



Northern Colorado Continuum of Care

Emergency Solutions Grant Program and Continuum of Care Program Funded Rapid Rehousing Written Standards

Approved by NoCO CoC Board of Directors on 1/26/2022

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ESG- and CoC-Applicable Topics

A Note to Funded Organizations

Organizations funded with Emergency Solutions Grant (ESG) and/or Continuum of Care (CoC) funds should be familiar with these written standards and, as is noted throughout this document, should have written policies and procedures of their own. Additionally, funded organizations must review and adhere to their grant agreement(s). While these written standards detail the ESG and CoC programs, regulations, and other requirements, the grant agreements include specific, grant-by-grant requirements. For example, grant agreements include insurance requirements, performance milestones, and reporting requirements and deadlines, such as requirements for quarterly reports. Please note that the Northern Colorado Continuum of Care (NoCO CoC) will do its best to promptly communicate with funded organizations as the US Department of Housing and Urban Development (HUD) releases changes in rules and regulations, however funded organizations are expected to stay abreast of these changes as well.

Introduction

The NoCO CoC has developed these standards in accordance with [Title 24 of the Code of Federal Regulations](#). The standards are applicable to all projects that receive US Department of Housing and Urban Development Continuum of Care (CoC) or Emergency Solutions Grants (ESG) Rapid Re-Housing (RRH) funding throughout the NoCO CoC, and are intended as the basic minimum standards that CoC and ESG grantees are expected to meet in operating their RRH projects. All NoCO CoC-funded RRH projects must also comply with the HUD Notice of Funding Availability (NOFA) under which the project is awarded or renewed. HUD may choose to issue additional waivers and notices at any time. In those instances, the NoCO CoC will notify and work with each RRH funded agency to ensure compliance.

The NoCO CoC encourages all other funders of RRH to voluntarily align with these standards when possible so that people experiencing homelessness are treated similarly regardless of funding source and county of origin. All funds used to provide services under these programs, including any program income and matching funds, must be administered in compliance with these standards. Project-level modifications not in alignment with these standards can be considered, but only for cause and following NoCO CoC approval. The NoCO CoC is developing related performance benchmarks, and once they are established, the performance of each RRH project will be evaluated based on the outcomes it has achieved and their impact on NoCO CoC-wide performance measures.

The goal of these standards is to merge key elements of the HUD regulations with the processes and priorities of the NoCO CoC and guarantee that RRH funding is administered consistently, transparently, and as effectively as possible. The NoCO CoC will continue to build upon and refine this document as RRH practices evolve, to maintain and improve the following:

- Project compliance with [24 CFR 576 \(ESG Program interim rule\)](#), [24 CFR 578 \(CoC Program interim rule\)](#), additional requirements contained in the CoC Program NOFA under which the project receives funding, and related applicable guidance.
- Program accountability to individuals and families experiencing homelessness.
- The uniformity of RRH practices and participants' expectations of and experiences in RRH programs.
- Project staff competence and training specific to the target population being served.



- Model policy guidelines for RRH programs.
- Consistency among all providers of RRH assistance and their baseline knowledge of best practices, no matter the funding stream.

In this document the term grantee refers to the entity that is receiving CoC or ESG funding to administer a RRH program. Other terms that may be used in place of grantee are project site, program, agency, recipient, or sub-recipient. Participant refers to the household receiving services. Other terms that may be used for participant include client or program participant.

Program Philosophy and Design

The National Alliance to End Homelessness (NAEH) published a Solutions Brief in 2016 entitled [Rapid Re-Housing Performance Benchmarks and Program Standards](#). Organizations implementing RRH and funders who are supporting or planning to support RRH should use the standards in this document, which were developed based on the NAEH brief, as their guide for RRH in Northern Colorado.

RRH is a short- to medium-term housing intervention designed to help individuals and families quickly exit homelessness, return to housing in the community (usually in the private market), and not experience homelessness again. RRH is a Housing First intervention, meaning that the primary focus is on moving households into housing quickly, without preconditions (including but not limited to those relating to employment, income, criminal records, "motivation," sobriety, or mental health).

Participating programs are expected to maximize the number of households served by accepting all referrals through the NoCO CoC's Coordinated Assessment and Housing Placement System (CAHPS), also known as the Coordinated Entry System, and by not screening out households. Additionally, the primary focus of assessments and assistance should be on resolving the participant's current housing crisis. This means a focus on the circumstances of the crisis, the household's barriers to obtaining and maintaining housing, and the reasons they are unable to solve their housing crisis without RRH assistance.

RRH resources and services must be tailored to the unique needs of the household. The primary components of a RRH program include housing identification, rental and move-in assistance, and case management services. While a RRH program must have all three of these services available, it is not required that a single entity provide all three services nor that a household utilize them all. **All participation in services should be voluntary and driven by the household.** Program staff must be trained in the principles of Housing First approaches and oriented to the basic program philosophy of RRH. Under no circumstances should participation in services be a condition of occupancy. In other words, a **RRH program may not terminate a participant solely for refusing to participate in supportive services.** It is permissible, however, to require participation in general, low-demand, once monthly case management with a primary goal of engagement and consistency with Housing First. While having such a requirement is allowable, failure to meet with the case manager must not lead to an automatic eviction or termination from the RRH program.

RRH programs must have well-defined and written "screen-in" processes that use consistent and transparent decision criteria; these policies and procedures will not impose additional targeting or screening criteria designed to determine whether a household is "housing ready," such as sobriety, employability, or



willingness to participate in services. All CoC- and ESG-funded RRH projects will be targeted to the highest-need households to the maximum extent possible.

- Eligibility criteria for the program must not include a period of sobriety, a commitment to participation in treatment or other services, or any other criteria designed to “predict” long-term housing stability, other than a willingness to work on a self-directed housing plan.
- Priority should be given to households that are the least likely to exit homelessness without assistance—not to the households considered most likely to succeed in RRH, regardless of participants’ scores on assessment tools or current income.
- Disabilities should be assessed only in regard to their role in causing past housing instability or loss and when related to the household’s ability to obtain a disability-specific benefit, service, or accessible unit.
- Per HUD regulations, all ESG- and CoC-funded RRH programs MUST participate in and accept ALL referrals from CAHPS and must participate in efforts to improve the efficiency and quality of referrals when necessary.
- Programs must maintain and distribute information on alternative, available resources for clients who wish to access other services in addition to those offered by the program.
- Programs must have an ongoing performance improvement process that includes evaluations of household outcomes and household feedback.

Coordination with Mainstream and Targeted Homeless Services Providers

The NoCO CoC expects every agency that receives CoC or ESG funding to access and coordinate with mainstream and other targeted homeless resources.

Further, every agency that receives CoC or ESG funding is **required** to participate fully in and accept referrals for that HUD-funded program **only** through the NoCO CoC’s CAHP System. All households served in CoC- and ESG-funded projects must be referred through the CoC’s [CAHP System](#) using its current prioritization method. Participation in CAHPS is governed by the [Coordinated Entry Policies and Procedures](#). Those policies are incorporated into these RRH Written Standards and are applicable to all CoC- and ESG-funded RRH programs. Prioritization policies are established by the NoCO CoC in coordination with grantees and partners and are applied CoC-wide. **There shall be no project-specific waiting lists or project-specific prioritization policies that exist outside of coordinated entry.**

Finally, every agency that receives CoC or ESG funding is required to participate in the Homeless Management Information System (HMIS), collecting all required data and taking steps to achieve quality data entry. Victim services providers must not enter client-level data into HMIS; instead, they must use a comparable database (CAFE) to collect client-level data over time and generate unduplicated, aggregate reports based on that data.

Documenting Eligibility

Organizations receiving grant funding for RRH under the CoC and ESG programs must document and maintain records related to participant eligibility and the services provided to participants. Following is an overview of these requirements:



- Homeless Status: Maintain records documenting acceptable evidence of participants' homeless status. Acceptable evidence generally includes third-party written verification of the participant's stay in an unsheltered location, in an emergency shelter, or in another eligible location. These records must comply with HUD's recordkeeping requirements.
- When documenting homeless status, HUD requires compliance with their preferred order of priority. This means that homeless status must be documented first with third-party written verification of homelessness (e.g., HMIS record or documentation on letterhead from shelter). If that documentation is not attainable, only then can third-party oral verification be used as documentation, and only after case workers have documented their due diligence in attempting to obtain third-party written verification. Self-certification of homeless status is permitted only when neither third-party written nor third-party oral verification can be obtained, and due diligence has been documented.
- Other Program Eligibility Verification: Document compliance with any other program eligibility criteria specific to the individual project.
- Services and Assistance Provided: Grantees must keep records for all participants that outline the services provided, including:
 - Evidence that, at a minimum, annual assessments of service needs were completed (certain programs require more frequent assessments).
 - When a participant is terminated from the program, evidence that all applicable federal requirements were followed, per the program funding interim or final rule in the code of federal regulations.
- Annual Income: For the purposes of documenting eligibility upon reevaluation and when any kind of rent is paid for program participants, grantees must keep the following documentation of annual income:
 - Income evaluation form.
 - Source documents (wage statements, bank statements, etc.).
- Ineligibility: Documentation must be kept on file for any households deemed ineligible for the program, including the reason ineligibility was determined.

In addition to these requirements, ONLY where RRH projects are serving persons experiencing chronic homelessness, and ONLY where RRH may be used as a bridge to a permanent supportive housing (PSH) placement, chronic homelessness must be documented. The recordkeeping requirements in the [Defining "Chronically Homeless" Final Rule](#) apply only to PSH projects that are required to serve this population (i.e., dedicated PSH). However, RRH projects that serve persons experiencing chronic homelessness where the household may ultimately need PSH should use the time in which the household is in the RRH project to gather supporting third-party documentation that will be required at the point of intake into PSH. The PSH grantee will be required to demonstrate that the household was chronically homeless and eligible for the PSH project at the time the household entered the RRH project.

For more information, view the Defining "Chronically Homeless" Final Rule and accompanying FAQs about recordkeeping requirements. A recorded [webinar](#) and supporting materials related to the definition of chronically homeless is also available, and HUD recently released the following tools to assist grantees with this definition:



- [Flowchart of HUD's Definition of Chronic Homelessness](#): This tool guides users through HUD's definition primarily via "yes" or "no" questions, providing an interactive way to help users understand who meets the definition and what documentation is required.
- [Sample Chronic Homelessness Documentation Checklist](#): This checklist provides an optional way to help record chronic homelessness for projects that need such documentation.

Determining Participant Contribution Toward Rent Costs

ESG and CoC-funded RRH projects may choose to require that program participants contribute to their rental payment and MUST have a written policy and procedure in place to ensure that this is applied consistently and fairly to ALL program participants. Rental assistance should be provided in a flexible and progressive manner that is tailored to the household's needs. The policy of the NoCO CoC is that financial assistance should be provided in amounts sufficient to ensure the likelihood of positive housing outcomes after the assistance has ended. RRH projects are to provide just enough rental assistance to ensure that the participant is working toward housing stability and will not become homeless again. Following are the NoCO CoC's minimum standards for determining what percentage or amount of rent and utilities costs each participant shall pay while receiving CoC- or ESG-funded RRH assistance:

- The participant's income shall be verified prior to their approval for initial and additional financial assistance. Documentation of the participant's income and expenses, including how the participant is contributing to housing costs, if at all, shall be maintained in the participant's project file. This file shall also contain the participant's plan to remain housed when their assistance comes to an end, by increasing income, decreasing expenses, or both.
- All households will undergo income recertification and subsidy recalculation at the end of one year of program participation. A rental subsidy can be recalculated as often as deemed necessary by the case manager, but must be recalculated at least once annually.
- Each CoC- and ESG-funded RRH grantee must establish policies concerning notification of changes in participants' income or family composition.
- Households are to receive a maximum monthly subsidy amount that is based on the household's size, composition, and income. Based on these factors, RRH providers will calculate a maximum rental subsidy for the household and, to the extent possible, decrease the subsidy as the household's length of time in the RRH program increases. Programs should refer to Section 2.2 of the [National Alliance to End Homelessness' "Rapid Rehousing Toolkit"](#) to see models of step-down approaches that will work best for their program and client needs.
- Grantees are expected to provide hardship exemptions from any rental charges if such charges could lead to loss of housing for the assisted household.

Minimum Program Requirements

- Program staff must be trained on the regulatory requirements of all RRH funding streams and on the ethical use and application of the program's financial assistance policies.
- The program must have clearly defined, written policies and procedures for determining the amount of financial assistance provided to a household, in accordance with these written standards, as well as defined and objective standards for determining when case management and financial assistance



should continue and end. Programs are required to share these policies and procedures with the NoCO CoC.

- The program must have clearly defined, written policies and procedures for participant assessments and intake, determination of participants' eligibility, initial evaluation (certification) of participants, reevaluation (recertification) of participants, terminating assistance, appeals of terminations, emergency transfers under the Violence Against Women Act (VAWA), and participant files. At a minimum those standards should meet what is laid out in these written standards and the HUD requirements, but they can provide further definition on top of these requirements.
- When households are expected to pay an amount toward their housing, the program must have written policies and procedures for determining that amount, and the amount must be reasonable in relation to the participant's income.
- A progressive approach must be used to determine the duration and amount of rental assistance. Policies detailing this approach should cover decision-making guidelines and reevaluation processes.
- The program must provide, when needed, financial assistance for housing costs.
- The program must issue checks quickly and on time and must have the capacity to track payments to landlords and other vendors.
- The program should have the capacity to pay reasonable back rent and utility arrears that directly prevent a household from being able to sign a lease. Rent arrears cannot be paid once they are in collections.
- The program must help households meet basic needs at move-in.
- The process used to transition the household off of financial assistance must be coordinated with case management efforts that help the household assume and sustainably cope with their housing costs.

Emergency Policies

In the event of an emergency situation, which could include natural disasters, public health crises, or other large scale events, the NoCO CoC reserves the right to update and/or create new policies and procedures to aid in response and recovery efforts. HUD may also release waivers that can overrule NoCO CoC policies and/or program requirements and regulations. In this event, grantees are required to adhere to all State or Federal regulation changes and update policies and procedures as applicable. The NoCO CoC will create an emergency policy for every new disaster/emergency event that requires changes to standard ESG or CoC operations.



ESG-Specific Topics

ESG-Funded Rapid Re-Housing Eligibility Requirements

Initial eligibility for RRH projects funded with ESG program funding shall be [limited to individuals or families who meet the below criteria](#):

- Category I of the HUD homeless definition: literally homeless or;
- Category IV of the HUD homeless definition: fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions; AND the participant also meets Category I of the HUD homeless definition

This requirement is consistent with the ESG Program interim rule and the Colorado Division of Housing ESG policies and procedures. There shall be no minimum or maximum income limits when determining the initial eligibility of a household.

Grantees must conduct at least annual evaluations of participants (also referred to as re-certification). The annual evaluation must occur no later than once annually after program enrollment. For the ESG program, a household may not exceed 30% of the Area Median Income (AMI) at the time of the annual re-certification. To continue to receive rental assistance, the participant must continue to lack sufficient resources and support networks to retain housing without RRH assistance. In interim evaluations, the grantee must also reassess the type and amount of assistance that the household is receiving and make adjustments as needed.

Any additional months of assistance or subsidies beyond 12 months may be provided on a month-to-month basis, with reevaluations occurring regularly. For each program participant who receives rapid re-housing assistance for longer than one year, the following documentation of annual income must be maintained (per 24 CFR 576.500(f)):

- Income evaluation form containing the minimum requirements specified by HUD and completed by the subrecipient.
- Source documents for the assets held by the program participant and income received over the most recent period for which representative data is available before the date of the evaluation (e.g., wage statement, benefits statement).
- To the extent that source documents are unobtainable, a written statement by the relevant third party (e.g., employer, government benefits administrator) or written certification by the grantee's intake staff of the oral verification by the relevant third party of the income the program participant received over the most recent period for which representative data is available.
- To the extent that source documents and third party verification are unobtainable, the written certification by the program participant of the amount of income the program participant received for the most recent period representative of the income that the program participant is reasonably expected to receive over the three-month period following the evaluation.
- When determining the annual income of an individual or family, the subrecipient must use the standard for calculating annual income under [24 CFR 5.609](#).

The subrecipient must also require in their policies and procedures that each program participant receiving rapid re-housing assistance must notify them regarding changes in the program participant's income or other circumstances (e.g., changes in household composition) that affect the program participant's need for



assistance. When notified of a relevant change, the subrecipient must re-evaluate the program participant's eligibility and the amount and types of assistance the program participant needs.

ESG Eligible Expenses

1. *Financial assistance costs.* Subject to the general conditions under 24 CFR 576.104, ESG funds may be used to pay housing owners, utility companies, and other third parties for the following costs:
 - *Rental application fees.* ESG funds may pay for the rental housing application fee that is charged by the owner to all applicants.
 - *Security deposits.* ESG funds may pay for a security deposit that is equal to no more than 2 months' rent.
 - *Last month's rent.* If necessary to obtain housing for a program participant, the last month's rent may be paid from ESG funds to the owner of that housing at the time the owner is paid the security deposit and the first month's rent. This assistance must not exceed one month's rent and must be included in calculating the program participant's total rental assistance, which cannot exceed 24 months during any 3-year period.
 - *Utility deposits.* ESG funds may pay for a standard utility deposit required by the utility company for all customers for gas, electric, water, and sewage only.
 - *Utility payments.* ESG funds may pay for up to 24 months of utility payments per program participant, per service, including up to 6 months of utility payments in arrears, per service. A partial payment of a utility bill counts as one month. This assistance may only be provided if the program participant or a member of the same household has an account in his or her name with a utility company or proof of responsibility to make utility payments. Eligible utility services are gas, electric, water, and sewage. No program participant shall receive more than 24 months of utility assistance within any 3-year period. Payments must follow the [utility allowance schedules published by the local housing authority](#).
 - *Moving costs.* ESG funds may pay for moving costs, such as truck rental or hiring a moving company. This assistance may include payment of temporary storage fees for up to 3 months, provided that the fees are accrued after the date the program participant begins receiving assistance and before the program participant moves into permanent housing. Payment of temporary storage fees in arrears is not eligible.
 - The above financial assistance costs cannot be provided to a program participant who is receiving the same type of assistance through other public sources or to a program participant who has been provided with replacement housing payments under the URA, during the period of time covered by the URA payments.
2. *Rental assistance costs.* The minimum standards for determining how long a participant shall be provided with rental assistance and how the amount of that assistance shall be adjusted over time are as follows:
 - The duration of short-term rental assistance shall not exceed three months.
 - The duration of medium-term rental assistance shall exceed three months, but not exceed 24 months.
 - Statutorily, RRH assistance shall not be provided for more than 24 of the months in any 36-month period.



- Participants shall receive approval for the minimum amount of financial assistance necessary to end their homelessness. Financial need must be documented in the participant's file each time their assistance is evaluated, which must be done at least once annually. Participants shall not be approved for more rental assistance than can be justified given their current income and expenses.
- The NoCO CoC has determined that programs may serve 75% of clients for up to 12 months and 25% of clients for up to 24 months to maintain adherence to Housing First and person-centered philosophies. Exceptions to these limits may be made at the discretion of the RRH program, in consultation with the NoCO CoC, but in no case may assistance exceed the ESG regulation of 24 months. The RRH program must receive written permission from the NoCO CoC governing board to deviate from this policy.
- For all ESG-funded RRH projects, the initial term of assistance shall be whatever length is best suited for the household. At the end of the initial term, the grantee shall evaluate the participant's progress and financial situation and offer assistance on a month-to-month basis. At least annually, the grantee shall reassess the participant and determine whether continued assistance is needed.
- If it is determined that the participant will be unlikely to exit the program without further financial assistance and that a more permanent subsidy will be required, the RRH assistance can be used as a bridge while the grantee begins the process of working with the NoCO CoC and CAHPS to identify a more appropriate placement, such as a PSH project, based on client eligibility and available resources.
- Additional requirements regarding how long a participant shall be provided with rental assistance and whether and how the amount of that assistance shall be adjusted over time can be established by grantees, but only in collaboration with the NoCO CoC. The NoCO CoC governing board must approve any additional requirements a project wishes to implement. Any such requirements must be clearly communicated in writing to participants.
- Calculation of the rental payment amount shall include only the monthly rent for the unit, any occupancy fees under the lease (except for pet and late fees) and, if the participant pays separately for utilities, the monthly utility allowance established by the local Public Housing Authority serving the area in which the housing is located.
- If a program participant receiving short- or medium-term rental assistance under 24 CFR 576.106 meets the conditions for an emergency transfer under 24 CFR 5.2005(e), ESG funds may be used to pay amounts owed for breaking a lease to effect an emergency transfer. These costs are not subject to the 24-month limit on rental assistance under 24 CFR 576.106.
- Payments for rental assistance shall be made only when:
 - There is a legally binding, written lease between the unit's owner and the participant.
 - For participants receiving project-based rental assistance (PBRA) under the ESG program, the lease must have an initial term of one year.
 - There is no minimum lease period for tenant-based rental assistance (TBRA) under ESG. This requirement for a lease does not apply to payments made for rent arrears by ESG-funded RRH providers.
 - There is a rental assistance agreement between the RRH provider and the unit's owner, which sets forth the terms under which rental assistance will be provided, including the requirements specified above. The rental assistance agreement must include a



requirement that the owner provide the grantee with a copy of any notice to vacate given to the participant or any complaint used to commence an eviction action; and must include the same payment due date, grace period, and late-payment penalty requirements as are in the participant's lease.

- Payments made for any late-payment penalties incurred by the RRH provider shall not be claimed for ESG reimbursement.
- Lead-based paint requirements must be evaluated for any chipped, cracking, or peeling paint. All tenants with children under the age of six who are in housing built prior to 1979 are required to be given a lead-based paint pamphlet and to certify that they received the pamphlet. A copy of this certification must be placed in the participant's file.
- Fair Market Rent: ESG programs must comply with Fair Market Rent ([FMR standards set by HUD](#)). These standards help to ensure that costs for rental assistance are reasonable so that the highest number of participants can be served with available funding. Rental assistance as part of the RRH program must not exceed the FMR standards as set by HUD for an area, as provided under 24 CFR part 888.
- Rent Reasonableness: Rental assistance as part of the RRH program must comply with HUD's standard of rent reasonableness, as established under 24 CFR 982.507. For purposes of calculating rent under this section, the rent shall equal the sum of the total monthly rent for the unit, any fees required for occupancy under the lease (other than late fees and pet fees) and, if the tenant pays separately for utilities, the monthly allowance for utilities (excluding telephone) established by the public housing authority for the area in which the housing is located.
- Habitability Standards: ESG programs must comply with habitability standards set by HUD. These standards help to ensure that permanent housing is safe for participants to stay in. The subrecipient cannot use ESG funds to help a program participant remain in or move into housing that does not meet the minimum habitability standards under 24 CFR 576.403(c). All subrecipients must document compliance with habitability standards found below, as outlined in 24 CFR 576:
 - Structure and materials. The structures must be structurally sound to protect residents from the elements and not pose any threat to the health and safety of the residents.
 - Space and security. Each resident must be provided adequate space and security for themselves and their belongings. Each resident must be provided an acceptable place to sleep.
 - Interior air quality. Each room or space must have a natural or mechanical means of ventilation. The interior air must be free of pollutants at a level that might threaten or harm the health of residents.
 - Water supply. The water supply must be free from contamination.
 - Sanitary facilities. Residents must have access to sufficient sanitary facilities that are in proper operating condition, are private, and are adequate for personal cleanliness and the disposal of human waste.
 - Thermal environment. The housing must have any necessary heating/cooling facilities in proper operating condition.
 - Illumination and electricity. The structure must have adequate natural or artificial illumination to permit normal indoor activities and support health and safety. There



must be sufficient electrical sources to permit the safe use of electrical appliances in the structure.

- Food preparation. All food preparation areas must contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.
- Sanitary conditions. The housing must be maintained in a sanitary condition.
- Fire safety. There must be a second means of exiting the building in the event of fire or other emergency. Each unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each occupied level of the unit. Smoke detectors must be located, to the extent practicable, in a hallway adjacent to a bedroom. If the unit is occupied by hearing impaired persons, smoke detectors must have an alarm system designed for hearing-impaired persons in each bedroom occupied by a hearing-impaired person. The public areas of all housing must be equipped with a sufficient number, but not less than one for each area, of battery-operated or hard-wired smoke detectors. Public areas include, but are not limited to, laundry rooms, community rooms, day care centers, hallways, stairwells, and other common areas.

3. *Services costs.* Subject to the general restrictions under 24 CFR 576.104, ESG funds may be used to pay the costs of providing the following services:

- *Housing search and placement.* Services or activities necessary to assist program participants in locating, obtaining, and retaining suitable permanent housing, include the following:
 - Assessment of housing barriers, needs, and preferences;
 - Development of an action plan for locating housing;
 - Housing search;
 - Outreach to and negotiation with owners;
 - Assistance with submitting rental applications and understanding leases;
 - Assessment of housing for compliance with ESG requirements for habitability, lead-based paint, and rent reasonableness;
 - Assistance with obtaining utilities and making moving arrangements; and
 - Tenant counseling.

Minimum Program Requirements for Housing Search and Placement Services

- The program must offer a standard, basic level of support to all landlords who lease to program households. This support must be detailed in a written policy distributed to landlords and made available to NoCO CoC.
- The program must have a detailed policy covering the type of assistance provided to help households find and secure housing. Program staff must explain and distribute this policy to households upon entry to the program. The program must also have a written policy that requires staff to explain to households basic landlord-tenant rights and responsibilities and the requirements of their specific lease.
- The program shall continually engage in the recruitment and retention of landlord partners and shall have a system to track unit vacancies, locations, characteristics, and costs.



- The program must provide households with multiple housing choices within practical constraints.
 - The program must help households make informed housing choices with the goal that the household will be able to maintain their housing after leaving the program.
 - When ending financial assistance, the program must provide information to the landlord about how they can contact the program again if needed and what kinds of follow-up assistance may be available.
- *Housing stability case management.* ESG funds may be used to pay the cost of assessing, arranging, coordinating, and monitoring the delivery of individualized services to facilitate housing stability for a program participant who resides in permanent housing or to assist a program participant in overcoming immediate barriers to obtaining housing. This assistance cannot exceed 30 days during the period the program participant is seeking permanent housing and cannot exceed 24 months during the period the program participant is living in permanent housing. Component services and activities consist of:
 - Using the NoCO CoC's Coordinated Assessment and Housing Placement System (CAHPS) to evaluate individuals and families applying for or receiving RRH assistance;
 - Conducting the initial evaluation required under 24 CFR 576.401(a), including verifying and documenting eligibility, for individuals and families applying for RRH assistance;
 - Counseling;
 - Developing, securing, and coordinating services and obtaining Federal, State, and local benefits;
 - Monitoring and evaluating program participant progress;
 - Providing information and referrals to other providers;
 - Developing an individualized housing and service plan, including planning a path to permanent housing stability; and
 - Conducting re-evaluations required under 24 CFR 576.401(b).

Housing stability case managers are expected to meet with participants in their homes when possible and must have a minimum of one contact per month with participants. All contact between case managers and participants shall be documented in case notes.

Any additional requirements regarding the type, amount, and duration of housing stabilization and/or relocation services that will be provided to a program participant, including any limitations, shall be determined by the individual service provider's policies and clearly communicated to participants.

Minimum Program Requirements for Housing Stability Case Management Services

- Case managers' job descriptions must direct them to focus on housing and to use strengths-based practices.
- Case managers must work closely with housing locator staff to match the household to an appropriate unit as quickly as possible.
- Case managers shall be trained on RRH case management strategies and related evidence-based practices as well as on program policies and community resources.



- Except where dictated by the funder, program households shall direct when, where, and how often case management meetings occur.
 - Case managers must respect participants' homes as they do their own, scheduling appointments ahead of time, only entering when invited in, and respecting personal property and the participant's wishes.
 - When participation in case management services is not mandated by federal or state regulations, such participation shall be voluntary.
 - Programs must have clear safety procedures for home visits. They must train their staff on these procedures, post the procedures in a clearly visible manner in their offices, inform participants about the procedures at intake, and, if and when changes are made, communicate the changes to participants and staff.
 - Programs must have clearly defined relationships with employment and income programs that they can refer participants to when appropriate.
 - Programs must have clearly defined policies and objective standards about when case management should be continued and ended.
 - At enrollment or within 72 hours of enrollment, programs must conduct an agency-specific tenancy barriers assessment.
 - Programs must connect participants to community resources that help them to (1) resolve or navigate tenant problems that landlords may screen for on rental applications, (2) obtain necessary documentation, (3) prepare for successful tenancy, and (4) successfully accomplish other move-in activities.
 - Programs must offer opportunities for participants to learn basic tenancy skills.
 - Program staff must work directly with the household and landlord to resolve tenancy issues without threatening the household's tenancy.
 - When appropriate, case managers should work with participants to build their communication skills so they can better respond to or negotiate with a landlord.
 - When necessary, case managers should help households avoid evictions and maintain positive relationships with their landlords.
 - Programs' housing plans for individual participants should focus on how the participant can maintain a lease and address barriers to housing retention; on improving the participant's understanding of landlord/tenant rights and responsibilities; and on addressing other issues that have, in the participant's past, resulted in housing crises or housing loss.
 - Programs should refer households to community resources as appropriate.
 - Projects must comply with the terms of their specific grant agreement and budget.
- *Mediation.* ESG funds may pay for mediation between the program participant and the owner or person(s) with whom the program participant is living, provided that the mediation is necessary to prevent the program participant from losing permanent housing in which the program participant currently resides.
 - *Legal services.* ESG funds may pay for legal services, as set forth in 24 CFR 576.102(a)(1)(vi), except that the eligible subject matters also include landlord/tenant matters, and the services must be necessary to resolve a legal problem that prohibits the program participant from



obtaining permanent housing or will likely result in the program participant losing the permanent housing in which the program participant currently resides.

- *Credit repair.* ESG funds may pay for credit counseling and other services necessary to assist program participants with critical skills related to household budgeting, managing money, accessing a free personal credit report, and resolving personal credit problems. This assistance does not include the payment or modification of a debt.

4. *Indirect costs.* ESG grant funds may be used to pay indirect costs in accordance with 2 CFR part 200, subpart E and the [HUD indirect toolkit](#). Indirect costs may be allocated to each eligible activity under 24 CFR 576.101 through 24 CFR 576.108, so long as that allocation is consistent with 2 CFR part 200, subpart E. The indirect costs charged to an activity subject to an expenditure limit under 24 CFR 576.100 must be added to the direct costs charged for that activity when determining the total costs subject to the expenditure limit.

5. *Ineligible costs:*

- Duplication of other resources
- Mortgage costs or funds needed by homeowners to assist with any fees, taxes, or other costs of refinancing a mortgage to make it more affordable
- Credit card bills or other consumer debt
- Clothing and grooming
- Home furnishings
- Pet care
- Entertainment activities
- Work or education related materials
- Cash assistance to participants
- Development of discharge planning programs in mainstream institutions such as hospitals, jails, or prisons
- Certifications, licenses, and general training classes for case managers
- Acquisition of an emergency shelter for the homeless.
- Participant outstanding payments that have gone to a collections agency

Limitations on Tenant-Based Rental Assistance

In TBRA, program participants are responsible for locating housing in the private rental market. TBRA programs help individual households, rather than subsidizing particular rental projects. As noted above, the amount of TBRA for every household will vary.

When TBRA is provided, the rental assistance agreement with the unit owner shall be terminated without further payments if:

- The participant moves out of the unit, or
- The lease terminates and is not renewed, or
- The program participant becomes ineligible to receive ESG rental assistance.

Limitations on Project-Based Rental Assistance



Payments shall be made only under the following conditions:

- The lease has an initial term of one year.
- The rental assistance agreement may cover one or more permanent housing units in the same building.
- Each unit covered by the rental assistance agreement is occupied by an ESG-funded RRH participant.
- Payments are made for up to 100% of the first month's rent only if the participant signs a lease and moves into the unit before the end of the month. The rent paid before a program participant moves into the unit must not exceed the rent to be charged under the program participant's lease and must be included when determining that program participant's total rental assistance.
- Monthly rental assistance payments may only be made for each whole or partial month an assisted unit is leased to a program participant.
- The participant's lease must not condition the term of occupancy to the provision of rental assistance payments. If the program participant is determined ineligible or reaches the maximum number of months over which rental assistance can be provided, the subrecipient must suspend or terminate the rental assistance payments for the unit. If the payments are suspended, the individual or family may remain in the assisted unit as permitted under the lease, and the subrecipient may resume payments if the individual or family again becomes eligible and needs further rental assistance. If the payments are terminated, the rental assistance may be transferred to another available unit in the same building, provided that the other unit meets all ESG requirements.
- The rental assistance agreement must have an initial term of one year. When a new program participant moves into an assisted unit, the term of the rental assistance agreement may be extended to cover the initial term of the program participant's lease. If the program participant's lease is renewed, the rental assistance agreement may be renewed or extended, as needed, up to the maximum number of months for which the program participant remains eligible. However, under no circumstances may the subrecipient commit ESG funds to be expended beyond the expenditure deadline in 24 CFR 576.203 or commit funds for a future ESG grant before the grant is awarded.

Match Requirement

ESG subrecipients must adhere to applicable ESG match requirements (24 CFR 576.201). Federal (other than ESG), state, local, or private funds may be used to satisfy the match, provided that the requirements are met, such as the match funds are used once for match, funds are from an eligible source, funds are contributed to the ESG program and specified allowable costs, and the use of federal program funds does not violate a statutory prohibition, among others. CoC funds are eligible for ESG match in the same way other federal funds are eligible.

The subrecipient must provide matching funds, from an eligible source, in the amount listed in the grant agreement. Matching funds may be used for eligible activities within any of the components for which the subrecipient is funded (i.e., only for the components listed in the grant agreement and within the grant period). Matching contributions may include cash and/or non-cash contributions (e.g., volunteer hours, in-kind items), as described in 24 CFR 576.201(d) and 24 CFR 576.201(e).

Matching funds can come in at any time within the grant period. The time at which a cash match is provided means when the funds are expended (or when the allowable cost is incurred). The time at which a non-cash match is provided means the date the service (or other in-kind match source) is actually provided. Costs paid



by program income will count toward match requirements, provided the costs meet the match requirements (e.g., eligible ESG costs). Other information on match can be found in 24 CFR 576.201 (including 24 CFR 576.500(o) on recordkeeping and reporting), the grant agreement, and by communicating with NoCO CoC staff.

Supplemental Nutrition Assistance Program (SNAP) benefits, Housing Choice Vouchers (HCV), and a tenant's portion of rent cannot be used as match, because SNAP is used to cover the program participant's costs, HCVs are used to pay the housing authority's obligations under the contract with the owner, and a tenant's rent is the tenant's obligation.

ESG Reimbursement Requests

Reimbursement requests (also known as draw requests) are due by the 15th of each month, for the previous month's expenditures. Formatting for these requests is as follows:

1. A completed cover sheet (provided by the NoCO CoC Collaborative Applicant at the beginning of the grant period).
2. For the time-period for which reimbursement is being sought, a general ledger (or general journal or trial balance or P&L Detail) report from the accounting system.
3. Backup documentation for each line item included in the general ledger, in the order they appear. This must include 1) proof the expense was incurred, such as an invoice or receipt, and 2) proof that the expense was paid.
For Payroll: Have available both the applicable time tracking tool and paystub(s) for each employee for the pay period for which reimbursement is being sought.
4. The 1) reimbursement request form, 2) general ledger, 3) PDFs of backup documentation should be emailed to your designated Collaborative Applicant representative.



CoC-Specific Topics

CoC-Funded Rapid Re-Housing Eligibility Requirements

Initial eligibility for RRH projects funded with CoC program funding shall be [limited to individuals or families who meet the below criteria](#):

- Category I of the HUD homeless definition: literally homeless or;
- Category IV of the HUD homeless definition: fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions

This requirement is consistent with the requirements included in the CoC program NOFAs since fiscal year (FY) 2013 (which go beyond the eligibility requirements for RRH included in the CoC program interim rule).

There shall be no minimum or maximum income limits when determining the eligibility of a household.

The recipient MUST have policies and procedures for evaluating individuals' and families' eligibility for assistance.

CoC Eligible Expenses

Continuum of Care funds may be used to pay for the eligible costs listed in [§ 578.39 through § 578.63](#) when used to establish and operate projects under five program components: permanent housing (including Rapid Rehousing); transitional housing; supportive services only; HMIS; and, in some cases, homelessness prevention. Although grant funds may be used by recipients funded in all components for the eligible costs of contributing data to the HMIS designated by the Continuum of Care, only HMIS Lead agencies may use grant funds for an HMIS component. Administrative costs are eligible for all components. All components are subject to the restrictions on combining funds for certain eligible activities in a single project found in [§ 578.87\(c\)](#).

For the permanent housing component of the CoC Program (and therefore all RRH programs), per the interim rule, eligible expenses are as follows:

1. *Program components and uses of assistance*: Continuum of Care funds may provide supportive services, as set forth in § 578.53, and/or short-term (up to 3 months) and/or medium-term (3 to 24 months) tenant-based rental assistance, as set forth in § 578.51(c), as necessary to help a homeless individual or family, with or without disabilities, move as quickly as possible into permanent housing and achieve stability in that housing. When providing short-term and/or medium-term rental assistance to program participants, the rental assistance is subject to [§ 578.51\(a\)\(1\), but not § 578.51\(a\)\(1\)\(i\) and \(ii\); \(a\)\(2\); \(c\) and \(f\) through \(i\); and \(l\)\(1\)](#). These projects:
 - a. Must follow the written standards established by the Continuum of Care for determining and prioritizing which eligible families and individuals will receive rapid rehousing assistance, as well as the amount or percentage of rent that each program participant must pay.
 - b. May set a maximum amount or percentage of rental assistance that a program participant may receive, a maximum number of months that a program participant may receive rental



- assistance, and/or a maximum number of times that a program participant may receive rental assistance. The recipient may also require program participants to share in the costs of rent.
- c. May provide supportive services for no longer than 6 months after rental assistance stops.
 - d. Must re-evaluate, not less than once annually, that the program participant lacks sufficient resources and support networks necessary to retain housing without CoC assistance and the types and amounts of assistance that the program participant needs to retain housing. The recipient **MUST** require each program participant receiving assistance to notify the recipient of changes in the program participant's income or other circumstances (e.g., changes in household composition) that affect the program participant's need for assistance. When notified of a relevant change, the recipient must reevaluate the program participant's eligibility and the amount and types of assistance that the program participant needs.
 - e. Require the program participant to meet with a case manager not less than once per month to assist the program participant in ensuring long-term housing stability. The project is exempt from this requirement if the Violence Against Women Act of 1994 (42 U.S.C. 13925 et seq.) or the Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.) prohibits the recipient carrying out the project from making its housing conditional on the participant's acceptance of services.
2. *Rental assistance costs:* Grant funds may be used for rental assistance for homeless individuals and families. Rental assistance cannot be provided to a program participant who is already receiving rental assistance, or who is living in a housing unit receiving rental assistance or operating assistance through other federal, state, or local sources.
- a. The rental assistance may be short-term, up to 3 months of rent or medium-term, for 3 to 24 months of rent; and must be administered in accordance with the written standards established by the NoCO CoC. The NoCO CoC has determined that programs may serve 75% of clients for up to 12 months and 25% of clients for up to 24 months to maintain adherence to Housing First and person-centered philosophies. Exceptions to these limits may be made at the discretion of the RRH program, in consultation with the NoCO CoC, but in no case may assistance exceed the CoC regulation of 24 months. The RRH program must receive written permission from the NoCO CoC governing board to deviate from this policy.
 - b. RRH projects are to calculate rent as the sum of the total monthly rent for the unit and, if the tenant pays separately for utilities, [the monthly allowance for utilities established by the public housing authority \(PHA\) for the area in which the housing is located](#). Therefore, if utilities are not included in a participant's rent, and rent is part of the RRH program's rental assistance calculation, that calculation must incorporate the applicable utility allowance, and the participant must be reimbursed for any amount by which the allowance exceeds the participant's share of rent. This utility reimbursement may be paid using rental assistance funds.
 - c. The rental assistance must be tenant-based. Tenant-based rental assistance (TBRA) is rental assistance in which program participants choose housing of an appropriate size in which to reside.
 - d. When necessary to facilitate the coordination of supportive services, recipients may require program participants to live in a specific area for their entire period of participation, or in a specific structure for the first year and in a specific area for the remainder of their period of participation. Program participants who are receiving rental assistance in transitional housing



may be required to live in a specific structure for their entire period of participation in transitional housing.

- e. Program participants who have complied with all program requirements during their residence retain the rental assistance if they move.
 - f. Program participants who have complied with all program requirements during their residence, who have been a victim of domestic violence, dating violence, sexual assault, or stalking, 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 who 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. These program participants may move to a different Continuum of Care's geographic service area even if the recipient cannot meet all regulatory requirements of this part in the new geographic area where the unit is located. The recipient, however, must be able to meet all statutory requirements of the Continuum of Care program either directly or through a third-party contract or agreement.
 - g. Program participants other than those described in g. of this section may choose housing outside of the Continuum of Care's geographic area if the recipient, through its employees or contractors, is able to meet all requirements of this part in the geographic area where the program participant chooses housing. If the recipient is unable to meet the requirements of this part, either directly or through a third-party contract or agreement, the recipient may refuse to permit the program participant to retain the tenant-based rental assistance if the program participant chooses to move outside of the Continuum of Care's geographic area.
 - h. Recipients may use grant funds in an amount not to exceed one month's rent to pay for any damage to housing due to the action of a program participant. This shall be a one-time cost per participant, incurred at the time a participant exits a housing unit.
 - i. Recipients of grants for tenant-based rental assistance may use grant funds to pay amounts owed for breaking the lease if the family qualifies for an emergency transfer under the emergency transfer plan established under [§ 578.99\(j\)\(8\)](#).
3. *Supportive service costs:* Grant funds may be used to pay the eligible costs of supportive services that address the special needs of the program participants.
- a. Supportive services must be necessary to assist program participants obtain and maintain housing.
 - b. Recipients shall conduct an annual assessment of the service needs of the program participants and should adjust services accordingly.
 - i. Rapid rehousing projects must require the program participant to meet with a case manager not less than once per month as set forth in § 578.37(a)(1)(ii)(F), to assist the program participant in maintaining long-term housing stability. Please note, monthly case management meetings are NOT the same as requiring additional supportive services.
 - c. All eligible costs are eligible to the same extent for program participants who are unaccompanied homeless youth; persons living with HIV/AIDS; and victims of domestic violence, dating violence, sexual assault, or stalking.



- d. If the supportive services are provided in a supportive service facility not contained in a housing structure, the costs of day-to-day operation of the supportive service facility, including maintenance, repair, building security, furniture, utilities, and equipment are eligible as a supportive service. If eligible and ineligible activities are carried out in the same structure, the costs charged to the CoC program grant must be prorated based on the amount of time that the space is used for eligible versus ineligible activities.

Supportive services eligible costs include:

1. Annual assessment of service needs
2. Assistance with moving costs
3. Case Management. The costs of assessing, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant(s) are eligible costs. Case management services and activities consist of:
 - i. Counseling;
 - ii. Developing, securing, and coordinating services;
 - iii. Using the centralized or coordinated assessment system as required under § 578.23(c)(9).
 - iv. Obtaining federal, state, and local benefits;
 - v. Monitoring and evaluating program participant progress;
 - vi. Providing information and referrals to other providers;
 - vii. Providing ongoing risk assessment and safety planning with victims of domestic violence, dating violence, sexual assault, and stalking; and
 - viii. Developing an individualized housing and service plan, including planning a path to permanent housing stability.
4. Child care
5. Education services
6. Employment assistance and job training
7. Food
8. Housing Search and Counseling Services. This includes:
 - i. Tenant counseling; assisting individuals and families to understand leases; securing utilities; and making moving arrangements.
 - ii. Mediation with property owners and landlords on behalf of eligible program participants;
 - iii. Credit counseling, accessing a free personal credit report, and resolving personal credit issues; and
 - iv. The payment of rental application fees.
9. Legal services
10. Life skills training
11. Mental health services
12. Outpatient health services
13. Outreach services
14. Substance abuse treatment services
15. Transportation
16. Utility deposits. Please note, utility deposits must be a one-time fee, paid to utility companies.



17. Direct provision of services. If the service described above is being directly delivered by the recipient, eligible costs for those services also include:
- i. The costs of labor or supplies, and materials incurred by the recipient in directly providing supportive services to program participants; and
 - ii. The salary and benefit packages of the recipient staff who directly deliver the services.

For more detailed information on supportive service eligible costs please see section [§ 578.53](#) of the CoC Program Interim Rule.

4. *Indirect costs:* Continuum of Care funds may be used to pay indirect costs in accordance with 2 CFR part 200, subpart E. Indirect costs may be allocated to each eligible activity as provided in this subpart, so long as that allocation is consistent with an indirect cost rate proposal developed in accordance with 2 CFR part 200, subpart E. The indirect costs charged to an activity subject to an expenditure limit under §§ 578.39, 578.41, and 578.59 must be added to the direct costs charged for that activity when determining the total costs subject to the expenditure limits.
5. *Ineligible costs:* Any cost that is not described as an eligible cost under this section is not an eligible cost of providing supportive services using Continuum of Care program funds. Staff training and the costs of obtaining professional licenses or certifications needed to provide supportive services are not eligible costs.

Housing Quality Standards

Housing leased with CoC program funds, or for which rental assistance payments are made with CoC program funds, must meet the applicable housing quality standards (HQS) under 24 CFR 982.401.

Before any assistance will be provided on behalf of a program participant, the recipient, must physically inspect each unit to assure that the unit meets HQS. Assistance will not be provided for units that fail to meet HQS, unless the owner corrects any deficiencies within 30 days from the date of the initial inspection and the recipient verifies that all deficiencies have been corrected. Recipients must inspect all units at least annually during the grant period to ensure that the units continue to meet HQS.

Rent Reasonableness

Rental assistance must only be provided for a unit if the rent is reasonable. The recipient must determine whether the rent charged for the unit receiving rental assistance is reasonable in relation to rents being charged for comparable unassisted units, taking into account the location, size, type, quality, amenities, facilities, and management and maintenance of each unit. Reasonable rent must not exceed rents currently being charged by the same owner for comparable unassisted units.

The dwelling unit must have at least one bedroom or living/sleeping room for each two persons.

- Children of opposite sex, other than very young children, may not be required to occupy the same bedroom or living/sleeping room.
- If household composition changes during the term of assistance, recipients may relocate the household to a more appropriately sized unit. The household must still have access to appropriate supportive services.



Calculating Rent Contributions

A CoC program funded RRH project may choose to require that program participants contribute to their rental payment and MUST have a written policy and procedure in place to ensure that this is applied fairly to ALL program participants. For example, a program may choose to apply a standard "step down" payment plan to all participants or may choose to require that a consistent percentage (e.g. 30%) of the household's income is contributed toward rent. Income of program participants must be calculated in accordance with 24 CFR 5.609 and 24 CFR 5.611(a).

Recipients must examine a program participant's income initially, and if there is a change in family composition (e.g., birth of a child) or a decrease in the resident's income during the year, the resident may request an interim reexamination, and the occupancy charge will be adjusted accordingly to determine the amount of the contribution toward rent payable by the program participant. Adjustments to a program participant's contribution toward the rental payment must be made as changes in income are identified.

Rents collected from program participants are program income and may be used as provided under [§ 578.97](#).

If a recipient chooses to not require rent contributions, this must be noted in programmatic policies and procedures.

Termination of Assistance

The recipient or subrecipient may terminate assistance to a program participant who violates program requirements or conditions of occupancy. Termination does not bar the recipient or subrecipient from providing further assistance at a later date to the same individual or family.

The recipient and subrecipient must have written policies and procedures for termination of assistance.

In terminating assistance to a program participant, the recipient or subrecipient must provide a formal process that recognizes the rights of individuals receiving assistance under the due process of law. This process, at a minimum, must consist of:

1. Providing the program participant with a written copy of the program rules and the termination process before the participant begins to receive assistance;
2. Written notice to the program participant containing a clear statement of the reasons for termination;
3. A review of the decision, in which the program 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; and
4. Prompt written notice of the final decision to the program participant.

Confidentiality

In addition to meeting the specific confidentiality and security requirements for HMIS data, the recipient must develop and implement written procedures to ensure:

1. All records containing protected identifying information of any individual or family who applies for and/or receives CoC assistance will be kept secure and confidential;
2. The address or location of any family violence project assisted with CoC funds will not be made public, except with written authorization of the person responsible for the operation of the project; and



3. The address or location of any housing of a program participant will not be made public, except as provided under a preexisting privacy policy of the recipient and consistent with state and local laws regarding privacy and obligations of confidentiality.

Additional Requirements

Ongoing assessment of supportive services. To the extent practicable, each project must provide supportive services for residents of the project and homeless persons using the project, which may be designed by the recipient or participants. Each recipient must conduct an ongoing assessment of the supportive services needed by the residents of the project, the availability of such services, and the coordination of services needed to ensure long-term housing stability and must make adjustments, as appropriate.

Residential supervision. Each recipient must provide residential supervision as necessary to facilitate the adequate provision of supportive services to the residents of the housing throughout the term of the commitment to operate supportive housing. Residential supervision may include the employment of a full- or part-time residential supervisor with sufficient knowledge to provide or to supervise the provision of supportive services to the residents.

Participation of homeless individuals. Each recipient must provide for the participation of not less than one homeless individual or formerly homeless individual on the board of directors or other equivalent policymaking entity of the recipient, to the extent that such entity considers and makes policies and decisions regarding any project, supportive services, or assistance provided under the CoC program. This requirement is waived if a recipient is unable to meet such requirement and obtains HUD approval for a plan to otherwise consult with homeless or formerly homeless persons when considering and making policies and decisions. Each recipient must, to the maximum extent practicable, involve homeless individuals and families through employment; volunteer services; or otherwise in constructing, rehabilitating, maintaining, and operating the project, and in providing supportive services for the project.

Record Keeping Requirements

All records pertaining to CoC funds must be retained for the greater of 5 years or the period specified below. Copies made by microfilming, photocopying, or similar methods may be substituted for the original records.

- Documentation of each program participant's qualification as a family or individual at risk of homelessness or as a homeless family or individual and other program participant records must be retained for 5 years after the expenditure of all funds from the grant under which the program participant was served.
- The recipient must collect and report data on its use of CoC funds in an Annual Performance Report (APR), as well as in any additional reports as and when required by HUD.
- Recipients must have signed occupancy/rental agreements or leases (or subleases) with program participants residing in housing.
- Recipients must have acceptable evidence of the homeless as status of households served as set forth in 24 CFR 576.500(b).
- Program participant records: In addition to evidence of "homeless" status or "at-risk-of-homelessness" status, as applicable, the recipient must keep records for each program participant that document:
 - The services and assistance provided to that program participant, including evidence that the recipient has conducted an annual assessment of services for those program participants that



- remain in the program for more than a year and adjusted the service package accordingly, and including case management services as provided in § 578.37(a)(1)(ii)(F); and
- Where applicable, compliance with the termination of assistance requirement in § 578.91.
- Moves for victims of domestic violence, dating violence, sexual assault, and stalking: For each program participant who moved to a different Continuum of Care due to imminent threat of further domestic violence, dating violence, sexual assault, or stalking under § 578.51(c)(3), each recipient of assistance must retain:
 - Documentation of the original incidence of domestic violence, dating violence, sexual assault, or stalking, only if the original violence is not already documented in the program participant's case file. This may be written observation of the housing or service provider; a letter or other documentation from a victim service provider, social worker, legal assistance provider, pastoral counselor, mental health provider, or other professional from whom the victim has sought assistance; medical or dental records; court records or law enforcement records; or written certification by the program participant to whom the violence occurred or by the head of household.
 - Documentation of the reasonable belief of imminent threat of further domestic violence, dating violence, or 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. This may be written observation by the housing or service provider; a letter or other documentation from a victim service provider, social worker, legal assistance provider, pastoral counselor, mental health provider, or other professional from whom the victim has sought assistance; current restraining order; recent court order or other court records; law enforcement report or records; communication records from the perpetrator of the violence or family members or friends of the perpetrator of the violence, including emails, voicemails, text messages, and social media posts; or a written certification by the program participant to whom the violence occurred or the head of household.
 - Data on emergency transfers requested under 24 CFR 5.2005(e) and § 578.99, pertaining to victims of domestic violence, dating violence, sexual assault, or stalking, including data on the outcomes of such requests.
- Annual income: For each program participant who receives housing assistance where rent or an occupancy charge is paid by the program participant, the recipient must keep the following documentation of annual income:
 - Income evaluation form specified by HUD and completed by the recipient; and
 - Source documents (e.g., most recent wage statement, unemployment compensation statement, public benefits statement, bank statement) for the assets held by the program participant and income received before the date of the evaluation;
 - To the extent that source documents are unobtainable, a written statement by the relevant third party (e.g., employer, government benefits administrator) or the written certification by the recipient's intake staff of the oral verification by the relevant third party of the income the program participant received over the most recent period; or
 - To the extent that source documents and third-party verification are unobtainable, the written certification by the program participant of the amount of income that the program participant is reasonably expected to receive over the 3-month period following the evaluation.



- The recipient must retain documentation of compliance with the housing standards in § 578.75(b), including inspection reports.
- The recipient must document the types of supportive services provided under the recipient's program and the amounts spent on those services. The recipient must keep record that these records were reviewed at least annually and that the service package offered to program participants was adjusted as necessary.
- The recipient must keep records of the source and use of contributions made to satisfy the match requirement in § 578.73. The records must indicate the grant and fiscal year for which each matching contribution is counted. The records must show how the value placed on third party in-kind contributions was derived. To the extent feasible, volunteer services must be supported by the same methods that the organization uses to support the allocation of regular personnel costs.
- Subrecipients and contractors:
 - The recipient must retain copies of all solicitations of and agreements with subrecipients, records of all payment requests by and dates of payments made to subrecipients, and documentation of all monitoring and sanctions of subrecipients, as applicable.
 - The recipient must retain documentation of monitoring subrecipients, including any monitoring findings and corrective actions required.
 - The recipient and its subrecipients must retain copies of all procurement contracts and documentation of compliance with the procurement requirements in 2 CFR part 200, subpart D.
- The recipient must keep records to show compliance with the organizational conflict-of-interest requirements in § 578.95(c), the Continuum of Care board conflict-of-interest requirements in § 578.95(b), the other conflict requirements in § 578.95(d), a copy of the personal conflict-of-interest policy developed and implemented to comply with the requirements in § 578.95, and records supporting exceptions to the personal conflict-of-interest prohibitions.
- The recipient or subrecipient must document its compliance with the homeless participation requirements under § 578.75(g).
- The recipient must document their compliance with the faith-based activities requirements under § 578.87(b).
- Affirmatively Furthering Fair Housing: Recipients must maintain copies of their marketing, outreach, and other materials used to inform eligible persons of the program to document compliance with the requirements in § 578.93(c).
- The recipient must keep other records specified by HUD.
- The recipient must document their compliance with the federal requirements in § 578.99, as applicable.

Match Requirement

The recipient must match all grant funds, except for leasing funds, with no less than 25% of funds or in-kind contributions from other sources.

Cash Sources

Notwithstanding 2 CFR 200.306(b)(5), a recipient may use funds from any source, including any other federal sources (excluding CoC program funds), as well as state, local, and private sources, provided that funds from the source are not statutorily prohibited to be used as a match. The recipient must ensure that any funds used



to satisfy the matching requirements of this section are eligible under the laws governing the funds in order to be used as matching funds for a grant awarded under this program.

In-kind Contributions

1. The recipient may use the value of any real property, equipment, goods, or services contributed to the project as match, provided that if the recipient = had to pay for them with grant funds, the costs would have been eligible under [Subpart D](#) of the CoC Program Interim Rule.
2. The requirements of 2 CFR 200.306, with the exception of § 200.306(b)(5) apply.
3. **Before grant execution, services to be provided by a third party must be documented by a memorandum of understanding (MOU) between the recipient and the third party that will provide the services.** Services provided by individuals must be valued at rates consistent with those ordinarily paid for similar work in the recipient's organization. If the recipient does not have employees performing similar work, the rates must be consistent with those ordinarily paid by other employers for similar work in the same labor market.
 - a. The MOU must establish the unconditional commitment, except for selection to receive a grant, by the third party to provide the services, the specific service to be provided, the profession of the persons providing the service, and the hourly cost of the service to be provided.
 - b. During the term of the grant, the recipient must keep and make available for inspection, records documenting the service hours provided.