



HOME-ARP SUPPORTIVE SERVICES PROGRAM

2023 PROGRAM DESCRIPTION TENNESSEE HOUSING DEVELOPMENT AGENCY

The Tennessee Housing Development Agency (“THDA”) was allocated federal funds appropriated under section 3205 of the American Rescue Plan Act of 2021 (P.L. 117-2) (“ARP”) for the HOME Investment Partnerships Program (“HOME”) to provide homelessness assistance and supportive services through the HOME-American Rescue Plan Program (“HOME-ARP”). The purpose of this Program Description is to explain the requirements and the application process for THDA’s HOME-ARP Supportive Services Program (the “HOME-ARP SS Program”).

The HOME Program is governed by Title 24 of the Code of Federal Regulations, Part 92, as amended. Those regulations and all other requirements of the U.S. Department of Housing and Urban Development (“HUD”) are incorporated herein by this reference. In cases of conflicting requirements, the more stringent requirement will apply.

The HOME-ARP SS Program is designed to assist qualifying individuals and families who are: i) homeless; ii) at risk of homelessness; iii) fleeing, or attempting to flee, domestic violence, human trafficking; or iv) other vulnerable individuals to provide the services necessary to help those persons regain stability quickly in temporary or permanent housing after experiencing a housing crisis and/or homelessness.

The objectives of the HOME-ARP-SS Program are:

1. Assist qualifying vulnerable individuals by providing them with the services necessary to help those persons regain stability quickly.
2. Reduce the length of time program participants experience homelessness;
3. Exit program participants to permanent housing;
4. Limit returns to homelessness one year after program participants exit the HOME-ARP-SS Program; and
5. Based on the activity, all HOME-ARP-SS Program resources are to be used to benefit Qualifying Populations as defined in herein.

The total allocation for the HOME-ARP-SS Program will be \$5,659,525.00. THDA will make available \$565,952.00 to its HOME-ARP-SS Grantees for eligible administration expenses. Each successful applicant may request up to ten percent (10%) of its award for Administrative Costs.

A. APPLICATION PROCESS

1. The HOME-ARP-SS Program funds (the “Program funds”) will be awarded on a competitive basis to eligible applicants across the State of Tennessee. Applicants applying for the Program funds must include supporting documentation in their application that demonstrates the applicant’s:
 - a. Need for the Program funds;
 - b. Experience in servicing vulnerable or homelessness populations, or at-risk of homelessness populations, within the community; and
 - c. Plan that summarizes how Program funds will be used to address the unmet needs of the community.
2. An applicant must apply for at least \$200,000 and may apply for a maximum of \$500,000 in Program funding.
3. The 2023 HOME-ARP-SS Program contracts will have a term of 18 months, with a start date of May 1, 2023 and end date of November 30, 2024.
4. Application and related instruction for the program and allocation of Program funds will be made available on the THDA website, www.thda.org, at 9:00 AM CST on February 1, 2023. Applications must be received by THDA on or before 4:00 PM CST on Friday, March 1, 2023. THDA anticipates notifying successful applicants by March 31, 2023. THDA will hold a mandatory grantee workshop on April 12, 2023. A representative for each successful applicant must attend.
5. This Program Description and the application link are available at www.thda.org. Once at the THDA website, click on “PROGRAMS.” The HOME-ARP-SS Program link is listed under “PROGRAMS FOR LOCAL GOVERNMENT & NONPROFIT PARTNERS.” Click on HOME for the link to the HOME-ARP Program webpage: <https://thda.org/government-nonprofit-partners/home-program-applications-and-information/home-arp-program>. For questions concerning the applications or program, contact the ESG Program Team with the Community Programs Division of THDA at ESG@thda.org.

B. ELIGIBLE APPLICANT REQUIREMENTS

THDA will accept applications for the HOME-ARP-SS Program from non-profit organizations and local units of governments. All applicants must meet the following criteria:

1. Demonstrate at least two (2) years of experience providing affordable housing or affordable housing related services in the state of Tennessee satisfactory to THDA in its sole discretion;
2. Have a minimum of two (2) years of experience assisting vulnerable individuals or families;
3. Have approved established HOME-ARP-SS Program Written Standards in accordance with the local Continuum of Care (“CoC”) Coordinated Entry process;
4. Be an active member of any local CoC in which the service will be provided and compliant with HMIS reporting requirements of the local CoC;
5. Have no part of its net earnings inuring to the benefit of any member, founder, contributor or individual; and
6. Have standards of financial accountability that conform to 24 CFR 84.21, Standards of Financial Management Systems.

7. Nonprofit applicants must meet the requirements listed above and meet the following criteria:
 - a. Meet one of the two structures below:
 - (1) Must be organized and existing in the State of Tennessee (as evidenced by a Certificate of Existence from the Tennessee Secretary of State, dated no more than thirty (30) days prior to the application date); or
 - (2) Be organized and existing under the laws of another state and be qualified to do business in Tennessee (as evidenced by a Certificate of Existence from the other state’s Secretary of State dated no more than thirty (30) days prior to the application date and by a Certificate of Authorization to do business in Tennessee from the Tennessee Secretary of State dated no more than thirty (30) days prior to the application date).
 - b. Have an IRS designation under Section 501(c)(3) or Section 501(c)(4) of the federal tax code. A 501(c)(3) non-profit applicant may not submit an application until they have received their designation from the IRS. A 501(c)(4) non-profit applicant must provide documentation satisfactory to THDA, in its sole discretion, that the non-profit has filed the necessary materials with the IRS and received a response from the IRS demonstrating 501(c)(4) status; and
 - c. Be established for charitable purposes and have, among its activities, activities that include, but are not limited to, the promotion of social welfare and the prevention or elimination of homelessness, as evidenced in its charter, articles of incorporation, resolutions or by-laws, and experience in the provision of shelter and services to the homeless.

C. QUALIFYING POPULATIONS

HOME-ARP SS Program funds must be used to primarily benefit individuals or families that are (1) homeless, as defined in section 103(a) of the McKinney-Vento Homeless Assistance Act, as amended (42 U.S.C. 11302(a)) (“McKinney-Vento Act”), (2) at risk of homelessness, as defined in section 401 of the McKinney-Vento Act, (3) fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking, (4) part of other populations where providing supportive services or assistance would prevent a family’s homelessness or would serve those with the greatest risk of housing instability, or (5) veterans and families that include a veteran family member that meet the criteria of (1) through (4) from the following Qualifying Populations (“Program Participant”):

1. Homeless.
 - a. An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
 - (1) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
 - (2) An individual or family living in a supervised 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, or local government programs for low-income individuals); or
 - (3) An individual who is exiting an institution where he or she 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;
 - b. An individual or family who will imminently lose their primary nighttime residence, provided that:

- (1) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;
 - (2) No subsequent residence has been identified; and
 - (3) The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks needed to obtain other permanent housing.
- c. Unaccompanied youth under 25 years of age or families with children and youth, who do not otherwise qualify as homeless, but who:
- (1) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);
 - (2) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;
 - (3) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and
 - (4) Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment.
2. At Risk of Homelessness.
- a. An individual or family who:
 - (1) Has an annual income below 30 percent of median family income for the area, as determined by HUD;
 - (2) 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 the Homeless definition.
 - (3) 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 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 people 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 THDA's approved consolidated plan.

b. 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(l) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(l)), or section 17(b)(15) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(15)); or

c. 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.

3. Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD.

For HOME-ARP, this population includes any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking as such terms are defined at 24 CFR 5.2003. This population includes cases where an individual or family reasonably believes that there is a threat of imminent harm from further violence due to dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return or remain within the same dwelling unit. In the case of sexual assault, this also includes cases where an individual reasonably believes there is a threat of imminent harm from further violence if the individual remains within the same dwelling unit that the individual is currently occupying, or the sexual assault occurred on the premises during the 90-day period preceding the date of the request for transfer.

4. Other Populations, where providing supportive services or assistance under section 212(a) of NAHA (42 U.S.C. 12742(a)) would prevent the family's homelessness or would serve those with the greatest risk of housing instability. HUD defines these populations as individuals and households who do not qualify under any of the populations above but meet one of the following criteria:

a. Other Families Requiring Services or Housing Assistance to Prevent Homelessness is defined as households (i.e., individuals and families) who have previously been qualified as "homeless" as defined in 24 CFR 91.5, are currently housed due to temporary or emergency assistance, including financial assistance, services, temporary rental assistance or some type of other assistance to allow the household to be housed, and who need additional housing assistance or supportive services to avoid a return to homelessness.

b. At Greatest Risk of Housing Instability is defined as household who meets either paragraph (1) or (2) below:

(1) Has annual income that is less than or equal to 30% of the area median income, as determined by HUD and is experiencing severe cost burden (i.e., is paying more than 50% of monthly household income toward housing costs);

- (2) Has annual income that is less than or equal to 50% of the area median income, as determined by HUD, AND meets one of the following conditions from paragraph (iii) of the “At risk of homelessness” definition established at 24 CFR 91.5:
 - (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.
5. Veterans and Families that include a Veteran Family Member that meet the criteria for one of the qualifying populations described above are eligible to receive HOME-ARP SS Program assistance.

D. ELIGIBLE ACTIVITIES

1. Provision of McKinney-Vento Act Supportive Services as defined in section 401.
2. Homelessness Prevention Services defined at 24 CFR 576.102, 103, 105, and 106 as revised, supplemented, and streamlined in this Program Description.
3. Housing Counseling Services as defined at 24 CFR 5.100 and 5.111, respectively, except where otherwise noted. The requirements at 24 CFR 5.111 state that any housing counseling, as defined in 24 CFR 5.100, required under or provided in connection with any program administered by HUD shall be provided only by organizations and counselors certified by the Secretary under 24 CFR part 214 to provide housing counseling, consistent with 12 U.S.C. 1701x.

E. ELIGIBLE COSTS

HOME-ARP SS funds may be used to pay eligible costs associated with an Eligible Activity in accordance with the requirements in this Program Description. Eligible Costs that may be paid using HOME-ARP-SS funds are limited to only those identified in this section.

Any ineligible costs paid using HOME-ARP funds must be repaid in accordance with the requirements of this Program Description.

Supportive Services. If a Program Participant is homeless, then the Program Participant is eligible to be provided the McKinney-Vento Act Supportive Services (“Supportive Services”) for the costs allowable

in this Program Description.

Homelessness Prevention Services. If a Program Participant is housed and the supportive services are intended to help the Program Participant regain stability in the Program Participant's current permanent housing or move into other permanent housing to achieve stability in that housing, then the Program Participant is eligible for homelessness prevention services for the costs allowable in this Program Description.

Housing Counseling Services. Housing Counseling services may be provided regardless of whether a Program Participant is homeless or currently housed.

1. Eligible Costs for Supportive Services and Homelessness Prevention Services:
 - a. Child Care. The costs of childcare for Program Participants, including providing meals and snacks, and comprehensive and coordinated developmental activities, are eligible.
 - (1) The childcare center must be licensed by the jurisdiction in which it operates in order for its costs to be eligible.
 - (2) Children must be under the age of 13 unless the children have a disability.
 - (3) Children with a disability must be under the age of 18.
 - b. Education Services. The costs of improving knowledge and basic educational skills are eligible costs including:
 - (1) Instruction or training in consumer education, health education, substance abuse prevention, literacy, English as a Second Language, and General Educational Development (GED).
 - (2) Screening, assessment, and testing; individual or group instruction; tutoring; provision of books, supplies, and instructional material; counseling; and referral to community resources.
 - c. Employment Assistance and Job Training. The costs of establishing and/or operating employment assistance and job training programs are eligible, including classroom, online and/or computer instruction, on-the-job instruction, services that assist individuals in securing employment, acquiring learning skills, and/or increasing earning potential. The cost of providing reasonable stipends to Program Participants in employment assistance and job training programs is also an eligible cost.
 - (1) Learning skills include those skills that can be used to secure and retain a job, including the acquisition of vocational licenses and/or certificates.
 - (2) Services that assist individuals in securing employment consist of:
 - (A) Employment screening, assessment, or testing;
 - (B) Structured job skills and job-seeking skills;
 - (C) Special training and tutoring, including literacy training and prevocational training;
 - (D) Books and instructional material;
 - (E) Counseling or job coaching; and
 - (F) Referral to community resources.
 - d. Food. The cost of providing meals or groceries to Program Participants is eligible.

- e. Housing Search and Counseling Services. Costs of assisting eligible Program Participants to locate, obtain, and retain suitable housing are eligible. Services include:
- (1) Development of an action plan for locating housing;
 - (2) Housing search;
 - (3) Tenant counseling;
 - (4) Securing utilities;
 - (5) Making moving arrangements;
 - (6) Outreach to and negotiation with owners;
 - (7) Assistance submitting rental applications and understanding leases;
 - (8) Assistance obtaining utilities; and
 - (9) Tenant counseling;
 - (10) Mediation with property owners and landlords on behalf of eligible Program Participants;
 - (11) Credit counseling, accessing a free personal credit report, and resolving personal credit issues;
 - (12) Payment of rental application fees; and
 - (13) Other Housing counseling costs, as defined in 24 CFR 5.100, funded with or provided in connection with grant funds must be carried out in accordance with 24 CFR 5.111.
- f. Legal Services. Eligible costs are the fees charged by licensed attorneys and by person(s) under the supervision of licensed attorneys, for advice and representation in matters that interfere with a qualifying individual or family's ability to obtain and retain housing.
- (1) Eligible subject matters are child support; guardianship; paternity; emancipation; legal separation; orders of protection and other legal remedies for victims of domestic violence, dating violence, sexual assault, human trafficking, and stalking; appeal of veterans and public benefit claim denials; landlord-tenant disputes; and the resolution of outstanding criminal warrants; landlord/tenant matters, provided that 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.
 - (2) Services may include client intake, receiving and preparing cases for trial, provision of legal advice, representation at hearings, and counseling.
 - (3) Fees based on the actual service performed (i.e., fee for service) are also eligible, but only if the cost would be less than the cost of hourly fees.
 - (4) Filing fees and other necessary court costs are also eligible.
 - (5) If the Grantee is a legal services provider and performs the services itself, the eligible costs are the Grantee's employees' salaries and other costs necessary to perform the services.
 - (6) Ineligible Legal Costs. Legal services for immigration and citizenship matters and issues relating to mortgages are ineligible costs. Retainer fee arrangements and contingency fee arrangements are ineligible costs and prohibited under HOME-ARP-SS.

- g. **Life Skills Training.** The costs of teaching critical life management skills that may never have been learned or have been lost during the course of physical or mental illness, domestic violence, dating violence, sexual assault, stalking, human trafficking, substance abuse, and homelessness are eligible. These services must be necessary to assist the Program Participant to function independently in the community. Life skills training includes budgeting of resources and money management, household management, conflict management, shopping for food and other needed items, nutrition, the use of public transportation, and parent training.
- h. **Mental Health Services.** Eligible costs are the direct outpatient treatment of mental health conditions that are provided by licensed professionals.
 - (1) Mental health services are the application of therapeutic processes to personal, family, situational, or occupational problems in order to bring about positive resolution of the problem or improved individual or family functioning or circumstances. Problem areas may include family and marital relationships, parent-child problems, or symptom management.
 - (2) Services include crisis interventions; counseling; individual, family, or group therapy sessions; the prescription of psychotropic medications or explanations about the use and management of medications; and combinations of therapeutic approaches to address multiple problems.
- i. **Outpatient Health Services.** Eligible costs are the direct outpatient treatment of medical conditions when provided by licensed medical professionals including:
 - (1) Providing an analysis or assessment of a Program Participant's health problems and the development of a treatment plan;
 - (2) Assisting Program Participants to understand their health needs;
 - (3) Providing directly or assisting Program Participants to obtain and utilize appropriate medical treatment;
 - (4) Preventive medical care and health maintenance services, including in home health services and emergency medical services;
 - (5) Provision of appropriate medication;
 - (6) Providing follow-up services; and
 - (7) Preventive and non-cosmetic dental care.
- j. **Outreach Services.** The costs of activities to engage Qualified Populations for the purpose of providing immediate support and intervention, as well as identifying potential Program Participants, are eligible.
 - (1) Eligible costs include the outreach worker's transportation costs and a cell phone to be used by the individual performing the outreach.
 - (2) Costs associated with the following services are eligible: initial assessment; crisis counseling; addressing urgent physical needs, such as providing meals, blankets, clothes, or toiletries; actively connecting and providing people with information and referrals to homeless and mainstream programs; and publicizing the availability of the housing and/or services provided within the grantee's geographic area.
- k. **Substance Abuse Treatment Services.** Eligible substance abuse treatment services are designed to prevent, reduce, eliminate, or deter relapse of substance abuse or addictive behaviors and are provided by licensed or certified professionals. The costs include:

- (1) Program Participant intake and assessment;
 - (2) Outpatient treatment;
 - (3) Group and individual counseling;
 - (4) Drug testing; and
 - (5) Inpatient detoxification and other inpatient drug or alcohol treatment are not eligible costs.
- l. Transportation. Eligible costs are:
- (1) The costs of a Program Participant's travel on public transportation or in a vehicle provided by the Grantee to and from medical care, employment, childcare, or other services eligible under this Program Description;
 - (2) Mileage allowance for service workers to visit Program Participants and to carry out housing inspections;
 - (3) The cost of leasing a vehicle in which staff transports Program Participants and/or staff serving Program Participants;
 - (4) The cost of gas, insurance, taxes, and maintenance for the vehicle ;
 - (5) The costs of Grantee staff to accompany or assist Program Participants to utilize public transportation; and
 - (6) If public transportation options are not sufficient within the area, the Grantee may make a one-time payment on behalf of a Program Participant needing car repairs or maintenance required to operate a personal vehicle, subject to the following:
 - (A) Payments for car repairs or maintenance on behalf of the Program Participant may not exceed 10 percent of the Blue Book value of the vehicle (Blue Book refers to the guidebook that compiles and quotes prices for new and used automobiles and other vehicles of all makes, models, and types);
 - (B) Payments for car repairs or maintenance must be paid by the Grantee directly to the third party that repairs or maintains the car; and
 - (C) Grantees may require Program Participants to share in the cost of car repairs or maintenance as a condition of receiving assistance with car repairs or maintenance.
 - (7) The Grantee must establish policies and procedures surrounding payments for the cost of gas, insurance, taxes, the one-time payment for car repairs or maintenance as described above, and maintenance for vehicles of Program Participants. Such costs must be limited to Program Participants with the inability to pay for such costs and who, without such assistance, would not be able to participate in HOME-ARP-SS eligible services.
- m. 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. Grantees providing these supportive services must have written standards for providing the assistance. Eligible costs are those associated with the following services and activities:
- (1) Conducting the initial evaluation, including verifying and documenting eligibility, for individuals and families applying for supportive services;
 - (2) Counseling;
 - (3) Developing, securing and coordination services;

- (4) Using a centralized or coordinated assessment system that complies with the requirements of a Coordinated Entry Process used by a Grantee;
 - (5) Obtaining federal, State, and local benefits;
 - (6) Monitoring and evaluating Program Participant progress;
 - (7) Providing information and referrals to other providers;
 - (8) Providing ongoing risk assessment and safety planning with victims of domestic violence, dating violence, sexual assault, stalking, and human trafficking;
 - (9) Developing an individualized housing and service plan, including planning a path to permanent housing stability; and,
 - (10) Conducting re-evaluations of the Program Participant's eligibility and the types and amounts of assistance the Program Participant needs.
- n. Mediation. HOME-ARP-SS 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.
- o. Credit Repair. HOME-ARP-SS Program 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.
- p. Landlord/Tenant Liaison. Costs of liaison services between property managers, owners and Program Participants are eligible HOME-ARP-SS costs and may include:
- (1) Landlord outreach;
 - (2) Physical inspections and rent reasonable studies as needed to secure units;
 - (3) Rental application fees and security deposits for clients, in accordance with the financial assistance costs requirements in Section D-1(R);
 - (4) Mediation services in Section D-1(R) for housing issues that may arise between owner, property manager, or other residents and clients; and,
 - (5) Coordination or assistance with the provision of other HOME-ARP-SS eligible services to assist clients to maintain permanent housing.
- q. Services for Special Populations. HOME-ARP-SS Program funds may be used to provide services for special populations, such as victim services, so long as the costs of providing these services are eligible under this section. The term victim services means services that assist Program Participants who are victims of domestic violence, dating violence, sexual assault, stalking, or human trafficking including services offered by rape crisis centers and domestic violence shelters, and other organizations with a documented history of effective work concerning domestic violence, dating violence, sexual assault, stalking, or human trafficking.
- r. Financial Assistance. HOME-ARP-SS funds may be used to pay housing owners, utility companies, and other third parties for the following costs, as applicable:
- (1) Rental Application Fees. Rental housing application fees that are charged by the owner to all applicants.
 - (2) Security Deposits. A security deposit that is equal to no more than 2 months' rent. This assistance is separate and distinct from the provision of financial assistance for First and

Last Month's rent provided under this section and cannot be used to duplicate those costs.

- (3) **Utility Deposits.** HOME-ARP-SS funds may pay for a standard utility deposit or initiation fee required by the utility company or owner (if owner-paid utilities are provided) for all Program Participants for the following utilities: Gas; Electric; Water; and Sewer.
- (4) **Utility Payments.** HOME-ARP-SS 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 may receive more than 24 months of utility assistance within any 3-year period.
- (5) **Moving Costs.** HOME-ARP SS 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 under this section of the Notice and before the Program Participant moves into permanent housing. Payment of temporary storage fees in arrears is not eligible.
- (6) **First and Last Month's Rent.** If necessary to obtain housing for a Program Participant, HOME-ARP SS funds may be used to make a pre-payment of the first and last month's rent under a new lease to the owner at the time the owner is paid the security deposit for the Program Participant's tenancy in the housing. This assistance must not exceed two month's rent and must be tracked for purposes of determining the total short- and medium-term financial assistance for rent that the Program Participant may receive. This assistance is separate and distinct from financial assistance for Security Deposits provided under this section and cannot be used to duplicate those costs.
- (7) **Payment of Rental Arrears.** HOME-ARP SS funds may be used for a one-time payment for up to 6 months of rent in arrears, including any late fees or charges on those arrears, if necessary for the household to maintain their existing housing or, for those without housing, if necessary to remove a demonstrated barrier to obtaining housing.
- (8) **Short and Medium-Term Rental Assistance.** Subject to the following conditions, a Grantee may provide a Program Participant with short-term or medium-term financial assistance for rent, provided that the total financial assistance provided, including any pre-payment of first and last month's rent as described above, does not exceed 24 months of rental payments over any 3-year period.
 - (A) Short-term means up to 3 months.
 - (B) Medium-term means more than 3 months but not more than 24 months.
 - (C) Rental payments may only be made to an owner with whom the Grantee has entered into a financial assistance agreement for rental payment.
 - i. The financial assistance agreement must set forth the terms under which rental payments will be provided, including the requirements that apply under this Program Description.
 - ii. The financial assistance agreement must provide that, during the term of the

agreement, the owner must provide the Grantee with a copy of any notice to the Program Participant to vacate the housing unit or any complaint used under State or local law to commence an eviction action against the Program Participant. The owner must serve written notice upon the Program Participant at least 30 days before termination of tenancy specifying the grounds for the action. Each financial assistance agreement that is executed or renewed must comply with the requirements in 24 CFR 92.359.

- iii. The Grantee must make timely payments to each owner in accordance with the financial assistance agreement. The financial assistance agreement must contain the same payment due date, grace period, and late payment penalty requirements as the Program Participant's lease. The Grantee is solely responsible for paying late payment penalties that it incurs with non-HOME-ARP-SS funds.
- (D) Rental payments cannot be provided unless the rent does not exceed the Fair Market Rent established by HUD, as provided under 24 CFR part 888, and complies with HUD's standard of rent reasonableness, as established under 24 CFR 982.507.
 - (E) Each Program Participant receiving financial assistance for rental payments must have a legally binding, written lease for the rental unit, unless the assistance is solely for rental arrears. The lease must be between the owner and the Program Participant. Where the financial assistance is solely for rental arrears, an oral agreement may be accepted in place of a written lease, if the agreement gives the Program Participant an enforceable leasehold interest under state law and the agreement and rent owed are sufficiently documented by the owner's financial records, rent ledgers, or canceled checks. New leases must have an initial term of 1 year unless a shorter period is agreed upon by the Program Participant and owner. The lease requirements in 24 CFR 92.359 apply to this financial assistance.
 - (F) Grantees must adhere to THDA's Policies and Procedures (or Written Standards) that detail the minimum requirements that must be in place to prevent the provision of short- or medium-term financial assistance for rent for the same period for which a Program Participant is receiving rental assistance or living in housing provided with on-going assistance, such as project-based rental assistance or operating subsidies.
 - (G) If a Program Participant receiving financial assistance for short- or medium-term rental payments under this section meets the conditions for an emergency transfer under 24 CFR 5.2005(e), HOME-ARP funds may be used to pay amounts owed for breaking a lease to effectuate an emergency transfer. These costs are not subject to the 24-month limit on rental payments.
2. Eligible Costs Associated with Housing Counseling under 24 CFR 5.100 and 5.111: Costs associated with housing counseling services as defined at 24 CFR 5.100 and 5.111 are eligible under HOME-ARP-SS. Eligible costs are those costs associated with the services listed in 24 CFR part 214 and include, but are not limited to:
 - a. Staff salaries and overhead costs of HUD-certified housing counseling agencies related to directly providing eligible housing counseling services to HOME-ARP-SS Program Participants;
 - b. Development of a housing counseling workplan;
 - c. Marketing and outreach;
 - d. Intake;

- e. Financial and housing affordability analysis;
- f. Action plans that outline what the housing counseling agency and the Program Participant will do to meet the client's housing goals and that address the client's housing problem(s); and
- g. Follow-up communication with program participants.

F. INELIGIBLE ACTIVITIES

1. Under McKinney-Vento Supportive Services and Homelessness Prevention, HOME-ARP-SS Program funds may not be used for the following:
 - a. Mortgage loan payments;
 - b. Pet deposits;
 - c. Late fees incurred if grantee does not pay agreed rental subsidy by agreed date;
 - d. Payment of temporary storage fees in arrears;
 - e. Payment of past debt not related to rent or utility; and
 - f. Financial assistance to Program Participants who are receiving the same type of assistance through other public sources or to a Program Participant who has been provided during the same time period with replacement housing payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970(URA) as amended and implemented under regulation.
2. Homeowner assistance and related services are not eligible HOME-ARP-SS activities; costs for the provision of services related to mortgages and homeownership to existing homeowners are also not eligible under HOME-ARP. If a Program Participant is a candidate for homeownership, costs associated with pre-purchase home buying counseling, education and outreach are eligible under HOME-ARP-SS.
3. Under Housing Counseling, HOME-ARP-SS Program Funds may not be used for the following:
 - a. Resolving or preventing mortgage delinquency, including, but not limited to default and foreclosure, loss mitigation, budgeting, and credit;
 - b. Home maintenance and financial management for homeowners, including, but not limited to: Escrow funds, budgeting, refinancing, home equity, home improvement, utility costs, energy efficiency, rights and responsibilities of homeowners, and reverse mortgages.
4. Ineligible costs for McKinney Vento Supportive Services and Homelessness Prevention Services: Financial assistance cannot be provided to a Program Participant who is receiving the same type of assistance through other public sources. Financial assistance also cannot be provided to a Program Participant who has been provided with replacement housing payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 USC 4601 et seq.) and its implementing regulations at 49 CFR part 24, or Section 104(d) of the Housing and Community Development Act of 1974 (42 USC 5304(d) and its implementing regulations at 24 CFR part 42, during the period of time covered by the replacement housing payments.

G. MATCHING FUNDS

The HOME-ARP-SS Program does not require the Grantee to provide Match Funds.

H. OTHER FEDERAL REQUIREMENTS

1. **NON-DISCRIMINATION AND EQUAL OPPORTUNITY.** Grantees must make facilities and services available to all on a nondiscriminatory basis, and publicize the facilities and services. The procedures a Grantee uses to convey the availability of such facilities and services should be designed to reach persons with disabilities or persons of any particular race, color, creed, religion, sex, age, familial status, or national origin within their service area who may qualify for them. If not, the Grantee must establish additional procedures that will ensure that these persons are made aware of the facilities and services. Grantees must adopt procedures to disseminate information to anyone who is interested regarding the existence and location of services or facilities that are accessible to individuals with disabilities.

Grantees must also comply with the requirements of 24 CFR Parts 5, 200, 203, et al Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity. The regulation is available at <http://www.gpo.gov/fdsys/pkg/FR-2012-02-03/pdf/2012-2343.pdf>. Grantees must include in their HOME-ARP-SS Program standards a written policy for Fair Housing to all persons and/or families regardless of sexual orientation, gender identity or family identification.

2. **LEAD BASED PAINT.** Housing assisted with HOME-ARP-SS funds is subject to the Lead-Based Paint Poisoning Prevention Act and the Act's implementing regulations at 24 CFR part 92, subpart H, 92.355 for any building constructed prior to 1978. Grantees using HOME-ARP funds must comply this notice as far as practical lead- based paint hazards in a residential property that receives federal assistance for acquisition, leasing, support services or operation activities.
3. **PROPERTY MANAGEMENT STANDARDS.** Grantees are required to follow uniform standards for using and disposing of capital improvements and equipment. Equipment is defined as having a useful life of one year and a per unit value of \$5,000 or more.
4. **ENVIRONMENTAL REVIEW.** In implementing the HOME-ARP-SS Program, the environmental effects of each activity must be assessed in accordance with the provisions of the National Environment Policy Act of 1969 (NEPA) and the related authorities listed in HUD's regulations at 24 CFR Part 58. THDA as the Responsible Entity and the units of local government funded by THDA will be responsible for carrying out environmental reviews.

THDA will review the release of funds for local governments and may be required to request the release of funds from HUD for any projects of non-profit organizations. The non-profit organizations will be responsible for gathering the information required for the environmental reviews. HOME-ARP-SS Program funds cannot be committed until the environmental review process has been completed. Commitments for expenditures made prior to the approval of the environmental review cannot be reimbursed or advanced with Program funds

5. **CONTRACTUAL AGREEMENT.** All Grantees must enter into a contractual agreement with THDA. This Written Agreement must include all requirements contained in the HOME-ARP Program Interim Rule (24 CFR Part 576) in addition to all other applicable rules and regulations. The Written Agreement will include, but is not limited to, the following:

- a. **CONFIDENTIALITY.**

- (1) All entities assisted by HOME-ARP-SS funds must develop, implement, and maintain written procedures to require that:

- (A) All records containing personally identifying information of any individual or family who applies for and/or receives HOME-ARP-SS assistance will be kept secure and confidential;

- (B) The address or location of any HOME-ARP-SS rental housing exclusively for

individuals fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking will not be made public, except as necessary where making the address or location public does not identify occupancy of the Program Participant; and

- (C) The address or location of any Program Participant who is a fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking will not be made public, except as provided under a privacy policy of the Grantee consistent with state and local laws and any other grant conditions from other federal grant programs regarding privacy and obligations of confidentiality.
- b. DOCUMENTING STATUS OF A QUALIFYING POPULATION THAT IS FLEEING OR ATTEMPTING TO FLEE DOMESTIC VIOLENCE, DATING VIOLENCE, STALKING, SEXUAL ASSAULT, OR HUMAN TRAFFICKING:

(1) If an individual or family qualifies because the individual or family is fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking then acceptable evidence includes an oral or written statement by the qualifying individual or head of household seeking assistance that they are fleeing that situation. An oral statement may be documented by either:

(A) a written certification by the individual or head of household; or

(B) a written certification by a victim service provider, intake worker, social worker, legal assistance provider, health-care provider, law enforcement agency, legal assistance provider, pastoral counselor, or an intake worker in any other organization from whom the individual or family sought assistance.

(C) The written documentation need only include the minimum amount of information indicating that the individual or family is fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking and need not include any additional details about the conditions that prompted the individual or family to seek assistance.

c. DRUG AND ALCOHOL-FREE FACILITIES.

Grantees must administer a policy designed to ensure that each assisted homeless facility is free from the illegal use, possession or distribution of drugs or alcohol by its beneficiaries and comply with the Drug-Free requirements.

d. PROCUREMENT PROCEDURES.

Each Grantee must have an appropriate procurement procedure in place. At a minimum, three telephone bids must be obtained for any equipment or furniture purchases to be charged totally or in part to the HOME-ARP-SS Program.

e. CONFLICTS OF INTEREST.

Grantees, State recipients, and subrecipients engaging in any of the activities defined this Program Description are subject to the conflicts of interest provisions at 24 CFR 92.356, including but not limited to the conflicts of interest exception process defined in 24 CFR 92.356(d)-(e). Owners and developers of HOME-ARP NCS and HOME-ARP rental housing shall be subject to 24 CFR 92.356(f).

Organizational Conflicts of Interest: The provision of any type or amount of HOME-ARP supportive services may not be conditioned on an individual's or family's acceptance or occupancy of a shelter or housing unit owned by the Grantee; State recipients; the subrecipient;

or a parent, affiliate, or subsidiary of the subrecipient. No subrecipient may, with respect to individuals or families occupying housing owned by the subrecipient, or any parent, affiliate, or subsidiary of the subrecipient, administer financial assistance that includes rental payments, utility deposits, security deposits, or first and last month's rent provided pursuant to this Notice. All contractors of the Grantee, State recipients, or subrecipient must comply with the same requirements that apply to subrecipients under this section.

f. **FAIR HOUSING.**

All Grantees must perform and document action in the area of enforcement and/or promotion to affirmatively further fair housing. During the grant year Grantees must carry out a minimum of one activity to promote fair housing. Non-discrimination and equal opportunity are applicable to HOME-ARP-SS Program Programs (24 CFR 5.105(a) as amended).

g. **TERMINATING ASSISTANCE.**

All Grantees must have a formal process for terminating assistance to an individual or family. At a minimum, there must be an appeals procedure with one level of administrative review for clients who are evicted or refused service by the Grantee for any reason.

h. **REPORTING REQUIREMENTS.**

Each Grantee must complete quarterly reporting forms as required by THDA. Quarterly reports must be submitted by the 15th of the month following the close of the quarter. If the 15th falls on a weekend or holiday, the report must be submitted by the next business day. Domestic violence agencies must also upload CAPER information from their comparable data system as required by HUD.

These requirements may be modified as required based on further guidance from HUD. Additional reports also may be required by THDA at its sole and absolute discretion.

i. **VIOLENCE AGAINST WOMEN ACT (VAWA).**

All Grantees are required to apply the requirements of the Violence Against Women Act to all victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation, consistently across all HUD administered Programs along with all nondiscrimination and fair housing requirements. The Violence Against Women Act (VAWA) requirements set forth in 24 CFR 92.359.

j. **RECORDKEEPING.**

Each Grantee must establish and maintain sufficient records to enable THDA or HUD to determine whether the Grantee has met the requirements of the HOME-ARP-SS. At a minimum, the following records are needed:

(1) Program Records.

(A) Records evidencing that all HOME-ARP funds used by a Grantee for supportive service benefit individuals and families in qualifying populations.

(B) Records documenting compliance with the percent limitation on administrative costs.

(C) Confidentiality.

i. The Grantee's written policies and procedures for maintaining confidentiality of qualifying households as individuals or families fleeing, or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking.

ii. The Grantee's written policies and procedures for maintaining confidentiality in

compliance with the VAWA protections contained in 24 CFR Part 5, Subpart L.

- (2) Project Records. Grantees are required to retain the following records for HOME-ARP-SS projects, as specified by activity type.
- (A) For all HOME-ARP Supportive Services projects pursuant to McKinney-Vento or Homelessness Prevention Supportive Services:
- i. Records, where applicable, demonstrating compliance with the termination of assistance.
 - ii. Records of all solicitations of and agreements with subrecipients and contractors, records of all payment requests by and dates of payments made to subrecipients, and documentation of all monitoring and sanctions of subrecipients, as applicable including any findings and corrective actions required.
 - iii. Records of all procurement contracts and documentation of compliance with the procurement requirements in 2 CFR part 200, subpart D.
 - iv. Records evidencing the use of the written procedures required by the HOME-ARP-SS and records evidencing compliance with the program.
 - v. Records of all leases, subleases, and financial assistance agreements for the provision of rental payments, documentation of payments made by the Grantee to owners, HOME-ARP-SS sponsor, or qualifying households for the provision of financial assistance for rental payments, and supporting documentation for these payments, including dates of occupancy by qualifying individuals and families.
 - vi. Records that document the monthly allowance for utilities (excluding telephone) used to determine compliance with the rent restriction.
 - vii. Records of the types of services provided under the HOME-ARP-SS program and the amounts spent on these services.
 - viii. Records demonstrating subrecipient compliance with the recordkeeping requirements in this Program Description.
- (B) For all HOME-ARP Housing Counseling Services projects as defined in 24 CFR part 5, each participating housing counseling agency must maintain a recordkeeping and reporting system in accordance with 24 CFR 214.315 and 24 CFR 214.317. The system must permit HUD to easily access all information needed for a performance review.
- (3) Financial records.
- (A) Records, in accordance with 2 CFR 200.302, identifying the source and application of HOME-ARP funds. Identification must include, as applicable, the Assistance Listing program title and number (formerly Catalogue of Federal Domestic Assistance), Federal award identification number and year, name of the Federal agency, and name of the pass-through entity, if any.
- (B) Records concerning the HOME-ARP Investment Trust Fund Treasury account and local account required to be established and maintained by this Notice, including deposits, disbursements, balances, supporting documentation and any other information required by IDIS.
- (C) Records identifying the source and application of program income and repayments.
- (D) Records demonstrating adequate budget control and other records required by 2 CFR 200.302, including evidence of periodic account reconciliations.

- (4) Program administration records.
 - (A) Records demonstrating compliance with the written agreements required by the HOME-ARP-SS.
 - (B) Records demonstrating compliance with the applicable uniform administrative requirements of the program.
- (5) Records concerning other Federal requirements.
 - (A) Equal opportunity and fair housing records.
 - i. Data on the extent to which each racial and ethnic group, and single-headed households by gender of household head) have applied for, participated in, or benefited from, any program or activity funded in whole or in part with HOME-ARP funds.
 - ii. Documentation that the Grantee submitted a certification that it will affirmatively further fair housing consistent with HUD's Interim Final Rule entitled Restoring Affirmatively Furthering Fair Housing Definitions and Certifications (86 FR 30779, June 10, 2021) (codified at 24 CFR 5.151 and 5.152;), available at <https://www.federalregister.gov/documents/2021/06/10/2021-12114/restoring-affirmatively-furthering-fair-housing-definitions-and-certifications>.
 - iii. Records demonstrating compliance with the nondiscrimination and equal opportunity requirements of 24 CFR 92, Subpart H.
 - (B) Affirmative marketing and MBE/WBE records.
 - i. Records demonstrating compliance with the affirmative marketing procedures and requirements of 24 CFR 92.351 and this Notice.
 - ii. Documentation and data on the steps taken to implement the jurisdiction's outreach programs to minority-owned (MBE) and female-owned (WBE) businesses including data indicating the racial/ethnic or gender character of each business entity receiving a contract or subcontract of \$25,000 or more paid, or to be paid, with HOME-ARP funds; the amount of the contract or subcontract, and documentation of participating jurisdiction's affirmative steps to assure that minority business and women's business enterprises have an equal opportunity to obtain or compete for contracts and subcontracts as sources of supplies, equipment, construction, and services.
 - a. Records demonstrating compliance with the environmental review requirements of 24 CFR 92.352, 24 CFR part 58, and this Notice including flood insurance requirements.
- (C) Records demonstrating compliance with the labor requirements of 24 CFR 92.354, including contract provisions and payroll records.
- (D) Records demonstrating compliance with the lead-based paint requirements of 24 CFR part 35, subparts A, B, J, K, M and R, as applicable.
- (E) Records supporting compliance with conflict of interest requirements in 24 CFR 92.356, as well as documentation of any exceptions granted by HUD or a state Grantee, as applicable, to the conflict of interest provisions in 24 CFR 92.356.
- (F) Records demonstrating compliance with debarment and suspension requirements in 24 CFR part 2424.
- (G) Records concerning intergovernmental review, as required by 24 CFR 92.357.

- (H) Records of emergency transfers requested under 24 CFR 5.2005(e) and 24 CFR 92.359 pertaining to victims of domestic violence, dating violence, sexual assault, or stalking, including data on the outcomes of those requests.
- (6) State Recipients and Subrecipients. A Grantee that distributes HOME-ARP funds to State Recipients or subrecipients must require the State Recipients or subrecipients to keep the records required by paragraphs 1. program records, 2. project records, 3. financial records, 4. program administration records, and 5. records concerning other federal requirements of Section VIII.F of this Notice, and such other records as the Grantee determines to be necessary to enable the Grantee to carry out its responsibilities under this Notice. The Grantee need not duplicate the records kept by the State recipients or subrecipients. The Grantee must keep records concerning its annual review of the performance and compliance of each State recipient and subrecipient as required under 24 CFR 92.504(a).
- (7) Period of record retention. All records pertaining to HOME-ARP funds must be retained for five years, except as provided below.
- (A) Written agreements must be retained for five years after the agreement terminates.
- (B) Records covering displacements and acquisition must be retained for five years after the date by which all persons displaced from the property and all persons whose property is acquired for the project have received the final payment to which they are entitled in accordance with 24 CFR 92.353.
- (C) If any litigation, claim, negotiation, audit, monitoring, inspection, or other action has been started before the expiration of the required record retention period records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the required period, whichever is later.
- (8) Access to records. The Grantee must provide citizens, public agencies, and other interested parties with reasonable access to records, consistent with applicable state and local laws and any other applicable grant conditions from other federal grant programs regarding privacy and obligations of confidentiality.
- (A) The Grantee, subrecipient, contractor, or owner may create a Program Participant identifier code or number that can be used on a file and maintained internally, in such a way that the number itself does not inadvertently identify the Program Participant, (i.e., no use of initials, date of birth, or other pieces of information that might suggest the identity of the program participant). The “key” or “cypher” for the program participant identifier code would itself be confidential and would not leave the provider. In the circumstance of HUD programs, the Unique Personal Identification Number which is generated within the comparable database could be used with auditors to identify records of services to distinct individuals, subject to the below requirement.
- (B) HUD and the Comptroller General of the United States, any of their representatives, have the right of access to any pertinent books, documents, papers, or other records of the Grantee, State Recipients, and subrecipients, in order to make audits, examinations, excerpts, and transcripts. If a provider of services or operator of an NCS is subject to state or local laws or other federal grant programs that require that HUD not be given access to records detailing PII of victims, then auditors or evaluators may be given access to representative files without any sharing of individual identifying information.
6. Other Federal Requirements and Nondiscrimination. The requirements in 24 CFR 92 and 24 CFR 92.350 apply to the HOME-ARP program. Grantees must comply with the Federal requirements

set forth in 24 CFR part 5, subpart A, including: nondiscrimination and equal opportunity; disclosure requirements; debarred, suspended or ineligible contractors; drug-free work; and housing counseling and the nondiscrimination requirements at section 282 of NAHA.

I. PROGRAM COMPLIANCE

All HOME-ARP-SS Program Grantees must adhere to, or maintain compliance with, the requirements of the HOME-ARP-SS Program and other programs administered through THDA. Failure to maintain compliance with any THDA program may result, depending on the egregiousness of the noncompliance, in penalties being assessed in the scoring of future applications and/or the inability to participate in future THDA programs for a period to be determined at THDA's sole discretion.

J. APPLICATION AND EVALUATION PROCEDURE

THDA will evaluate each application to determine if the proposal meets threshold criteria. Threshold criteria includes:

1. Submission of a complete application that is signed by the Chairman of the Board or the Executive Director of the nonprofit organization or by the Mayor of the local government, as applicable.
2. Proposal of an eligible activity under this program description;
3. Proposal of a project that meets the requirements of the HOME-ARP-SS Program Regulations;
4. Submission of Written HOME-ARP-SS Program Standards, Habitability Standards, Confidentiality and Privacy Policies; and,
5. All nonprofit organizations must upload all organizational information required to be submitted through THDA's Participant Information Management System (PIMS). Copies of organizational documents that are required to be submitted through PIMS but that are submitted through another means will not be considered. Additional requirements for non-profit organizations are included in the application at Part X: Non-Profit Checklist. Documentation must be submitted along with the completed Checklist to demonstrate that the organization meets threshold requirements and has the capacity to provide shelter, essential services and/or operations for Programs serving the homeless. Applications meeting the threshold criteria will be scored and ranked in descending numerical order.
6. THDA will provide a limited opportunity of five (5) business days for applicants to correct the following threshold factors:
 - a. Failure to upload all required documents to PIMS.
 - b. Failure to submit a Certificate of Existence that was issued within the required time established by the application instructions.
 - c. Failure of the Mayor, Executive Director, or the Board Chairman to sign the application.
 - d. All applicants that are required to submit corrections for an issue identified above will receive an automatic 10-point deduction to the final application score. The point deduction will be assessed regardless of the number of the above threshold items requested to be corrected.
 - e. THDA will not provide an opportunity to correct other application items nor will THDA extend the time for correction of the threshold item beyond the period identified above.
7. Application Score Tiebreaker Process.

In the event of a tied score under the HOME-ARP-SS Program Funding Matrix, THDA will

follow the following tiebreaker review process to select the agency that will receive funding. The application with the highest score for the following categories will be selected in this order, until the tie is broken.

- a. Fiscal Capacity Score;
 - b. Agency Capacity Score; and
 - c. Program Design.
8. Key Applicant Eligibility Factors.
- a. Eligible non-profit agency or unit of general local government
 - b. No outstanding findings or other significant issues from any Program operated by THDA
 - c. Experience serving Qualifying Households.
 - d. Must be able to meet recordkeeping and reporting requirements.
 - e. Must be able to meet THDA reporting requirements or, if a domestic violence Program provider, a comparable database that collects client level data over time and generates unduplicated aggregate reports based on the data
 - f. Must submit HOME-ARP-SS Program Written Standards, which include the following:
 - (1) Tenant selection procedures in accordance with this program;
 - (2) Eligibility of Program Participants in other HOME-ARP activities for supportive services under Section D(i) above including the length of time that Program Participants may be served;
 - (3) Documentation of eligible costs;
 - (4) Requirements that allow a Program Participant to receive only the HOME-ARP services needed so there is no duplication of services or assistance in the use of HOME-ARP funds for supportive services;
 - (5) Payments for the cost of gas, insurance, taxes, the one-time payment for car repairs or maintenance described above, and maintenance for vehicles of Program Participants;
 - (6) Financial assistance for short-term and medium-term rental payments under this Notice, including requirements and procedures to prevent a duplication of rental or financial assistance provided to a program participant;
 - (7) Housing stability case management; and
 - (8) Termination of assistance to program participants, including due process.
 - (9) Written standards of conduct covering the conflicts of interest and organizational conflicts of interest requirements under CPD Notice 21-10 and 2 CFR 200.318.
 - (A) Must be participating in the Coordinated Entry process set up by the regional CoC.
 - (B) Must submit audit or financials dated not more than 12 months prior to the date of the application.
 - (C) Proposed activities must be in compliance with HUD requirements as specified in this Program Description.

K. REVISIONS TO THIS PROGRAM DESCRIPTION.

THDA's Chief Legal Counsel and Assistant Chief Legal Counsel may at any time make non-substantial changes and substantial changes, if necessary to comply with federal requirements, to this Program Description.

1. PROGRAM DESIGN**UP TO 30 POINTS**

The degree to which the proposed Program demonstrates:

- a. An understanding of the HOME-ARP-SS Program objectives and requirements, including whether the proposed activities are eligible by category, are realistic, and are needed in the community.
- b. A cost effective project with documentable and realistic outcomes, and, if the proposed project is a continuation of an on-going Program, the applicant's demonstration that performance outcomes been met.
- c. Support for the local CoC to end homelessness, including whether the proposed activities duplicate other resources within the region and the applicant's demonstration of participation in the coordinated entry process.
- d. A strategic plan to leverage and support other funding sources to reduce and end homelessness;
- e. The Program design meets the objectives of providing housing solutions without unnecessary barriers or Program requirements.
- f. The use of rapid rehousing to move individuals and families from homelessness to permanent housing; and,
- g. Degree to which the applicant shows success in finding permanent housing solutions for the population served.

2. APPLICANT CAPACITY**UP TO 30 POINTS**

- a. Relative experience of the individual(s) on staff of the applicant who shall have primary responsibility for the oversight and management of the proposed project;
- b. Relative capacity of applicant's organizational infrastructure to establish and administer the HOME-ARP-SS, including demonstrated capacity to meet reporting requirements and to provide all required deliverables in an accurate and timely manner.
- c. Demonstrated experience of the applicant in establishing and operating HOME-ARP-SS Program eligible activities, or similar projects, for Qualifying Population.
- d. Relative performance to administering similar existing or previously funded projects (i.e. past performance outcomes).
- e. Relative experience in collaborating with relevant public and/or private entities to obtain appropriate mainstream services on behalf of the population to be served.
- f. Active involvement of board of directors and volunteers to support the mission of the project.

3. FISCAL CAPACITY

UP TO 30 POINTS

- a. Completeness of budget, which includes both the narrative and the budget pages, demonstrating realistic staff compensation specific to the category of HOME-ARP-SS Program activity and showing eligible line items under the HOME-ARP-SS Program Regulations.
- b. Applicant audit and/or financial records support applicant’s ability to cash-flow an advancement or reimbursement Program.
- c. Applicant’s success at drawing down previous years of THDA program funding addressing homelessness, including the Emergency Solutions Grants and the Emergency Housing Voucher programs, as applicable.

4. COORDINATION WITH COC PRIORITIES

UP TO 10 POINTS

THDA will award up to 10 points for an application that actively participates in and coordinates with the local CoC, including active participation in the coordinated entry process established by the CoC at time of application.

5. APPLICANT MAIN OFFICE LOCATED OUTSIDE OF A LOCAL PJ

5 BONUS POINTS

HUD has awarded HOME-ARP funds directly to Local Participating Jurisdictions (“Local PJs”). The Local PJs are Clarksville, Chattanooga, Jackson, Knoxville, Memphis, Nashville/Davidson County, Knox County, Shelby County, and the Northeast Tennessee/Virginia Consortium (the cities of Bristol, Kingsport, Johnson City, Bluff City, Sullivan County, and Washington County, excluding the Town of Jonesborough). Applicants with main office that is located outside of the jurisdictional limits of a Local PJ will receive points under this criteria.