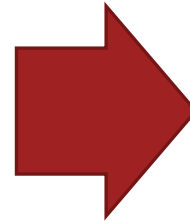


2024 Emergency Solutions Grant Grantee Workshop

JUNE 2024

Grant Terms

Contract Start Date:
July 1, 2024



Contract End Date:
June 30, 2025

No expenditures incurred prior to July 1, 2024 can be reimbursed under ESG 2024

No expenditures can be approved before the Environmental Review is complete

- If Environmental Reviews are NOT completed before the contract start date of July 1, 2024 – costs may start to incur on the date the Environmental Review is completed.
- If Environmental Review is completed on or before July 1 - costs may start to incur on Contract State Date of July 1, 2024.

Grant Terms

This grant is for reimbursement only, no funds will be advanced.

No reimbursements can be made until THDA's receipt and signing of the federal contract with HUD and funds are made available to THDA in IDIS.

This is a one year competitive grant, it will not be automatically renewed, you will have to apply for future grants

New Grantees



Must submit W-9, Remittance Address Documentation, State of Tennessee Employee listing and Email Registration Documents to ESG@thda.org



ESG staff will fill out Supplier Forms and submit to State of Tennessee: Supplier Maintenance to establish an Edison Account



Must submit ACH bank information using Supplier Direct Deposit Authorization Form directly to State of Tennessee: Supplier Maintenance.



Form must include original signatures from grantee and financial institution



Account approval will take at least 30 days

A close-up photograph of a hand holding a large, three-dimensional '@' symbol made of light-colored wood. The symbol is positioned on a wooden desk. In the background, a person's hand is visible, holding a pen over a document. The scene is brightly lit, suggesting an office or workspace environment.

Updated Information

Please email ESG@thda.org for the following:

- If you have any changes to your bank account
- If you have a change in your address
- If you have updated/changed the name of your agency

GMS Grant Setup Page

Draws will not be processed until the Grantee Setup page is complete and approved by THDA. The following must be complete:

- 2024 Executed ESG Contract – Upload the 2024 signed contract including all pages of the document.
- W-9 Form – The address on W-9 must match the remittance address on your Edison account. Must be signed and dated.
- Proposed Policy and Procedures – See and attach the ESG Written Standards Checklist to your ESG Policies and Procedures. Minimum requirements outlined in 24 CFR 576.400(e)(3) must be met to be approved.
- Board Resolution for Policies and Procedures – This can be a letter or signed meeting minutes from the Board meeting where the Policies and Procedures were approved
- Title VI/Non-Discrimination Coordinator – Training will need to be completed at <https://thdaeducation.thinkific.com/pages/thda-grantee-partner-education>
- Financial Information – This needs to have the complete address associated with your Edison account and match what is on the uploaded W-9 or it cannot be approved.
- Authorized Signatures – You must have at least two authorized signees to approve reimbursement requests and one Authorized Individual, either an Executive Director or Board Chair, who authorizes those individuals to sign off on reimbursements.



Staff Changes & Authorized Signatures

- Authorized signatures can be changed as needed throughout the grant year, if there are promotions or turnover, through the Grant Setup page in GMS
- Your Authorized Signee will need to approve new signatories through GMS, then THDA will receive notification to approve
- If there are any **changes in staff they must be reported** to THDA through ESG@thda.org



ESG Requirements

- Practice and Post Non-Discrimination Policies.
- Post notice of receipt of ESG funds using contract language.
- Include fair housing and ADA logos on All Informational Material.
- Maintain and Implement Drug Free Workplace Policy.
- Avoid Conflicts of Interest.



ESG Requirements

- Must comply with the ESG Code of Regulations as outlined in 24 CFR 576. Can be found at <https://www.ecfr.gov/current/title-24/part-576>
- ESG Written Policies and Procedures 24 CFR 576.500(a)
 - Grantees should have written policies and procedures for program activities funded by ESG.
 - Policies and Procedures must correspond with CoC's ESG policies.
 - Grantees must consistently follow their policies
 - **Written Standards Checklist must be completed and turned into THDA with Written Standards prior to expenditure of funds**



ESG Requirements

➤ HMIS Participation 24 CFR 576.400(f)

- The recipient must ensure that data on **all persons served and all activities assisted under ESG** are entered into the applicable community-wide HMIS in the area in which those persons and activities are located, or a comparable database, in accordance with HUD's standards on participation, data collection, and reporting under a local HMIS
- If the subrecipient is a victim service provider or a legal services provider, it may use a comparable database that collects client-level data over time (i.e., longitudinal data) and generates unduplicated aggregate reports based on the data. Information entered into a comparable database must not be entered directly into or provided to HMIS



ESG Requirements

- Homeless Participation 24 CFR 576.405(a)
 - The Grantee must provide for the participation of not less than one person who is experiencing homelessness or has experienced homelessness on the board of directors or other equivalent policy-making entity, to the extent that the entity considers and makes policies and decisions regarding any facilities, services, or other assistance that receive ESG funding
 - If unable to meet requirement above, instead develop and implement a plan to consult with persons experiencing homelessness or who have experienced homelessness in considering and making policies and decisions
 - To the fullest extent possible, must involve persons experiencing homelessness and families in constructing, renovating, maintaining, and operating facilities assisted under ESG, in providing services assisted under ESG, and in providing services for occupants of facilities assisted under ESG. This involvement may include employment or volunteer services.
 - PLEE Recruiting and Compensation



ESG Requirements

➤ Participation in Continuums of Care (CoC) 24 CFR 576.400(a)

- If your CoC has developed a centralized assessment system or a coordinated assessment system in accordance with requirements to be established by HUD, each ESG-funded program or project within the Continuum of Care's area must use that assessment system.
- If your ESG program cover areas in multiple CoC areas, you must follow each CoC's assessment procedures
- Attendance of CoC meetings and trainings is required
- Written Standards should include how your agency participates in Coordinated Entry



ESG Requirements

- Affirmative Outreach 24 CFR 576.407(b)
 - The recipient or subrecipient must make known that use of the facilities, assistance, and services are available to all on a nondiscriminatory basis
 - Grantee must establish additional procedures to make known that the availability of the facilities, assistance, and services are available to persons of any race, color, religion, sex, age, national origin, familial status, or disability who may qualify for those facilities and services (Outreach, advertisements, partnerships with other organizations & local governments)
 - Required to take reasonable steps to ensure meaningful access to programs and activities for limited English proficiency (LEP) persons



ESG Requirements

- Faith-Based Activities 24 CFR 576.406
 - If an organization engages in explicitly religious activities (including activities that involve overt religious content such as worship, religious instruction, or proselytization), the explicitly religious activities must be offered separately, in time or location, from the programs or activities supported by direct Federal financial assistance and participation must be voluntary for the beneficiaries of the programs or activities that receive direct Federal financial assistance
 - May not discriminate against participants based on religion or belief.



Contract Attachments

- Review the following Attachments prior to signing the ESG contract:
 - Attachment A: Review the activities and coverage area and ensure it is correct.
 - Attachment B: Schedule of Activities
 - Attachment C: Review budget to ensure allocated funds are correct and in the right categories.



Environmental Review

- Cities will complete the ER for its subrecipients
- NO funds can be reimbursed for costs incurred prior to the date the ER is completed
- THDA will complete ER for non-profit grantees prior to July 1, 2024 provided all required information has returned to ESG@thda.org
- No shelter/office rent will be reimbursed during this period until ER clearance is obtained



Housing First

- HUD strongly encourages ESG recipients to adopt Housing First practices and remove unnecessary barriers to receiving assistance, including criminal histories.
- Housing First is a proven approach in which all people experiencing homelessness are believed to be housing ready and are provided with permanent housing immediately and with few to no preconditions, behavioral contingencies, or barriers.
- Effectively implementing a Housing First approach involves prioritizing people with the highest needs and vulnerabilities, engaging more landlords and property owners, and making projects client-centered spaces without barriers to entering and remaining in the project.
- [Housing First: Still the Right Way to End Homelessness](#)

Draw Requests for Reimbursement

Reimbursement request are submitted with the “Create Draw” function in the Grants Management System (GMS).

Draw Requests need to be submitted each month.

For directions on how to create a draw request please visit our website at thda.org and click on the link for “ESG Payment Request Process Workshop”.

After a draw is created in GMS and submitted, it will need to be approved by two grantee authorized signees. Authorized signees will receive an email to approve the draw.

When the draw is submitted and fully approved by the grantee THDA will begin processing.



Process of Draw Reimbursement

1. Upon receipt of Draw Request, THDA will have two staff review request for documentation, eligibility and accuracy.
2. If any there is any missing documentation, ineligible expenses or errors found, the draw will be returned to the grantee with a condition explaining why the draw was returned and corrections needed.
3. If the draw is approved by both the first and second reviewer, it will be sent to the Program Manager for final approval and funds to be drawn from HUD (IDIS).
4. The draw will then be reviewed by the THDA fiscal department and sent to the state Finance and Administration for payment.
5. Reimbursement will be deposited directly in grantee's account, typically within 2 weeks, no later than 30 days after receipt of a complete draw request.

Supporting Documentation for Draw Requests

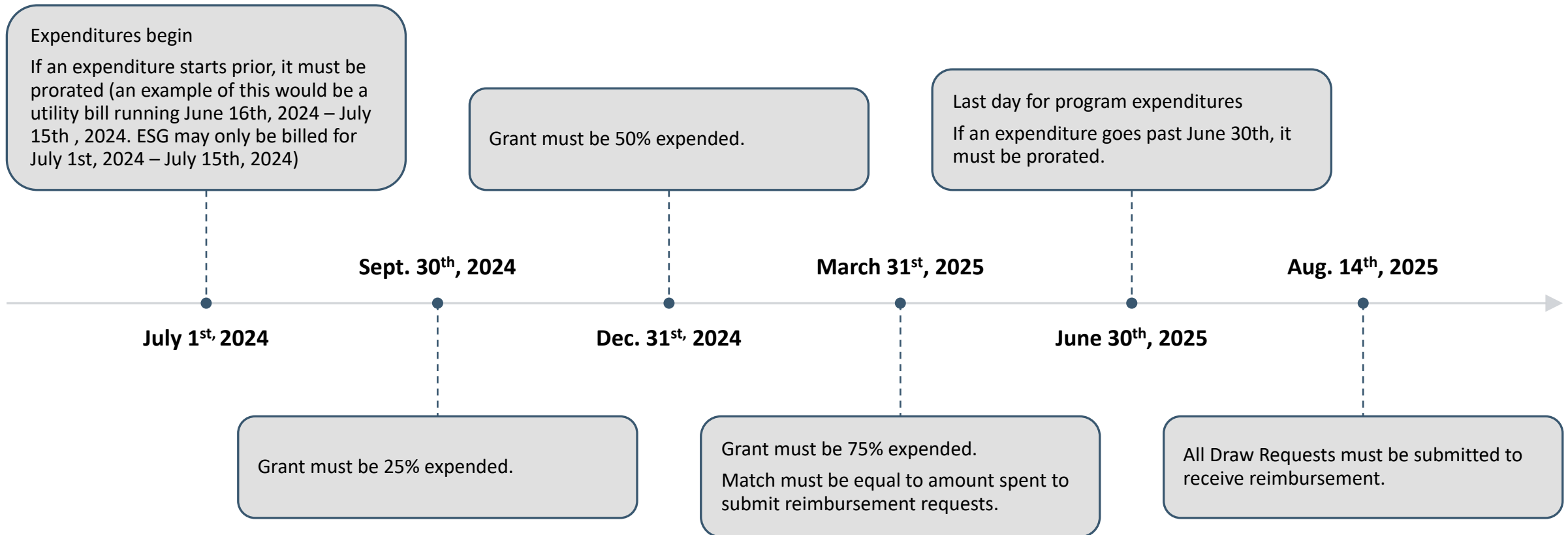
- Supporting documentation is required on all draw requests
- For Supporting Documentation requirements, please refer to Pay Request Documentation Standards on THDA website
 - <https://thda.org/pdf/Pay-Request-Documentation-Standards.pdf>
- If a draw is lacking supporting documentation, it will be returned to the grantee for corrections
- Include timesheets on the first draw and any draws where a new staff member is included for the first time



Quicker Processing Times

1. Order of supporting documentation matches order that line items are entered in GMS. Draws that are out of order may be returned to the grantee to re-order.
2. Supporting documentation is in one PDF or PDFs separated by Activity.
3. ESG Documentation Standards are reviewed before your first draw to ensure all supporting documents are included.
4. Draw requests are submitted monthly, minimum.

Schedule for 2024 ESG Reimbursements



Financial Records 24 CFR 576.500(u)

- The recipient must retain supporting documentation for all costs charged to the ESG grant
- This includes invoices and proofs of payment for goods and services provided with ESG funds
- ESG records must be kept by Grantee for a period of **5 years** from the end of the grant term

Direct Costs VS Indirect Costs

- Direct costs can be identified specifically with a particular final cost objective: case manager salary, rental assistance for clients, purchase of food for shelter meals
- If an organization has only one source of funding, a single ESG grant, then 100 percent of its expenses would be direct, because all costs are solely and clearly tied to an ESG award and related activities.
- If an organization has more than one funding source and has multiple programs in its portfolio, then some costs—such as administrative costs and overhead costs like facility rental and utilities—will be hard to tie to a single funding source and activity, and are thus shared or indirect costs.

Indirect Costs

24 CFR 576.109

- Costs incurred for rent, office supplies, insurance, utilities, etc. that benefit more than one program
- ESG can only pay its percentage of total indirect costs according to the agency's approved cost allocation plan
- If indirect costs will be billed, Grantee must provide letter citing from their cost allocation plan the percentage of indirect costs that may be billed to ESG and must provide copy of cost allocation plan.

ESG Match

24 CFR 576.201

- ESG funds must be matched dollar for dollar, but does not have to be in the same category.
- ESG match can vary from month to month, but will need to be caught up by the end of the third quarter.
- THDA will not process any pay request after the third quarter if match is not caught up.
- If you are using a large sum for match like the cost of a building or another grant, please include the entire portion of match in one draw rather than splitting the match by each draw request.
- ESG funds may be used as match for the CoC program or CoC programs may be used as match for the ESG program (so long as you are not counting both as match)

CoC and ESG Match Requirements and Strategies for Rural Communities

ESG Match

24 CFR 576.201

In general, federal (other than ESG), state, local, or private funds may be used to satisfy the requirement that the recipient provide matching contributions to ESG, so long as the following conditions are met:

- The matching funds are contributed to the ESG program and expended for the recipient or subrecipient's allowable ESG costs.*
- If the matching funds are from another federal program, there is no specific statutory prohibition on using those funds as match;
- The matching funds are used in accordance with all requirements that apply to ESG grant funds, except for the expenditure limits in 24 CFR 576.100. This includes requirements such as documentation requirements, eligibility requirements, and eligible costs.
- The matching funds are expended (that is, the allowable cost is incurred) after the date HUD signs the grant agreement for the ESG funds being matched.
- The matching funds are expended by the expenditure deadline that applies to the ESG funds being matched;
- The matching funds have not been and will not be used to match any other Federal program's funds nor any other ESG grant;
- The recipient does not use ESG funds to meet the other program's matching requirements; and
- The recipient keeps records of the source and use of the matching funds, including the particular fiscal year ESG grant for which the matching contribution is counted.

ESG Match Documentation

- If using donations, please send in the list of items donated in the month you are claiming the match (you can use general categories, i.e., food, clothing, household items, etc.).
- If using the value of a building, please send in a copy of the assessed value or rental value of the building for our records. **A donated building may be counted as match one time, either in a lump sum or as a prorated amount divided by a set number of years.**
- If using salary of employees as match, please send the following documentation:
 - Name(s) of employee(s)
 - Title(s) of position
 - Amount of salary
 - **Funding source**
- Another agency's contribution cannot be used as match unless it is a direct donation to the Grantee. With match documentation, include confirmation of donation on letterhead

Ineligible Match

Some examples of ineligible cash match include:

- Mainstream benefits paid directly to program participants
- Other ESG funds
- Match funds already designated for another project
- Program participant savings (belong to participant, not program)
- Funds from other sources that are spent on ineligible CoC activities

In-kind match must directly contribute to the project. Examples of ineligible in-kind match include:

- Routine volunteer contributions that would occur whether or not your project existed (e.g., ongoing volunteer gardeners that visit agency weekly)
- Routine operations and activities of program partners (e.g., volunteer contributions for a food pantry that does not provide food for the ESG funded project)
- “Potential” or “estimated” services and donations. The in-kind donation must have been made.
- Services that would otherwise not be eligible costs with ESG program funds such as bed linens or furniture that would become the property of the program participant.
- Services funded by funds that are disallowed from being used as match.



Reporting Requirements

- There are no quarterly reports currently required for Annual ESG funds
- **CAPER Reporting to HUD through SAGE is required at the end of the grant year.**
- **A closeout financial report will also be required at the end of the grant year.**

Street Outreach
24 CFR 576.101

Emergency Shelter
24 CFR 576.102

Homelessness
Prevention
24 CFR 576.103

Rapid Rehousing
24 CFR 576.104

HMIS
24 CFR 576.107

Administration
only available to set
aside cities
24 CFR 576.108

ESG Activities

Street Outreach

ESSENTIAL SERVICES

- Crisis Intervention
- Supplies to provide urgent physical needs
- Emergency Health Services
- Emergency Mental Health Services
- Transportation via rideshare or public transit

OPERATIONS

- Case Management
 - Fuel for Outreach vehicles
 - Equipment for Street Outreach
 - Insurance for vehicles used by Street Outreach
-

Street Outreach

- Eligible participants – Category (1) Literally Homeless
- Providing essential services necessary to reach out to **unsheltered people experiencing homelessness**
- Connecting unsheltered homeless people with emergency shelter, housing, or critical services; and providing urgent, non-facility-based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility.
- Services are provided on the street, or in parks, abandoned buildings, bus stations, campgrounds, and other unsheltered settings.

Emergency Shelter

ESSENTIAL SERVICES	SHELTER OPERATIONS	ASSISTANCE REQUIRED UNDER THE URA OF 1970
<ul style="list-style-type: none">• Case management• Child Care• Education Services• Employment Assistance and Job Training• Outpatient Health Services• Legal Services• Life Skills Training• Mental Health Services• Substance Abuse Treatment Services• Transportation• Services for Special Populations	<ul style="list-style-type: none">• Maintenance• Rent• Security• Fuel• Equipment• Insurance• Utilities• Food• Furnishings• Supplies necessary for shelter operation• Hotel/Motel Vouchers	<ul style="list-style-type: none">• Relocation payments• Other assistance to displaced persons

Emergency Shelter

- Eligible Participants – All Categories
- ESG funds may be used for costs of providing essential services to homeless families and individuals in emergency shelters and operating emergency shelters.
- Low barrier shelter access is encouraged. The ESG Program Interim Rules does not require recipients to disqualify individuals or families based on criminal history, including sex offenders.
 - It is possible that an individual or family may be screened out of emergency shelter based on a background check (e.g., if the individual is a registered sex offender and cannot live near children and the site has a household with children residing in it).
 - HUD encourages grantees to work with the individual or family presenting for assistance to identify another appropriate housing placement.
- HUD requires only that all program participants meet the minimum eligibility criteria and that recipients comply with all local and federal requirements.

Emergency Shelter

- Prohibition against involuntary family separation
 - The age, of a child under age 18 must not be used as a basis for denying any family's admission to an emergency shelter that uses ESG funding or services and provides shelter to families with children under age 18.

- Gender Identity
 - Grantee should make decisions about eligibility for or placement into single-sex emergency shelters in a shelter that corresponds to the gender with which the person identifies, taking health and safety concerns into consideration.
 - A participant's or potential participant's own views with respect to personal health and safety should be given serious consideration in making the placement.
 - For instance, if the potential client requests to be placed based on his or her sex assigned at birth, the Grantee should place the individual in accordance with that request.
 - HUD assumes that a provider will not make an assignment or re-assignment based on complaints of another person when the sole stated basis of the complaint is a client or potential client's non-conformance with gender stereotypes.

Homelessness Prevention & Rapid Rehousing

RENTAL ASSISTANCE

- Short-term rental assistance
- Medium-term rental assistance
- Rental arrears (one time payment up to 6 months rent)

FINANCIAL ASSISTANCE

- Rental Application Fees
- Security Deposits (no pet deposits; security deposits should equal no more than 2 months rent)
- Last Month's Rent
- Utility Deposits
- Utility Payments
- Moving Costs (no client gas or gas cards)

SERVICE COSTS

- Housing Search and Placement
- Housing Stability Case Management
- Mediation
- Legal Services
- Credit Repair

Homelessness Prevention & Rapid Rehousing

Homelessness Prevention Participant Eligibility

- Homeless Categories (2) At imminent risk of Homelessness, (3) Other Federal Statutes, (4) Fleeing Domestic Violence or At-risk of Homelessness
 - **AND**
- Must have an annual income below 30% of AMI, as determined by HUD.
- Lacks support networks necessary to maintain housing but for ESG assistance
- Continued eligibility must be determined, at minimum, once every three months

Rapid Re-housing Participant Eligibility

- Categories (1) Literally Homeless, (3) Other Federal Statutes or (4) Fleeing Domestic Violence
- Lacks support networks necessary to obtain housing but for ESG assistance
- Participant does not have to meet income eligibility at project entry, but must meet income eligibility at re-evaluation
- Continued eligibility must be determined, at minimum, once annually

Homelessness Prevention & Rapid Rehousing

- Client File Checklists found on the ESG website
- Supporting documentation to prove eligibility required in participant files
 - Proof of homelessness verification form & supporting documentation
 - Income verification form and supporting documentation (all HP clients & RRH client re-certifications)
 - Homeless prevention costs are only eligible if it is necessary to help the program participant regain stability in permanent housing or move into other permanent housing and achieve stability in that housing. **Include statement that client has no other supports to reach housing stability & without ESG assistance they will become homeless or remain homeless.**

Homelessness Prevention & Rapid Rehousing

- Use with Other Subsidies 24 CFR 576.106(c)
 - No financial or rental assistance can be provided to a household receiving the same type of assistance from another public source for the same time period (except 6 months of the tenant's portion of arrears).
 - Rental assistance may not be provided to program participants who are currently receiving replacement housing payments under the URA.
 - Rental assistance may be provided to an eligible program participant who is living in a housing unit developed with Low Income Housing Tax Credits or other development subsidies. Development subsidies are not considered rental assistance under ESG and therefore, they do not trigger the use with other subsidies restriction.
 - **Include statement in file from client that they are receiving no other services from other organizations.**
 - **Grantees must do their due diligence & check in HMIS for past services to not duplicate services.**

Homelessness Prevention & Rapid Rehousing

- Compliance Regarding Late Payments 24 CFR 576.106(f)
 - Late payments are eligible with arrears
 - Any late fees on rental/utility payments made by the grantee after entering the Rental Assistance Agreement is **not eligible** for ESG reimbursement.
 - The Grantee is responsible for making timely payments to owners in accordance with the rental assistance agreement.
 - The grantee or participant is solely responsible for paying (with non-ESG funds) late payment penalties that it incurs after entering the rental assistance agreement or initial ESG assistance.

Homelessness Prevention & Rapid Rehousing

- Re-evaluations 24 CFR 576.401(b)
 - RRH Program participants must undergo re-evaluations not less than once annually
 - HP Program participants must undergo re-evaluations not less than every three months

- Supporting documentation for re-evaluations must be included in participant files:
 - Documentation showing AMI does not exceed 30%
 - Documentation showing participant lacks sufficient resources and support networks necessary to retain housing without ESG assistance

- Re-evaluation schedule **must** be included in Written Standards and followed consistently
 - The grantee may require RRH re-evaluations more often than once a year
 - The Grantee may require each HP & RRH program participant to report changes in income and circumstances and require reevaluations be completed when these changes occur

Participant Files

- Individual client files required for Emergency Shelter, Street Outreach, Homeless Prevention & Rapid Rehousing
- Requirements vary based on ESG Activity
- Checklists for all participant files can be found on the THDA ESG website under **“ESG Program Self Audit Forms”**
- Some examples of required documentation:
 - Verification of Homelessness
 - Proof of income
 - Case Notes documenting client progress towards goals
 - Grievance and Termination Policies, Fair Housing Brochure & LBP pamphlet was given to client
 - HMIS participation/Release of Information

Order of Obtaining Supporting Documentation

All supporting documentation for income and homelessness status must be obtained in the following order and included in the participant file:

1. Source documentation (*e.g.*, eviction notice, notice of termination from employment, unemployment compensation statement, public benefits statement, bank statement)
2. To the extent that source documents are unobtainable, a written statement by the relevant third party (*e.g.*, former employer, owner, primary leaseholder, public administrator, hotel or motel manager, government benefits administrator) OR the written certification by the recipient's or subrecipient's intake staff of the oral verification by the relevant third party that the applicant meets criteria
3. To the extent that source documents and third-party verification are unobtainable, a written statement by intake staff that the staff person has verified and determined the applicant meets criteria necessary. Intake staff must include to efforts taken to obtain the required evidence. Participant also must self-certify their circumstances.

Homelessness Status

Homeless

- Category 1- Literally Homeless
- Category 2- Imminent Risk of Homelessness
- Category 3- Homeless under other Federal statutes
- Category 4- Fleeing/ Attempting to Flee DV

At-Risk of Homelessness

Homeless Category 1

Literally Homeless

Definition

- (1) Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
- (i) Has a primary nighttime residence that is a public or private place not meant for human habitation;
 - (ii) Is living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state and local government programs); or
 - (iii) Is exiting an institution where (s)he has resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution

Required Documentation

- Written referral by another housing or service provider; or
- Written observation by the outreach worker; or
- Certification by the individual or head of household seeking assistance stating that (s)he was living on the streets or in shelter;
- For individuals exiting an institution—one of the forms of evidence above and:
 - discharge paperwork or written/oral referral stating the beginning and end dates of the time residing in the institution, or
 - written record of intake worker’s due diligence to obtain above evidence and certification by individual that they exited institution

Note: Lack of third-party documentation **must not** prevent an individual or family from being immediately admitted to emergency shelter, receiving street outreach services, or being immediately admitted to shelter or receiving services provided by a victim service provider.

Homeless Category 2

Imminent Risk of Homelessness

Definition

(2) Individual or family who will imminently lose their primary nighttime residence, provided that:

- (i) Residence will be lost within 14 days of the date of application for homeless assistance;
- (ii) No subsequent residence has been identified; and
- (iii) The individual or family lacks the resources or support networks needed to obtain other permanent housing

Required Documentation

- A court order resulting from an eviction action that requires the individual or family to leave their residence within 14 days after the date of their application for homeless assistance; or the equivalent notice under applicable state law, a Notice to Quit, or a Notice to Terminate issued under state law; or
- For individuals and families whose primary nighttime residence is a hotel or motel room **not paid** for by charitable organizations or federal, state, or local government programs for low-income individuals, evidence that the individual or family lacks the resources necessary to reside there for more than 14 days after the date of application for homeless assistance; or
- An oral statement by the individual or head of household that the owner or renter of the housing in which they currently reside will not allow them to stay for more than 14 days after the date of application for homeless assistance. The intake worker must record the statement and certify that it was found credible. To be found credible, the oral statement must either: (I) be verified by the owner or renter of the housing in which the individual or family resides at the time of application for homeless assistance and documented by a written certification by the owner or renter or by the intake worker's recording of the owner or renter's oral statement; or (II) if the intake worker is unable to contact the owner or renter, be documented by a written certification by the intake worker of his or her due diligence in attempting to obtain the owner or renter's verification and the written certification by the individual or head of household seeking assistance that his or her statement was true and complete; **AND**
- Certification by the individual or head of household that no subsequent residence has been identified; **AND**
- Self-certification or other written documentation that the individual lack the financial resources and support necessary to obtain permanent housing



Homeless Category 3

Homeless under other Federal statutes

Definition

(3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:

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

Required Documentation

- Certification by the nonprofit or state or local government that the individual or head of household seeking assistance met the criteria of homelessness under another federal statute; and
- Certification of no PH in last 60 days; and
- Certification by the individual or head of household, and any available supporting documentation, that (s)he has moved two or more times in the past 60 days; and
- Documentation of special needs or 2 or more barriers

Note: Lack of third-party documentation **must not** prevent an individual or family from being immediately admitted to emergency shelter, receiving street outreach services, or being immediately admitted to shelter or receiving services provided by a victim service provider.

Homeless Category 4

Fleeing/ Attempting to Flee Domestic Violence

Definition

Any individual or family who:

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

Required Documentation

For victim service providers:

- An oral statement by the individual or head of household seeking assistance which states: they are fleeing; they have no subsequent residence; and they lack resources.
- Statement must be documented by a self-certification or a certification by the intake worker.

Required Documentation

For non-victim service providers:

- Oral statement by the individual or head of household seeking assistance that they are fleeing. This statement is documented by a self-certification or by the caseworker. **Where the safety of the individual or family is not jeopardized, the oral statement must be verified;** and
- Certification by the individual or head of household that no subsequent residence has been identified; and
- Self--certification, or other written documentation, that the individual or family lacks the financial resources and support networks to obtain other permanent housing.

Note: Lack of third-party documentation **must not** prevent an individual or family from being immediately admitted to emergency shelter, receiving street outreach services, or being immediately admitted to shelter or receiving services provided by a victim service provider.

At-Risk of Homelessness

Definition

(1) An individual or family who:

- (i) Has an annual income below 30 percent of median family income for the area, as determined by HUD;
- (ii) Does not have sufficient resources or support networks, e.g., family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the “homeless” definition in this section; **and**
- (iii) Meets one of the following conditions:
 - (A) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;
 - (B) Is living in the home of another because of economic hardship;
 - (C) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;
 - (D) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by Federal, State, or local government programs for low-income individuals;
 - (E) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 persons reside per room, as defined by the U.S. Census Bureau;

- (F) Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or
- (G) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan;

(2) A child or youth who does not qualify as “homeless” under this section, but qualifies as “homeless” under section 387(3) of the Runaway and Homeless Youth Act (42 U.S.C. 5732a(3)), section 637(11) of the Head Start Act (42 U.S.C. 9832(11)), section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6)), section 330(h)(5)(A) of the Public Health Service Act (42 U.S.C. 254b(h)(5)(A)), section 3(m) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(m)), or section 17(b)(15) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(15)); or

(3) A child or youth who does not qualify as “homeless” under this section but qualifies as “homeless” under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), and the parent(s) or guardian(s) of that child or youth if living with her or him.

At-Risk of Homelessness

Required Documentation

- Verification of income form & supporting documentation proving annual income
- The participant's certification on a form that the program participant has insufficient financial resources and support networks; *e.g.*, family, friends, faith-based or other social networks, immediately available to attain housing stability and meets one or more of the conditions under the definition of “at risk of homelessness” in [§ 576.2](#);
- Supporting documentation showing that the program participant does not have sufficient resources or support networks immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the “homeless” definition.
- Supporting documentation showing the most reliable evidence available to show that the program participant meets one or more of the conditions under paragraph (1)(iii) of the definition of “at risk of homelessness” in [§ 576.2](#).

Acceptable Supporting Documentation

- Source documents (*e.g.*, notice of termination from employment, unemployment compensation statement, bank statement, health-care bill showing arrears, utility bill showing arrears);
- To the extent that source documents are unobtainable, a written statement by the relevant third party (*e.g.*, former employer, public administrator, relative, public administrator, primary leaseholder, hotel or motel manager) or the written certification by the recipient's or subrecipient's intake staff of the oral verification by the relevant third party that the applicant meets criteria
- To the extent that source documents and third-party verification are unobtainable, a written statement by the grantee's intake staff includes: describing the efforts taken to obtain the required evidence, observation of participant's circumstances and certification that the participant meets criteria necessary

Quick Reference for RRH & HP Eligible Activities

Rapid Re-Housing and Homelessness Prevention Components		
Rental Assistance ^o	Housing Relocation and Stabilization Services	
	Financial Assistance	Services Costs
<u>Eligible activity types:</u> <ul style="list-style-type: none"> • Short-term rental assistance • Medium-term rental assistance • Rental arrears <p>^oRental assistance can be project-based or tenant-based.</p>	<u>Eligible activity types:</u> <ul style="list-style-type: none"> • Rental Application Fees • Security Deposits • Last Month's Rent • Utility Deposits • Utility Payments • Moving Costs 	<u>Eligible activity types:</u> <ul style="list-style-type: none"> • Housing Search and Placement • Housing Stability Case Management • Mediation • Legal Services • Credit Repair

Note: Documentation requirements vary and depend on whether the client is receiving either Rental Assistance or Financial Assistance. See next slide to determine necessary documentation for each client.

Standard	Rental Assistance	Housing Relocation and Stabilization Services	
		Financial Assistance	Services
Fair Market Rent <i>24 CFR 576.106(d)</i>	X		
Rent Reasonableness <i>24 CFR 576.106(d)</i>	X		
Housing Standards <i>24 CFR 576.403(c)</i>	X	X	X
Lead-based paint requirements <i>24 CFR 576.403(a)</i>	X	X	X ¹
Lease between the program participant and landlord <i>24 CFR 576.106(g)</i>	X		
Rental assistance agreement between the landlord and recipient or subrecipient <i>24 CFR 576.106(e)</i>	X		
Maximum Amounts and Periods of Assistance (24-month cap in 3-year period) <i>24 CFR 576.105(c) & 576.106(a)</i>	X	X	X ²
Participation in HMIS³ <i>24 CFR 576.400(f)</i>	X	X	X
Prohibition of use with other subsidies <i>24 CFR 576.104(d) & 576.106(c)</i>	X ⁴	X	
Recordkeeping and Reporting Requirements <i>24 CFR 576.500</i>	X	X	X

Quick Reference for Required Documentation in Client Files

¹ When providing *homelessness prevention services only* assistance – housing search and placement, housing stability case management, mediation, legal services, and credit repair – to keep a program participant *in the same unit*, a lead-based paint assessment is not required.

² Housing stability case management services cannot exceed 30 days during the period the program participant is seeking permanent housing. In addition, these services cannot exceed 24 months, not including the previous 30 days, during the period the program participant is living in permanent housing (*24 CFR 576.105(b)(2)*).

³ Excludes victim service providers and legal service providers, which must maintain a comparable database.

⁴ A one-time payment of rental arrears of the tenant's portion of the rental payment is permitted while the program participant is receiving another subsidy for rent.

Fair Market Rent (FMR)

- All units assisted with ESG rental assistance must meet FMR.
- Unit meets FMR if Gross Rent Amount is less than or equal to the FMR for your area.
- FMR is established by HUD for each county or city and the link is posted on our website under ESG/HUD Rent Limits.
- Units that do not meet FMR can still receive financial assistance but not eligible for rental assistance.

Calculating the GROSS RENT AMOUNT

To calculate the gross rent of a unit that is being tested by the FMR standard:

$$\begin{aligned} & \underline{\text{Total contract rent amount of the unit} + \text{Any fees required for occupancy under}} \\ & \quad \underline{\text{the lease (excluding late fees and pet fees)}} \\ & \quad \quad \quad + \\ & \quad \quad \quad \underline{\text{Monthly utility allowance* (excluding telephone) established by local PHA}} \\ & \quad \quad \quad = \\ & \quad \quad \quad \underline{\text{Gross Rent Amount}} \end{aligned}$$

*Note: The monthly utility allowance is added only for those utilities that the tenant pays for separately (for more information on utility allowances established by the local public housing agency (PHA), see 24 CFR § 982.517). The utility allowance does not include telephone, cable or satellite television service, and internet service. If all utilities are included in the rent, there is no utility allowance.

Rent Reasonableness

- Must obtain 3 comparable rental units to determine reasonability for both Homelessness Prevention and Rapid Rehousing rental assistance
- Documentation must be kept in the participant's file
- Grantee may use real estate listings, phone inquiries, or TNHousingSearch.org to find comparable units.

[Link to Rent Reasonableness and Fair Market Rent Under the Emergency Solutions Grants Program Resource Guide](#)

Habitability Inspection

- Habitability Standards set to change to NSPIRE Standards October 1st, 2024. More information to come as HUD releases next steps.
- Documentation of passed inspection must be kept in client's file.
- Until NSPIRE is required, all units receiving rental assistance AND financial assistance must meet these minimum habitability standards:

(1) 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.

(2) 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.

(3) 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.

(4) Water supply.

The water supply must be free from contamination.

(5) 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.

Habitability Inspection

(6) Thermal environment.

The housing must have any necessary heating/cooling facilities in proper operating condition.

(7) 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.

(8) Food preparation.

All food preparation areas must contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.

(9) Sanitary conditions.

The housing must be maintained in a sanitary condition.

(10) Fire safety.

(i) There must be a second means of exiting the building in the event of fire or other emergency.

(ii) 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.

(iii) 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.

Lead Based Paint



Lead Based Paint visual inspections must be conducted by staff certified by HUD's Lead Based Paint visual inspection online course.

Available at:

http://www.hud.gov/offices/lead/training/visual_assessment/h00101.htm



Must obtain verification that unit was built after 1978 or obtain a Lead Based Paint (LBP) visual assessment if children under the age of six are in the household.



Must keep documentation on file that LBP was addressed even with determination that LBP rule is not applicable to household



Lease Agreement

- A written lease is required for all program participants receiving rental assistance except for a one-time payment of arrears.
- Grantee must document efforts to obtain a written lease.
- If a written lease does not exist and/or cannot be adequately documented, a new written lease must be executed and documented in the case file before any rental assistance is provided.

Rental Assistance Agreement (RAA)

- The grantee may make rental assistance payments **only to an owner with whom the grantee has entered into a Rental Assistance Agreement (RAA).**
- The RAA must contain the same payment due date, grace period, and late payment penalty requirements as the program participant's lease.
 - The grantee must make timely payments to each owner in accordance with the rental assistance agreement (RAA). The grantee is solely responsible for paying late payment penalties that it incurs with non-ESG funds.
 - All late fees incurred after the RAA is in place will not be reimbursed.

Rental Assistance Agreement (RAA)

Written Rental Assistance Agreement between landlord and agency must include the following:

1. Client name and address of unit
2. Amount to be paid with same due date and grace period as lease
3. Landlord's agreement to accept payment on behalf of client
4. Length of assistance
5. Release of liability for further assistance
6. Signature of Landlord and Agency Representative. Include Participant's signature if they are agreeing to pay a portion of the rent during this time period.

VAWA Protections 24 CFR 576.409

- The core statutory protections of VAWA that prohibit denial or termination of assistance or eviction solely because an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking.
 - All clients regardless of gender or history of domestic violence must receive these forms at each of the following times:
 - **Notice of Occupancy Rights (HUD form 5380)** The Notice of Occupancy Rights informs the clients of their rights under VAWA in case a domestic violence situation occurs and they needed to access their rights under VAWA. Each Agency needs to edit this form to include their information prior to giving it to the client.
 - **Certification form to document an incident (HUD form 5382)** The purpose of this form is to direct a client of how to document an incident of DV if the landlord requests verification when they attempt to access their rights under VAWA.
1. When an individual or family is denied ESG rental assistance;
 2. When an individual or family's application for a unit receiving project-based rental assistance is denied;
 3. When a program participant begins receiving ESG rental assistance;
 4. When a program participant is notified of termination of ESG rental assistance; and
 5. When a program participant receives notification of eviction.

VAWA Lease Addendum

- VAWA Lease Addendum is to protect all clients and landlords in the case that there were to be an instance of domestic violence while the client is enrolled in ESG and they wouldn't be able to be evicted or discriminated against due to this occurrence.
- All units assisted with rental assistance from federal funding must have a VAWA Lease Addendum added to the lease if it is not already included.
- VAWA Lease Addendum can have the same end time that the Rental Assistance Agreement ends between the landlord and your agency.
- Current VAWA Lease Addendum and VAWA Protection Forms can be found on the ESG website.
 - HUD is currently working to update these forms and we have been given permission to use the forms dated 2017 until new forms are dispersed.
- Additional information about VAWA can be found at - <https://www.hud.gov/VAWA#close>

Next Steps

1

Complete THDA's Title XI Non-Discrimination Training

2

Complete HUD's Lead Based Paint Visual Inspection Online course

3

Set up with Edison Supplier Maintenance

4

Complete ESG Written Standards Checklist. Make edits to your Written Standards, as necessary. Get board approval for all changes. Checklist should be attached to your Written Standards when uploaded to GMS.

5

Complete your Grant Setup page in GMS

6

ESG funds are anticipated to be dispersed from HUD around September. THDA will be unable to reimburse ESG funds to grantees until funds are dispersed from HUD.

7

Reach out to THDA throughout the year for any additional questions or training that we can conduct for your teams.

Jodi Smith

Housing Program
Manager
Homeless Programs
(615) 815-2038
jsmith@thda.org

Brianna Atol

Senior Housing
Program Coordinator -
Homeless Programs
(615) 815-2216
batol@thda.org

Cheri Ballinger

Housing Program
Coordinator
Homeless Programs
(615) 815-2041
cballinger@thda.org

Contact Information



To reach our entire team –
ESG@thda.org

Additional Resources

HUD Exchange

- <https://www.hudexchange.info/programs/esg/>

Code of Federal Regulations (24 CFR 576)

- <https://www.ecfr.gov/current/title-24/subtitle-B/chapter-V/subchapter-C/part-576>

Tennessee Housing Development Agency ESG Website

- <https://thda.org/government-nonprofit-partners/emergency-solution-grants-esg-program>

Housing First Implementation Resources

- <https://www.hudexchange.info/programs/coc/toolkit/responsibilities-and-duties/housing-first-implementation-resources/#housing-first-implementation>

CPD Income Eligibility Calculator and Income Limits

- <https://www.hudexchange.info/incomecalculator/>