing, hotels/motels paid for by charitable organizations, or federal/state/local government programs.  
- Exiting an institution such as a jail or hospital where they resided for 90 days or less AND was residing in an emergency shelter or place not meant for human habitation immediately before entering the institution. |
| 2    | Imminent Risk of Homelessness | Emergency Shelter, Transitional Housing, Prevention | A household that will imminently lose their primary nighttime residence provided that:  
- The residence will be lost within 14 days of the application for assistance  
- No subsequent residence has been identified; AND  
- The individual or family lacks the resources or support networks needed to obtain other permanent housing |
| 3    | Unaccompanied Youth | Not Applicable | Snohomish County is not currently pursuing projects for which this definition would apply |
| 4    | Fleeing or Attempting to Flee Domestic Violence | Emergency Shelter, Transitional Housing, Prevention | Households fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking or other dangerous or life threatening conditions related to violence, who:  
- Have no identified subsequent residence; AND  
- Lack the resources and support networks needed to obtain other permanent housing. |

c. Income 24 CFR § 576.103

Income limits are based on Area Median Income (AMI) and are updated at least annually by HUD. Projects that have an income eligibility requirement must ensure they are using the most current information available. Current income limits can be found at [http://www.huduser.org/portal/datasets/il.html](http://www.huduser.org/portal/datasets/il.html)
d. Disability

In order to qualify for Permanent Supportive Housing, persons must have a disabling condition that meets the definition below (Docket No. FR–5333–F–02).

<table>
<thead>
<tr>
<th>Table 6.3</th>
<th>Disabling Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical, Mental or Emotional Impairment</td>
<td>A person shall be considered to have a disability if he or she has a disability that:</td>
</tr>
<tr>
<td>(i)</td>
<td>is expected to be long-continuing or of indefinite duration;</td>
</tr>
<tr>
<td>(ii)</td>
<td>Substantially impedes the individual’s ability to live independently;</td>
</tr>
<tr>
<td>(iii)</td>
<td>Could be improved by the provision of more suitable housing conditions; and</td>
</tr>
<tr>
<td>(iv)</td>
<td>Is a physical, mental, or emotional impairment, including impairment caused by alcohol or drug abuse, posttraumatic stress disorder, or brain injury.</td>
</tr>
<tr>
<td>Developmental Disability</td>
<td>A person will also be considered to have a disability if he or she has a developmental disability, as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002)</td>
</tr>
<tr>
<td>HIV/AIDS</td>
<td>A person will also be considered to have a disability if he or she has acquired immunodeficiency syndrome (AIDS) or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome, including infection with the human immunodeficiency virus (HIV).</td>
</tr>
</tbody>
</table>

Other Considerations

Notwithstanding the preceding provisions of this definition, the term *person with disabilities* includes, except in the case of the Single Room Occupancy (SRO) component, two or more persons with disabilities living together, one or more such persons living with another person who is determined to be important to their care or well-being, and the surviving member or members of any household described in the first sentence of this definition who were living, in a unit assisted under this part, with the deceased member of the household at the time of his or her death. (In any event, with respect to the surviving member or members of a household, the right to rental assistance under this part will terminate at the end of the grant period under which the deceased member was a participant.)

e. Chronic Homelessness

Some projects under the CoC Program are specifically dedicated to or prioritized for persons with a disabling condition who have had several episodes of homelessness or an extended duration of homelessness, which is referred to as *Chronic Homelessness*. The 2010 Federal Strategic Plan to Prevent and End Homelessness prioritized ending chronic homelessness by 2015; in February 2015, this goal was revised to 2017. The local 2010 Point in Time Count demonstrated that 234 individuals were experiencing chronic homelessness at the time of the count; in 2012 the number had dropped to 163.

i. **Definition of Chronic Homelessness 24 CFR § 578.3**

An individual or a family with at least one adult member who has a disabling condition and who has either been continuously homeless for a year or more OR has had a least four (4) episodes of homelessness in the past three (3) years. To be considered chronically homeless, persons must have been sleeping in a place not meant for human habitation (e.g., living on
the streets) and/or in an emergency shelter/safe haven during that time. A disabling condition is defined as a substance use disorder, serious mental illness, developmental disability (as defined in section 102 of the Developmental Disabilities Assistance Bill of Rights Act of 2000 (42 U.S.C. 15002)), post-traumatic stress disorder, cognitive impairments resulting from brain injury, or chronic physical illness or disability. If a person meets all of the criteria of the definition of chronic homelessness, it can be reasonably assumed that this person’s disability is of long and continuing duration, substantially impedes his or her ability to live independently, and is improved by the provision of more suitable housing conditions.

### Table 6.4  
**Duration of Homelessness**

<table>
<thead>
<tr>
<th>Duration</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Continuous, for at least one (1) year</td>
<td>A stay on the streets or in emergency shelter continuously, without a break, for at least one (1) year</td>
</tr>
<tr>
<td>Continuous Break</td>
<td>At least seven (7) or more consecutive nights not residing on the streets or in emergency shelter.</td>
</tr>
<tr>
<td>One (1) year</td>
<td>Twelve (12) consecutive calendar months.</td>
</tr>
<tr>
<td></td>
<td>NOTE: If the person has a documented encounter with a homeless service provider on a single day within a given month, this is sufficient to consider the person homeless for the entire calendar month, unless there is evidence of a break in homelessness. This applies ONLY if the encounter is documented by third-party documentation – a self-declaration is insufficient.</td>
</tr>
<tr>
<td>At least four (4) separate occasions in the last three (3) years</td>
<td>On the streets or emergency shelter on four (4) separate, distinct, and sustained occasions in the last three (3) years</td>
</tr>
<tr>
<td>Occasion</td>
<td><strong>Separate and Distinct</strong> Stay on the streets or in emergency shelter is interrupted by a period of seven (7) or more consecutive nights residing in a place other than on the streets or in emergency shelter.</td>
</tr>
<tr>
<td></td>
<td><strong>Sustained</strong> Stay on the streets or in emergency shelter is more than one (1) night. A sustained stay is two (2) or more consecutive nights on the streets or in emergency shelter.</td>
</tr>
<tr>
<td>Three (3) years</td>
<td>Thirty-six (36) consecutive months</td>
</tr>
<tr>
<td>Priority for 12 months homeless</td>
<td>Four (4) separate occasions on the streets or emergency shelter that equal a cumulative total of 12 months, meaning 365 days.</td>
</tr>
</tbody>
</table>

ii. **Chronically Homeless Veterans**

The Department of Veteran’s Affairs (VA) conducts an initial verification of status and subsequently provides services to qualified veterans through a single episode of care. This VA “episode of care” may consist of services provided by different VA providers and/or different VA programs. Veterans who have been identified as chronically homeless through the VA’s initial intake maintain this status throughout his/her episode of VA care. Therefore, projects that are dedicated to or prioritized for chronically homeless persons may serve a person documented as chronically homeless by the VA, no matter the services received during his/her episode of VA care (i.e., a project may serve a person identified as chronically homeless by the VA, even if (s)he was in VA-transitional housing).
iii. **Chronic Homelessness and Rapid Rehousing**

Persons identified as chronically homeless prior to enrolling in a rapid rehousing project maintain their status as chronically homeless while they receive rapid rehousing assistance. However, chronic homelessness must be documented (as described in Section VII, [Documentation Standards](#)) prior to entering the rapid rehousing program. Therefore, projects that are dedicated to or prioritized for chronically homeless persons may serve a person who is receiving rapid rehousing assistance as long as his/her chronic homeless status was documented prior to entering the rapid rehousing project.

f. **Special Considerations for Serving a Person Who May be Undocumented**

Eligibility for the receipt of public benefits is restricted by The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 which provides that people who are undocumented are not to receive public benefits. The Act further specifies how to inquire into a person’s status. However, programs that are necessary for the protection of life or safety, which provide short-term shelter or housing assistance, non-cash services at the community level, which is not means-tested are exempt.

This exemption does not apply to permanent housing programs however. HUD clarifies this matter through the SHP Desk Guide as such, “[...] nonprofit organizations are not required to, but may, verify an applicant’s citizenship or immigration status before providing assistance. If a nonprofit elects to verify citizenship or immigration status, they must follow the procedures required by the Act and should consult with their legal counsel on how to comply.”
VII. Documentation Standards for Eligibility for Assistance

a. Eligibility Overview

Participants must be deemed eligible as described in Section VI, Participant Eligibility. The tables below describe the required documentation for each funding source and project component and details the type of documentation required to meet federal requirements and local standards. Required documentation must be clearly noted and documented in the participant’s case file.

b. Homeless Verification

<table>
<thead>
<tr>
<th>Table 7.1</th>
<th>Homeless Verification - Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cat.</td>
<td>Description</td>
</tr>
<tr>
<td>1</td>
<td>Literally Homeless</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Imminent Risk of Homelessness</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
For victim service providers:

Self-declaration/oral statement by the household seeking assistance which states: they are fleeing, they have no subsequent residence, and they lack resources. The statement must be certified by intake worker.

For non-victim service providers:

1. Self-declaration/oral statement by household seeking assistance which states: they are fleeing, they have no subsequent residence, and they lack resources.

2. If the household is not jeopardized, the oral statement that the household is fleeing must be verified by intake worker or by written referral by an organization from which assistance was sought for domestic violence.

*Self- Declarations must generally be accompanied by intake worker documentation of due diligence to obtain third-party verification. Due diligence must describe efforts to obtain third-party documentation (e.g. phone logs, email correspondence, copies of certified letters), including the outcome of the effort and obstacles encountered, and must be signed and dated by intake staff as true and complete. Lack of third-party documentation must not prevent an individual or family from being immediately admitted to emergency shelter.

c. Disability Verification

<table>
<thead>
<tr>
<th>Table 7.2</th>
<th>Disability Verification</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Written verification of the disability from a professional licensed* by the state to diagnose and treat the disability and his or her certification that the disability is expected to be long-continuing or of indefinite duration and substantially impedes the individual’s ability to live independently; OR</td>
<td></td>
</tr>
<tr>
<td>2. Written verification from the Social Security Administration; OR</td>
<td></td>
</tr>
<tr>
<td>3. The receipt of a disability check; OR</td>
<td></td>
</tr>
<tr>
<td>4. Intake staff-recorded observation of a disability that, no later than 45 days of the application for assistance, is confirmed and accompanied by evidence (as outlined in this table number 1, 2, 3 or 5)**; OR</td>
<td></td>
</tr>
<tr>
<td>5. Other documentation approve by HUD.</td>
<td></td>
</tr>
</tbody>
</table>

* An exception to the licensing requirement is made only for persons certified as a Chemical Dependency Professional (CDP), as defined in Chapter 18.205 RCW; this exception does not extend to a certified Chemical Dependency Professional – Trainee (CDP-T).

** Recipients are discouraged from admitting participants into their project without confirmation of a qualifying disability and documented evidence of that disability. Recipients that choose to admit participants under Category 4 of the table above, do so at their own risk. If confirmation of disability and evidence are not attained within 45 days, the recipient will not be reimbursed for costs incurred for that participant.

d. Special Considerations for Documenting Chronic Homelessness

For each person applying to the project, written documentation must be provided by an appropriate third party that verifies the person’s status as chronically homeless. Letters may be written and signed by either homeless shelter providers, homeless outreach workers or other
homeless service providers. An HMIS printout that demonstrates that the individual or family meets the criteria for chronic homelessness may be substituted for a letter. Letters and HMIS printouts must:

- Be on letterhead stationery with the name, address and phone number of the agency;
- Contain the full name of the participant;
- Contain dates verifying the timeframe of homelessness including both a start date and completion date; and
- Be signed by a staff member whose title appears on the letter.

If all other efforts to obtain third-party documentation have been exhausted and unsuccessful, a participant self-declaration may be used in the absence of any other documentation. However, this should be a rare exception to the composition of most homelessness records for participants; recipients must document their attempts to obtain documentation in order to demonstrate due diligence and must document the severity of the situation in which the individual has been living. Self-declarations should be used only in the most rare and extreme cases (e.g. where the individual has been in a place not meant for human habitation in a secluded area without any contact with anyone for that period).

Recipients should expect that chronic homeless documentation for the majority of participants will be pieced together from several sources.

i. **Documenting Duration of Homelessness**

   To properly document the length of time homeless, documentation must include the start and end date of each occasion of homelessness.

<table>
<thead>
<tr>
<th>Definition</th>
<th>Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Continuous, for at least one (1) year</strong>: On the streets or emergency</td>
<td>At least nine (9) months of the one-year period must be documented through</td>
</tr>
<tr>
<td>shelter continuously, without a break, for at least one (1) year.</td>
<td>third-party documentation.</td>
</tr>
<tr>
<td><strong>At least four (4) separate occasions in the last three (3) years</strong>: On</td>
<td>At least three (3) of the four (4) occasions must be documented through</td>
</tr>
<tr>
<td>the streets or emergency shelter on four (4) separate, distinct, and</td>
<td>third-party documentation.</td>
</tr>
<tr>
<td>sustained occasions in the last three (3) years.</td>
<td></td>
</tr>
</tbody>
</table>

ii. **Documenting Disability**

   The disabling conditions to qualify as chronically homeless vary from the disabling conditions under the Defining “Homeless” Rule to qualify for Permanent Supportive Housing (PSH). However, the same forms of verification may be used. See Table 7.2 above.

iii. **Documenting Severity of Service Needs for Prioritization**

   Chronically homeless individuals or families with the most severe service needs must be prioritized for permanent supportive housing projects. Severe service needs must be identified and verified through data-driven methods such as an administrative data match or through the use of a standardized assessment tool that can identify the severity of needs, such as the Investing in Futures Housing Assessment. This determination must be based on the severity of the needs of the individual, not on a specific diagnosis or disability type.
Further information regarding documenting Chronic Homelessness can be found in HUD’s Notice on Prioritizing Persons Experiencing Chronic Homelessness and Other Vulnerable Homeless Persons in Permanent Supportive Housing and Recordkeeping Requirements for Documenting Chronic Homeless Status, located at: https://www.onecpd.info/resources/documents/Notice-CPD-14-012-Prioritizing-Persons-Experiencing-Chronic-Homelessness-in-PSH-and-Recordkeeping-Requirements.pdf
VIII. Determining Income and Calculating Rent

a. Income Definition

Income is money that is paid to, or on behalf of, the head of household or spouse (even if temporarily absent) or to any other household member, and are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and which are not specifically excluded in 24 CFR § 5.609(c). Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

Documents and information collected to verify income should be recent. Documentation dated within 30 days is acceptable. However, for public assistance benefits, (e.g., SSI, food stamps), a benefits statement received any time within the twelve months prior to the time of application and reflecting current benefits received by a household is allowed. A copy of a recent bank statement indicating direct deposit is also acceptable.

b. Income Inclusions Examples

<table>
<thead>
<tr>
<th>Table 8.1</th>
<th>Income Inclusions Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Not an exhaustive list</strong></td>
<td></td>
</tr>
<tr>
<td>(1)</td>
<td>The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;</td>
</tr>
<tr>
<td>(2)</td>
<td>The full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts, including lump sum payment for delayed start of a periodic payment;</td>
</tr>
<tr>
<td>(3)</td>
<td>Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay;</td>
</tr>
<tr>
<td>(4)</td>
<td>Welfare assistance. Welfare or other payments to families or individuals, based on need, that are made under program funded, separately or jointly, by Federal, State or local governments (e.g., Social Security Income (SSI) and general assistance available through state welfare programs);</td>
</tr>
<tr>
<td>(5)</td>
<td>Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing in the dwelling;</td>
</tr>
<tr>
<td>(6)</td>
<td>Net income from the operation of a business or profession;</td>
</tr>
<tr>
<td>(7)</td>
<td>Interest, dividends, and other net income of any kind from real and personal property;</td>
</tr>
<tr>
<td>(8)</td>
<td>All regular pay, special pay and allowances of a member of the Armed Forces, except special hostile fire pay.</td>
</tr>
</tbody>
</table>
c. Income Exclusions

<table>
<thead>
<tr>
<th>Table 8.2</th>
<th>Income Exclusions</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>Income from employment of children (including foster children) under the age of 18 years;</td>
</tr>
<tr>
<td>(2)</td>
<td>Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);</td>
</tr>
<tr>
<td>(3)</td>
<td>Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker’s compensation), capital gains and settlement for personal or property losses (except as provided in paragraph (b)(5) of this section);</td>
</tr>
<tr>
<td>(4)</td>
<td>Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;</td>
</tr>
<tr>
<td>(5)</td>
<td>Income of a live-in aide, as defined in 24 CFR § 5.403;</td>
</tr>
<tr>
<td>(6)</td>
<td>Subject to paragraph (b)(9) of this section, the full amount of student financial assistance paid directly to the student or to the educational institution;</td>
</tr>
<tr>
<td>(7)</td>
<td>The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;</td>
</tr>
<tr>
<td>(8)</td>
<td>Amounts received under training programs funded by HUD;</td>
</tr>
<tr>
<td></td>
<td>Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);</td>
</tr>
<tr>
<td></td>
<td>Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;</td>
</tr>
<tr>
<td></td>
<td>Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed $200 per month) received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the PHA’s governing board. No resident may receive more than one such stipend during the same period of time;</td>
</tr>
<tr>
<td></td>
<td>Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program;</td>
</tr>
<tr>
<td>(9)</td>
<td>Temporary, nonrecurring or sporadic income (including gifts);</td>
</tr>
<tr>
<td>(10)</td>
<td>Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;</td>
</tr>
<tr>
<td>(11)</td>
<td>Earnings in excess of $480 for each full-time student 18 years old or older (excluding the head of household and spouse);</td>
</tr>
<tr>
<td>(12)</td>
<td>Adoption assistance payments in excess of $480 per adopted child;</td>
</tr>
<tr>
<td>(13)</td>
<td>Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts.</td>
</tr>
<tr>
<td>(14)</td>
<td>Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;</td>
</tr>
<tr>
<td>(15)</td>
<td>Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or</td>
</tr>
<tr>
<td>(16)</td>
<td>Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR § 5.609(c) apply.</td>
</tr>
</tbody>
</table>
d. Deductions

<table>
<thead>
<tr>
<th>Table 8.3</th>
<th>Deductions</th>
<th>Mandatory Deductions</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
<td>$480 for each dependent;</td>
</tr>
<tr>
<td>(2)</td>
<td></td>
<td>$400 for any elderly family or disabled family;</td>
</tr>
<tr>
<td>(3)</td>
<td></td>
<td>The sum of the following, to the extent the sum exceeds three percent of annual income:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(a) Unreimbursed medical expenses of any elderly family or disabled family; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(b) Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed. This deduction may not exceed the earned income received by family members who are 18 years of age or older and who are able to work because of such attendant care or auxiliary apparatus; and</td>
</tr>
<tr>
<td>(4)</td>
<td></td>
<td>Any reasonable child care expenses necessary to enable a member of the family to be employed or to further his or her education.</td>
</tr>
</tbody>
</table>

e. Income Review Requirements

<table>
<thead>
<tr>
<th>Table 8.4</th>
<th>Income Review Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Funding</td>
<td>Component</td>
</tr>
<tr>
<td>ESG</td>
<td>Rapid Rehousing</td>
</tr>
<tr>
<td></td>
<td>Prevention</td>
</tr>
<tr>
<td>CoC</td>
<td>Transitional Housing</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Permanent</td>
<td>Rapid Rehousing</td>
</tr>
<tr>
<td>Supportive Housing</td>
<td>Leasing</td>
</tr>
<tr>
<td></td>
<td>Operating</td>
</tr>
<tr>
<td></td>
<td>Rental Assistance</td>
</tr>
</tbody>
</table>

For projects providing rental assistance, participants must pay a contribution toward rent. Each participant must agree to supply the information or documentation necessary to verify the participant’s income. Participants must also provide the recipient with information at any time regarding changes in income or other circumstances that may result in changes to a participant’s contribution toward rent. Refer to 24 CFR § 578.77(c)(3).

f. Annualizing Wages and Periodic Payments

When calculating income based on hourly, weekly, or monthly payment information, add the gross amount earned in each payment period that is documented and divide by the number of payment periods. This provides an average wage per payment period. Depending on pay periods
used by the employer or the schedule of periodic payments, the following calculations convert the average wage into annual income:

- Hourly Wage multiplied by Hours Worked per Week multiplied by 52 weeks
- Weekly Wage multiplied by 52 weeks
- Bi-Weekly (every other week) Wage multiplied by 26 bi-weekly periods
- Semi-Monthly Wage (twice a month) multiplied by 24 semi-monthly periods
- Monthly Wage multiplied by 12 months

Standards and procedures for documenting *Income* are further detailed in Appendix A.
IX. Termination of Participation, Denial and Grievance Procedures

Recipients must have written termination, denial, and grievance policies and/or procedures. The policies and/or procedures should be readily available to applicants and participants of assistance. With the exception of high volume shelters where it is acceptable to have policies posted in a public place, applicants and participants must receive written information about program policies. It is important to effectively communicate these policies and/or procedures to ensure that they are fully understood.

✓ Denial and Grievance

Causes of denial of assistance include, but are not limited to, the person’s ineligibility or failure to provide verifiable evidence of eligibility, etc. Established procedures should describe:

- Circumstances in which persons may not qualify or would be denied;
- Notification of denial; and
- A person’s right to review a recipient’s decision.

✓ Termination of Participation and Grievance

Involuntary termination from any project funded under the HEARTH Act places the participant at great risk because (s)he will likely exit to a place that is less safe than the project in which (s)he is currently participating. Termination is a last option. Recipients are encouraged to limit rules of participation to only that which constitutes immediate danger. For example, in a communal living project, it would not be appropriate to terminate a participant’s housing because (s)he did not complete her/his chores. Recipients are encouraged to find other strategies to increase participants’ contributions to their community by encouraging engagement rather than threatening loss of housing.

That being said, there may be instances where termination cannot be avoided. The written grievance procedure must include:

- Written notice to the participant containing a clear statement of the reason(s) for termination;
- A review of the decision, in which the participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision. This may include the participant’s right to question or confront staff involved; and
- Prompt written notice of the final decision.

For projects where participants are required to request a review of the termination decision, participants must be given an adequate amount of time to submit their request. The review must be held at a mutually agreeable time.
X. Confidentiality of Participant Records

Recipients must have policies and/or procedures to ensure that participant records, including electronic records, are maintained in a confidential manner as per RCW 43.185C.030, 24 CFR § 578.103(b), and 24 CFR § 576.500(x), and keep records or files pertaining to participants under lock and key with designated personnel only granted access to those documents. All records that contain protected identifying information (e.g. Name, Social Security Number, Date of Birth, etc.) of persons applying for and/or receiving housing and/or services must be kept secure and confidential.

XI. Inspection Requirements

a. Emergency Solutions Grant

i. Emergency Shelter

Projects that receive ESG funds for shelter operations must comply with minimum safety, sanitation and privacy standards as outlined in 24 CFR § 576.403.

ii. Rapid Rehousing

Projects providing Rapid Rehousing assistance with ESG funds are required to perform Habitability Standards inspections and maintain documentation of these inspections as defined in 24 CFR § 576.403(c). These inspections must be done at least annually. Recipients of ESG-Rapid Rehousing may adopt more stringent requirements that exceed or add to the requirements in 24 CFR § 576.403(c). HUD Housing Quality Standards (HQS) inspection procedures are not considered sufficient because HQS is less stringent in the areas of fire safety and interior air quality. However, the HQS form may be amended to include the more stringent safety and interior air quality requirements. A record of the inspections must be kept and readily available.

b. Continuum of Care Program

All housing, including transitional, permanent supportive and rapid rehousing, leased with CoC Program funds, or for which rental assistance payments are made with CoC funds, must meet applicable housing quality standards under 24 CFR § 578.75(b). The Housing Quality Standards (HQS) are contained within 24 CFR § 982.401 which state the performance and acceptability criteria for the key aspects of housing quality listed in Table 11.1.

i. Housing Quality Standards

<table>
<thead>
<tr>
<th>Table 11.1</th>
<th>Housing Quality Standards – Key Aspects</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sanitary facilities</td>
<td>Food preparation and refuse disposal</td>
</tr>
<tr>
<td>Space and security</td>
<td>Thermal environment</td>
</tr>
<tr>
<td>Illumination and electricity</td>
<td>Structure and materials</td>
</tr>
<tr>
<td>Interior air quality</td>
<td>Water supply</td>
</tr>
<tr>
<td>Access</td>
<td>Site and neighborhood</td>
</tr>
<tr>
<td>Sanitary condition</td>
<td>Smoke detectors</td>
</tr>
</tbody>
</table>
Physical inspections of units to ensure compliance with HQS must be completed prior to the issuance of assistance. Additionally, recipients must inspect all units at least annually to ensure ongoing compliance with HQS. Deficiencies must be remedied within 30 days of inspection, with the exception of emergency failures, see below. Payment may not be issued beyond the annual recertification date for units that do not meet HQS.

Recipients must comply with applicable conflict of interest requirements and shall not conduct HQS inspections of property that the recipient or a related entity owns. See 24 CFR § 578.95(c).

The following deficiencies constitute an emergency fail and repairs must occur and be verified within 24 hours (rather than the standard 30 days) of inspection (24 CFR 982.401(a)).

- Lack of security for the unit
- Waterlogged ceiling in imminent danger of falling
- Major plumbing leaks or flooding
- Natural gas leaks or fumes
- Electrical problem which could result in shock or fire
- No heat when outside temperature is below 40°F and the temperature inside the unit is below 55°F
- Utilities not in service
- No running hot water
- Broken glass where someone could be injured
- Obstacle which prevents entrance or exit
- Lack of functioning toilet
- Inoperable smoke detector

ii. Suitable Dwelling Size
Participants must be placed in units that are of suitable size: the unit must have at least one bedroom or living/sleeping room for each two persons. 24 CFR § 578.75(c).

c. Lead-Based Paint Requirements

i. Visual Assessments
The lead-based paint visual assessment requirement exists to protect vulnerable families from potential health hazards. To prevent lead poisoning in young children, recipients must comply with the Lead-based Paint Poisoning Prevention Act of 1973 and its applicable regulations found at 24 CFR § 35.

The applicable parts of 24 CFR § 35 are as such:
1. For ESG-funded shelters and housing occupied by project participants, recipients must comply with subparts A, B, H, J, K, M and R.
2. For CoC-funded housing that receives project-based or sponsor-based rental assistance, recipients must comply with subparts A, B, H, and R.
3. For CoC-funded residential property receiving leasing, services or operating costs, recipients must comply with subparts A, B, K and R.
A lead-based paint visual assessment must be completed for all units that meet the three following conditions:

1. The household moving into or remaining in their current unit is being assisted with either ESG rent/utility assistance, ESG arrears assistance, CoC rent assistance, or it is a residential property using CoC funds to fund leasing, services or operating costs.
2. The unit was constructed prior to 1978.
3. A child under the age of six or a pregnant woman is, or will be, living in the unit.

For units and facilities that meet these conditions, recipients must conduct a visual assessment at least annually. For rental units, a visual assessment must be conducted prior to providing rent assistance and on an annual basis thereafter (as long as assistance is provided). The recipient must maintain the record on file with the inspection’s record and readily available for review.

Visual assessments must be conducted by a HUD-Certified Visual Assessor. Agency staff may complete the Visual Assessment Training at http://www.hud.gov/offices/lead/training/visualassessment/h00101.htm. The certificate of completion must be maintained on record and readily available for review. For rental units, documentation must be kept with the HQS or Habitability Standards Worksheet and maintained in the participant file.

ii. Exceptions to the Requirement
There are certain exceptions to the requirement. Visual assessments are not triggered under the following circumstances:

- It is a zero-bedroom or SRO-sized unit;
- X-ray or laboratory testing of all painted surfaces by certified personnel has been conducted in accordance with HUD regulations and the unit is officially certified to not contain lead-based paint;
- The property has had all lead-based paint identified and removed in accordance with HUD regulations;
- The unit has already undergone a visual assessment within the past 12 months – obtain documentation that a visual assessment has been conducted; or
- It meets any of the other exemptions described in 24 CFR § 35.115(a).

If any of the conditions outlined above are met, recipients need to document the condition.
XII. Recordkeeping Requirements

In order to receive assistance, the following information must be documented in the participant file:

a. Initial Consultation & Eligibility Determination

The participant must lack sufficient resources and support networks to obtain/retain housing and this must be documented in the file. The participant must receive an initial consultation and eligibility assessment to determine housing status eligibility and the appropriate type of assistance needed to regain stability in permanent housing.

b. Housing Stability Plan

The Housing Stability Plan (ESG-Emergency Shelter, ESG-Prevention, CoC- and ESG-Rapid Rehousing) must include:

✓ Needs assessment to identify barriers and specific housing and self-sufficiency goals
✓ Action steps to retain permanent housing after assistance ends
✓ Households receiving assistance from a victim service provider may be exempted from the case management requirement.

c. Individual Support Plan

The Individual Support Plan (CoC-Transitional Housing and CoC-Permanent Supportive Housing) must include:

✓ Problem Identification
✓ Goals
✓ Action Plan
✓ Outcomes

Per 24 CFR § 578.53, projects must complete an assessment of the service needs of participants at least annually. Services must be adjusted accordingly.

d. Assistance in obtaining mainstream and other resources

Participants must receive appropriate supportive services and referrals essential to achieving independent living through other federal, state, local, and private assistance.

e. Proof of Complete Inspection

Please see Section XI, Inspection Requirements, for full detail.

✓ Habitability (ESG)
✓ Housing Quality Standards (CoC)

Completed inspection forms must be retained in the file and must contain the date the inspection was performed and the signature of the staff person who performed the inspection.
f. Proof of Complete Lead Based Paint Visual Assessment

See Section XI, Inspection Requirements, for full detail. Completed assessments must be retained in the file and must contain the date the inspection was performed and the signature of the staff person who performed the inspection.

g. Rent Reasonableness

Please see Appendix B for full detail.

Recipients must:

✓ Use the Rent Reasonableness Certification Form (Attachment A) to document rent reasonableness
✓ Retain a copy of each Dupre & Scott Snohomish County Rent Reasonableness Survey every year, beginning in April 2013
✓ Retain documentation of any supplemental documents used to compare rents i.e. copies of advertisements for properties for rent, etc.

h. Case notes and record of services received

Files must contain case notes that align with either the Housing Stability Plan or the Individual Support Plan, be legible, dated and contain a record of the staff member responsible for each note.
XIII. Reporting Requirements

Subrecipients shall follow the reporting requirements as outlined in the Contract with the County.

Recipients shall participate in Snohomish County Continuum of Care activities, which includes participation in planning activities, and the annual Point-in-Time (PIT) count of the homeless. Recipients will complete the Snohomish County Annual Homeless Housing Inventory Chart (HIC), which includes data on beds, units, HMIS participation, services, and financial data on all projects.

An Annual Performance Report (APR) is currently required for the CoC Program and will be required for ESG. The regulations regarding the ESG APR requirement are currently pending. The County will publish further guidance regarding this requirement once the prescribed format is released by HUD. With the exception of Victim Service Providers, which are required to track required data in a comparable database, the majority of the data required for the APR will be generated from the Homeless Management Information System (HMIS). Recipients are required to report on financial data and provide narratives regarding their project(s). ESG Subrecipients are required to complete and submit a semi-annual budget report. The details of these reports will be outlined in future drafts of these guidelines.

Subrecipients will report Match detail in a format prescribed by the County.

Subrecipients will report Program Income detail on their monthly invoice to the County.

The County reserves the right to request additional information or prescribe or change reporting requirements.
XIV. Homeless Management Information Systems Participation

Recipients will participate in the Snohomish County Homeless Management Information System (“Snohomish County HMIS”) which is administered by the County’s Human Services Department. Snohomish County HMIS is an electronic database that collects data on homeless persons who receive outreach, homelessness prevention and intervention services, emergency shelter, transitional housing, supportive services not linked with housing, and permanent supportive housing.

HMIS Participation will include:

- Technical set up;
- Staff training;
- Development of and adherence to an HMIS implementation schedule;
- Adherence to the requirements set forth in the Snohomish County HMIS Policy and Procedures Manual including:
  - Confidentiality
  - Privacy and Security Protocols
  - Adherence to the Data Quality Plan
- Adherence to the requirements set forth in the “Agency Partner Agreement” and “User Policy, Code of Ethics and Responsibility Statement” executed by the Recipient and the Recipient’s staff.

XV. Performance Standards

Snohomish County, as the Collaborative Applicant (CA), establishes performance standards for CoC- and ESG-funded projects in consultation with its Subrecipients. Performance standards are established by project type, based upon HUD’s national targets, as well as local targets that account for the unique needs of the homeless population and subpopulations within the Everett/Snohomish County CoC. To set these performance targets, the County reviews HUD established performance areas, including those for High-Performing Communities and those included in the application review criteria in the CoC Notice of Funding Availability (NOFA), as well as HMIS and performance data for CoC- and ESG-funded projects. See the Everett/Snohomish County Continuum of Care Performance Standards, incorporated herein by reference.

The County will monitor project performance on an ongoing basis through HMIS data as well as annually through the Annual Performance Report (APR). In addition:

- Annually, for CoC-funded projects, after HUD has published the Notice of Funding Availability (NOFA), the Project Review Committee (PRC) scores projects locally and recommends projects for funding. See Section II, Policy on Project Selection. Project data, including project performance, is compiled for County and PRC review.
- Once Subrecipients are selected and projects begin operating, the County utilizes a Program Monitoring Tool – Subrecipient Risk Assessment to assess whether Subrecipients qualify as “high risk,” which is determined, in part, by a review of project performance.

The County will take the following action against poor performers:

- Provide technical assistance (TA)
- Provide a corrective action plan if:
  - TA is not implemented by the Subrecipient; or
  - The poor performance is of serious concern; or
  - Prior TA was not followed by the Subrecipient.
- Review all necessary materials and conduct on-site visit(s) as needed
- Follow contracting procedures for suspension or termination of the Contract if the Subrecipient fails to respond and correct the issue(s)
- Request funds be returned if necessary and appropriate.
Appendix A

Income Eligibility Documentation Standards

While Snohomish County has established standards for various types of income, the County recognizes that in some instances only applicant self-declaration may be possible. This method should be used only as a last resort when all other verification methods are not possible or reasonable. When using applicant self-declaration, Projects must document why a higher verification standard was not used. Be sure to include this in the case file.

_Gross Income_ is the amount of income earned before any deductions (such as taxes and health insurance premiums) are made.

_Current Income_ is the income that the household is currently receiving. Income recently terminated should not be included.

<table>
<thead>
<tr>
<th>Type of Income</th>
<th>Acceptable Types of Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Wages and Salary</strong></td>
<td>Obtain copy of most recent pay stub(s) and include in participant file.</td>
</tr>
<tr>
<td></td>
<td><strong>OR Written 3rd Party Verification</strong></td>
</tr>
<tr>
<td></td>
<td>Mail, fax or email verification of income request to employer. At a minimum, written verification</td>
</tr>
<tr>
<td></td>
<td>must include: name of employer and participant name, pay amount and frequency, average hours</td>
</tr>
<tr>
<td></td>
<td>worked per week, amount of any additional compensation and be signed and dated by employer. Copy</td>
</tr>
<tr>
<td></td>
<td>kept in participant file.</td>
</tr>
<tr>
<td></td>
<td><strong>OR Oral 3rd Party Verification</strong></td>
</tr>
<tr>
<td></td>
<td>Contact the employer by phone or in person. At a minimum, oral verification must include: name</td>
</tr>
<tr>
<td></td>
<td>of employer and participant name, pay amount and frequency, average hours worked per week, amount</td>
</tr>
<tr>
<td></td>
<td>of any additional compensation and be signed and dated by staff who obtained the information. Copy</td>
</tr>
<tr>
<td></td>
<td>kept in participant file.</td>
</tr>
<tr>
<td></td>
<td><strong>OR Self Declaration</strong></td>
</tr>
<tr>
<td></td>
<td>Obtain signed and dated self-declaration from the participant. At a minimum must include source</td>
</tr>
<tr>
<td></td>
<td>of income, income amount and frequency, and be signed. Copy kept in participant file. Case</td>
</tr>
<tr>
<td></td>
<td>manager must document attempts to obtain written and oral verification.</td>
</tr>
<tr>
<td><strong>Self-Employment and Business</strong></td>
<td>Obtain copy of most recent federal and state tax return from the applicant and keep copy in</td>
</tr>
<tr>
<td>Income</td>
<td>participant file.</td>
</tr>
<tr>
<td></td>
<td><strong>OR Self Declaration</strong></td>
</tr>
<tr>
<td></td>
<td>Obtain signed and dated self-declaration from the participant. At a minimum must include source</td>
</tr>
<tr>
<td></td>
<td>of income, income amount and frequency and be signed. Copy kept in participant file. Case manager</td>
</tr>
<tr>
<td></td>
<td>must document attempts to obtain written and oral verification.</td>
</tr>
</tbody>
</table>
| Interest and Dividend Income | Obtain copy of most recent interest or dividend income statement from participant and keep copy in participant file.  

OR  

Obtain copy of most recent federal and state tax return from the applicant and keep copy in participant file.  

OR Self Declaration  

Obtain signed and dated self-declaration from the participant. At a minimum must include source of income, income amount and frequency and be signed. Copy kept in participant file. Case manager must document attempts to obtain written and oral verification. |
| Pension/Retirement Income | Obtain copy of most recent payment statement or benefit notice from Social Security, pension provider or other source. Copy kept in participant file.  

OR Written 3rd Party Verification  

Mail, fax or email verification of income request to Social Security, pension provider or other source. At a minimum, written verification must include: name of income source, income amount and be signed and dated by income source representative. Copy kept in participant file.  

OR Oral 3rd Party Verification  

Contact the source by phone or in person. At a minimum, oral verification must include: Name of income source, income amount and be signed and dated by income source representative. Copy kept in participant file.  

OR Self Declaration  

Obtain signed and dated self-declaration from the participant. At a minimum must include source of income, income amount and frequency and be signed. Copy kept in participant file. |
| Unemployment and Disability Income | Obtain copy of most recent payment statement and or benefit notice. Copy kept in participant file.  

OR Written 3rd Party Verification  

Mail, fax or email verification of income request to unemployment administrator, workers compensation administrator of former employer. At a minimum, written verification must include: name of income source, income amount and be signed and dated by income source representative. Copy kept in participant file.  

OR Oral 3rd Party Verification  

Contact the source by phone or in person. At a minimum, oral verification must include: Name of income source, income amount and be signed and dated by income source representative. Copy kept in participant file. |
<table>
<thead>
<tr>
<th><strong>OR Self Declaration</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Obtain signed and dated self-declaration from the participant. At a minimum must include source of income, income amount and frequency and be signed. Copy kept in participant file. Case manager must document attempts to obtain written and oral verification.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>TANF/Public Assistance</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Obtain copy of most recent payment statement and or benefit notice. Copy kept in participant file.</td>
</tr>
<tr>
<td><strong>OR Written 3rd Party Verification</strong></td>
</tr>
<tr>
<td>Mail, fax or email verification of income request to welfare administrator. At a minimum, written verification must include: name of income source, income amount and be signed and dated by income source representative. Copy kept in participant file.</td>
</tr>
<tr>
<td><strong>OR Oral 3rd Party Verification</strong></td>
</tr>
<tr>
<td>Contact the source by phone or in person. At a minimum, oral verification must include: name of income source, income amount and be signed and dated by income source representative. Copy kept in participant file.</td>
</tr>
<tr>
<td><strong>OR Self Declaration</strong></td>
</tr>
<tr>
<td>Obtain signed and dated self-declaration from the participant. At a minimum must include source of income, income amount and frequency and be signed. Copy kept in participant file. Case manager must document attempts to obtain written and oral verification.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Alimony, Child Support, Foster Care Payments</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Obtain copy of most recent payment statement, notices or orders. Copy kept in participant file.</td>
</tr>
<tr>
<td><strong>OR Written 3rd Party Verification</strong></td>
</tr>
<tr>
<td>Mail, fax or email verification of income request to child support enforcement agency, court liaison or other source. At a minimum, written verification must include: name of income source, income amount and be signed and dated by income source representative. Copy kept in participant file.</td>
</tr>
<tr>
<td><strong>OR Oral 3rd Party Verification</strong></td>
</tr>
<tr>
<td>Contact the source by phone or in person. At a minimum, oral verification must include: name of income source, income amount and be signed and dated by income source representative. Copy kept in participant file.</td>
</tr>
<tr>
<td><strong>OR Self Declaration</strong></td>
</tr>
<tr>
<td>Obtain signed and dated self-declaration from the participant. At a minimum must include source of income, income amount and frequency and be signed. Copy kept in participant file. Case manager must document attempts to obtain written and oral verification.</td>
</tr>
</tbody>
</table>
Appendix B

Rent Reasonableness Policies and Procedures

(Adapted from HUD’s Homeless Prevention Rapid Re-Housing Grant Guidelines)

**Determining and Documenting Rent Reasonableness**: Determining and documenting rent reasonableness is required under CoC and ESG. We are required to establish local policies and procedures to determine documentation and record keeping requirements in order to ensure the rent reasonableness standard is met. Below describes the methodology, staffing, data sources, documentation requirements, and special circumstances that Snohomish County Projects will use.

**Methodology**: Methodologies for obtaining comparable rents include:

- Utilizing the Dupre & Scott Rent Reasonableness Survey;
- Obtaining documentation from property owners/managers on current rents charged in comparable unassisted units;
- Obtaining comparable rents on a unit-by-unit basis from other data sources (shown in the data sources section below).

Snohomish County Projects must compare at least 3 units and will document its rent reasonableness using the Rent Reasonableness Certification form. When using the Rent Reasonable Survey, the survey must list greater than 3 buildings to be considered reliable.

Rent reasonableness will consider the following: location, size, unit type, quality and condition of the unit, accessibility, amenities, age of the unit, and utilities.

**Staffing**: The responsibility of determining and documenting rent reasonableness should be assigned to program staff in the following order of preference:

1. Staff conducting the housing inspection will be responsible for determining and documenting rent reasonableness.
2. The case manager will be responsible for determining and documenting rent reasonableness.

**Data Sources**: Acceptable data sources used in determining rent reasonableness include the following:

- Dupre & Scott Rental Survey;
- Newspaper ads (including internet versions of newspaper ads);
- Classified Ads;
- Weekly or monthly neighborhood or shopper newspapers that have rental listings;
- “For Rent” signs in windows or on lawns;
- Real estate agents; and
- Property management companies that handle rental property.
- Rental Listing websites including:
  - [www.apartmentguide.com](http://www.apartmentguide.com)
  - [www.apartments.com](http://www.apartments.com)
  - [www.forrentmag.com](http://www.forrentmag.com)
  - [http://www.housingsearchnw.org](http://www.housingsearchnw.org)
**Utilizing the Dupre & Scott Rental Survey:** The Dupree & Scott Rent Reasonableness Survey is updated every spring. The survey is a helpful way to understand the overall rental market of an area and can be a good starting point for certifying rent reasonableness. The certifier must follow these steps in utilizing the survey:

- Correctly identify the area the proposed unit is in according to the “Snohomish County Areas for Data Presentation” section of the survey;
- Navigate to the appropriate pages which list the data for the identified area;
- Identify the correct unit size based on the number of bedrooms;
- Identify the correct building type based on the number of units the building contains;
- The average rent is listed on the right hand side of the page on the corresponding row of the survey.

**Important factors to consider when utilizing the survey:**

- Some unit types and areas have very limited data. This may be because the area has few rental units, such as Area 8: Goldbar/Sultan. Or, it may be that the unit type is not common, such as a one bedroom, one unit building. Each building type under each unit type lists the number of buildings that were included in the survey. If less than three buildings were included in that data point, further analysis is necessary to properly document rent reasonableness.
- For this survey, Dupre & Scott have defined a low-rise building as greater than 20 units and one or two stories tall. A high-rise building is considered great than 20 units and three or more stories. It is important to note that that differs from the definitions under the Housing Quality Standards. For the purposes of verifying rent reasonableness, you may, for example, use the number for a high rise, but for HQS consider it a low-rise, and for the utility allowance, consider it a low rise. The utility allowance and inspection must match, but the rent reasonableness may be different.

**Strategies for Determining Appropriate Comparable Properties:** Each and every certification of rent reasonableness must consider the following:

- **Location:** It is important that, not only are the properties close in proximity, but that they have similar access to services such as bus lines, grocery stores, etc. and are within the same school boundaries where possible.
- **Square Footage**
- **Unit Type:** Single Family, Duplex, Town House, Low-Rise, High-Rise, Manufactured Home, etc.
- **Quality and Condition of the Unit:** Quality of floor coverings, cabinets, appliances, windows and doors as well as how well the unit has been maintained may make units more or less desirable and may affect the amount of rent the unit commands.
- **Accessibility**
- **Amenities/Facilities:** The following amenities/facilities may have an effect on the amount of rent the unit commands assuming that it is in good repair and desirable within the market:
  - Garbage Disposal
  - Dishwasher
  - Washer/Dryer in Unit
  - Patio/Balcony/Deck
  - Fenced Yard
  - Playground
  - Covered/Garage Parking
  - Off-Street Parking
  - Storage Outside of Unit
  - Laundry Facilities
  - Club House
  - Pool
  - Fireplace
- **Age of the Unit and Year of Renovation**
- **Utilities**

**Data in Rural Areas:** While there may be fewer rental units in rural areas than in urban and suburban areas, it is possible to find comparable rents or establish rent payment standards for different unit types located in these areas.
• One source of rental housing data for rural areas may be the US Department of Agriculture’s Rural Development Agency. USDA provides direct and guaranteed loans for single and multi-family housing development in rural areas as well as for farm laborers. Contact information for Rural Development State and Local Offices or USDA Service Centers is available at http://www.rurdev.usda.gov/recd_map.html. Each Rural Development Office, if it has a Rural Housing component, should have information on the types of rental housing available in various communities throughout the state, as well as unit sizes and rents.

• Another potential source of comparable rent data are real estate agents. Local real estate agents are not only knowledgeable about real estate prices but often are a source of information on rental housing in the area. They may be able to extrapolate rent comparables based on the general cost of housing in the area. To find real estate agents active in particular communities, Projects can consult the National Association of Realtors on the web at http://www.realtor.org/. For demographic information on the housing stock, market trends, etc., projects should access http://www.realtor.org/research.

**Strategy for Addressing Special Cases:** There may be instances where the above methodology and process is not sufficient to establish rent reasonableness for a particular unit.

For example, staff may find in rural areas that there are only one or two comparable units instead of the three units specified by the protocol. Snohomish County Projects may use alternative methods to determine and document rent reasonableness in the following circumstance:

• In rural areas where it may be difficult to find three comparable units.
• In assessing units with an accessibility feature that the tenant requires due to a disability where it may be difficult to find three comparable units.

**Documentation Requirements:** The following documentation is required to determine rent reasonableness and must be kept in the participant file:

• Rent Reasonableness Certification Form
• Supplemental documents used to compare rents i.e. copies of advertisements for properties for rent etc.

Agencies must maintain a copy of the Dupre and Scott Rent Reasonableness Survey and the Rent Comp Excel File which includes the properties that were used to compile the survey in the event of an audit.

**Special Note Regarding Fair Market Rent:** The gross rent (rent + utility allowance) for units receiving rental assistance from ESG funds, and leasing funds from the CoC Program cannot exceed the HUD Determined Fair Market Rent (FMR). Programs using rental assistance funds from the CoC Program should generally not exceed FMR.
Appendix C

Step by Step Guide to Compliance with Lead Based Paint Inspection Requirements

Childhood lead poisoning is a major environmental health problem in the United States, especially for low-income families in poor living conditions. If not detected early, children with high levels of lead in their bodies can suffer from damage to the brain and nervous system, behavioral and learning problems (such as hyperactivity), slowed growth, hearing problems, and headaches. To prevent lead-poisoning in young children, Lead/Sub Grantees must comply with the Lead-Based Paint Poisoning Prevention Act of 1973 and its applicable regulations found at 24 CFR § 35, Parts A, B, M, and R.

**Disclosure Requirements**

Disclosure requirements are triggered for ALL properties constructed prior to 1978. These requirements require that lessors (property owners or managers) provide tenants with:

- Disclosure form for rental properties disclosing the presence of known and unknown lead-based paint;
- A copy of the “Protect Your Family from Lead in the Home” pamphlet.

Both the disclosure form and pamphlet are available at:
http://www.hud.gov/offices/lead/enforcement/disclosure.cfm

While this actually relates to property owners/managers, sharing this information with your participants (or ensuring they have received it) is an easy thing to do. This is an important opportunity to educate participants about the potential hazards related to lead and their rights as tenants. Informed tenants are more likely to watch for potential problems in their home and proactively work with landlords to address any issues.

**Visual Assessment**

Visual assessments are only triggered under certain circumstances:

- The leased property was constructed before 1978;
  
  **AND**

- A child under the age of six will be living in the unit occupied by the household receiving assistance.

**Determining the Age of the Unit**

Projects should use formal public records, such as tax assessment records, to establish the age of a unit. These records include the year built or age of the property and are available online at:
http://snohomishcountywa.gov/175/Assessor

Remember to print out a copy of the screenshot for the case file. If you have trouble finding this information online, contact your local Office of Tax and Revenue for assistance. If not available online, the information is public and can be requested from the local authorities. (Note, the taxing authority and the assessment entity may be separate governmental entities and office names vary by locality).
**Conducting a Visual Assessment**

A visual assessment must be conducted prior to providing rent assistance to the unit and on an annual basis thereafter (as long as assistance is provided). Visual assessments must be conducted by a HUD-Certified Visual Assessor. It is important to note that a HUD-Certified Visual Assessor is not equivalent to a Certified Clearance Examiner. Anyone may become a HUD-Certified Visual Assessor by successfully completing a 20-minute online training on HUD’s website at: [http://www.hud.gov/offices/lead/training/visualassessment/h00101.html](http://www.hud.gov/offices/lead/training/visualassessment/h00101.html)

The training teaches individuals how to identify deteriorated paint and how deteriorated paint must be treated. Projects may choose to have their program staff complete the visual assessments, or they may procure services from a contractor.

**Making Assistance Determinations**

If a visual assessment reveals problems with paint surfaces, Project cannot approve the unit for assistance until the deteriorating paint has been repaired. At this point, Projects must make a decision: work with the property owner/manager to complete needed paint stabilization activities and clearance, work with the household to locate a different (lead-safe) unit, or refer the participant to a different program if assistance cannot be provided.

**Locating a Certified Lead Professional and Further Training**

To locate a certified lead professional in your area:

- Call your state government (health department, lead poison prevention program, or housing authority).
- Call the National Lead Information Center at 1-800-424-LEAD (5323).
- Go to the US Environmental Protection Agency website at [http://cfpub.epa.gov/flpp/](http://cfpub.epa.gov/flpp/) and click on "certified abatement/inspection firms."

Lead professionals, training providers, and HUD-sponsored Lead Safe Work Practices training listings can be accessed at [www.leadlisting.org](http://www.leadlisting.org) or 1-888-LEADLIST.

For more information on the Federal training and certification program for lead professionals, contact the National Lead Information Center (NLIC) at [http://www.epa.gov/lead/pubs/nlic.html](http://www.epa.gov/lead/pubs/nlic.html) or 1-800-424-LEAD to speak with an information specialist.

The Lead Safe Housing Rule as well as a HUD training module to help recipients of funds effectively implement the requirements of the Lead Safe Housing Rule in their programs can be accessed at [http://www.hud.gov/offices/cpd/affordablehousing/training/web/leadsafe/](http://www.hud.gov/offices/cpd/affordablehousing/training/web/leadsafe/)
## Appendix D

### Comparison of Rapid Rehousing Under ESG and CoC

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<th>CoC - RRH</th>
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<td>• Short-term (up to 3 months)</td>
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<td>• Medium-term (4 to 24 months)</td>
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<td>• Rent Arrears (one-time for up to 6 months, including late fees)</td>
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<td><strong>Type of Rental Assistance</strong></td>
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<td>• Tenant based only</td>
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<td><strong>Housing Relocation and Stabilization Services</strong></td>
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<td>• Security Deposits (up to 2 months)</td>
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<td>• Last month’s rent</td>
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<td>• Case management</td>
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<td>• Employment assistance and job training</td>
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<td>• Housing search and counseling services, including mediation, credit repair, and payment of rental application fee</td>
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### Rental Assistance Overview

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<td>Housing Standards</td>
<td>Units must pass HUD Habitability Standards</td>
<td>Units must pass HUD Housing Quality Standards (HQS)</td>
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<td>Fair Market Rent (FMR)</td>
<td>Rental unit may cover up to FMR for rental unit</td>
<td>Rent Reasonableness is the rent standard</td>
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<td><strong>Rent Reasonableness</strong></td>
<td>Units must comply with HUD’s rent reasonableness standards</td>
<td>Units in a structure must comply with HUD’s rent reasonableness standards</td>
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| **Lease Requirements** | • A written lease between the owner and the participant is required for TBRA and PBRA.  
• For participants living in housing with PBRA, the lease must have an initial term of one year. There is no minimum lease period for TBRA.  
• The only exception to the written lease requirement is in the case of rental assistance provided solely for rental arrears. | Participants receiving TBRA must sign a lease of at least one year that is renewable (for a minimum term of one month) and terminable only for cause. |
| **Written Standards** | Recipients and Subrecipients must implement written policies and procedures for:  
• Determining and prioritizing which eligible families and individuals will receive RRH assistance  
• Determining the amount or percentage of rent and utilities each participant must pay  
• Determining how long a particular participant will be provided with rental assistance and whether and how the amount of that assistance will be adjusted over time | Recipients and Subrecipients must consistently follow policies and procedures established for:  
• Determining and prioritizing which eligible families and individuals will receive RRH assistance  
• Determining the amount or percentage of rent each participant must pay  
• Determining the maximum amount or percentage of rental assistance that a participant may receive  
• Determining the maximum number of months that a participant may receive rental assistance  
• Determining the maximum number of times that a participant may receive rental assistance  
• Determining the extent to which a participant must share the cost of rent |