

## **YORK COUNTY PLANNING COMMISSION (YCPC) YORK COUNTY CARES ACT ESG DESCRIPTION**

*Proposed activities under the CARES ACT are subject to changes, and/or approval by York County Commissioners*

On March 27, 2020, CARES Act was signed to help the Nation respond to the coronavirus outbreak.

**These special ESG-CV funds are to be used to prevent**, prepare for, and respond to the coronavirus pandemic (COVID19) among individuals and families who are homeless or receiving homeless assistance; and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts of COVID-19.

ESG-CV grants are subject to oversight and tracking, such as requirements to prevent the duplication of benefits. We look forward to working with you to prevent fraud, waste, and abuse and to document the impact of this program for beneficiaries.

Reporting in the Integrated Disbursement and Information System (IDIS) is critical to ensure compliance with program requirements and policies, providing demographic and income information about the persons who benefit from funded activities, and allowing HUD to monitor recipients.

April 24, 2020, the York County Planning Commission (YCPC) on behalf of the York County send a pre- application to all organizations/agencies, partners and municipalities in order to assess the need in York County. Please note that further guidance and waivers from HUD would assist the YCPC/York County in the development of ESG-CV program. So far, the YCPC/York County has been able to identify the following needs:

### **YORK COUNTY ESG PROGRAM CURRENT ACTIVITIES ARE:**

#### **RAPID RE-HOUSING (RRH)**

Individuals and families who are homeless:

An individual or family who is:

1. "Literally Homeless" 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. Fleeing domestic violence;
3. 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**
4. 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

#### **HOMELESS PREVENTION (HP)**

Individuals and families who are at-risk-of homelessness:

1. Has an annual income below 30 percent of median family income for the area, as determined by HUD (see attached for 2016 income limits; updated annually);
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 24 CFR 576.2 Definitions. *Homeless.*; AND
3. Meets at least one of the following conditions:
  - has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance; or
  - is living in the home of another because of economic hardship; or
  - 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; or
  - lives in a hotel/motel, the cost of which is not paid by charitable organizations or by Federal, State, or local government programs for low-income individuals; or
  - 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 per room, as defined by the U. S. Census Bureau; or
  - 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).
4. Families with children have priority

**EMERGENCY SHELTER** The York County ESG program includes the Emergency Shelter Operations as one of its components. The primary purpose of this component is to fund agencies that provide temporary shelter for the homeless in a general or for a specific population of the homeless and which does not required occupants to sign leases or occupancy agreements. The **Emergency Shelter Operations Program** parameters are established by the York County Coalition on Homelessness.

An individual or family who is:

1. “Literally Homeless” 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. Fleeing domestic violence;
3. 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**
4. 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

Individuals and families who are homeless:

1. There are no income eligibility requirements for the Emergency Shelter Operations.
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 24 CFR 576.2 Definitions. *Homeless.*; AND
3. Families with children have priority

**The CARES Act included additional funding for the ESG program for the following purposes:**

- ◇ Prevent an outbreak among sheltered and unsheltered people experiencing homelessness
- ◇ Homeless Prevention - very low-income (***It 50% median***) people who are at risk of homelessness
- ◇ Eviction prevention assistance, rental assistance, housing counseling, and rental deposit assistance
- ◇ temporary emergency shelters, waiving federal habitability and environmental review standards
- ◇ staff costs, training, and **hazard pay**
- ◇ training and hazard pay not subject to admin cap

**YCPC** has been able to establish the need for:

**Rental Assistance.** Increased rental assistance for rapid re-housing (RRH) and homeless prevention (HP) programs for the relief and support for those who have been financially or other impacted due to COVID-19. The Coalition on Homelessness will be requested to consider amending the Written Standards for the ESG CV HP program by raising the income eligibility to 50% of median income, lengthening the term of assistance for HP to 24 months, and removing the cap on the maximum amount of assistance.

**Street Outreach** added as one of the ESG CV program components. The primary purpose of this component is to fund agencies that provide essential services for unsheltered homeless include engagement, case management, emergency health services, emergency mental health services, transportation, services for special populations (inc. homeless youth, victims, HIV/AIDS).

**Shelter Operations** to add individual shelter nights as an eligible expense, in order to prevent an outbreak among sheltered and unsheltered people experiencing homelessness.

Applications for the above activities will be considered.

**The following flexibilities and conditions provided by the CARES Act for ESG-CV:**

- The funds may be used to cover or reimburse allowable costs incurred by a State or locality before the award of funding to prevent, prepare for, and respond to COVID-19;
- The funds are not subject to the spending cap on emergency shelter and outreach
- The funds are exempt from the ESG match requirements,
- The funds to provide homelessness prevention assistance to any individual or family does not have income higher than *[50%]* of the median income for the area and meets the criteria “at risk of homelessness” definition in 24 CFR 576.3;

- Applicable procurement standards when using these funds to procure goods and services to prevent, prepare for, and respond to coronavirus, notwithstanding 24 CFR 576.407(f) and 2 CFR 200.317-200.326; can be deviated from.
- Treatment and supportive services when necessary to assist vulnerable homeless populations, individuals and families experiencing homelessness are not to be required to receive treatment or perform any other prerequisite activities as a condition for receiving shelter, housing, or other services or which these funds are used, notwithstanding 24 CFR 576.401(e).

## **DUPLICATION OF BENEFITS**

The Federal government provides disaster relief primarily through the Federal Emergency Management Agency (FEMA) and the Small Business Administration (SBA) to meet emergency, short-term recovery needs. The most appropriate use of CPD funds is generally for longer-term needs of affected areas. FEMA provides temporary housing and non-housing needs such as food and clothing, grants toward infrastructure and public building reconstruction, and improvements to prevent damage from future disasters. The SBA provides loans to businesses and individuals for impacted property not covered by insurance. Before making assistance available, a grantee must verify that a proposed CPD activity will not be funded by FEMA or the SBA and that advance payments from these or other sources will not duplicate the CPD assistance.

*Grantees should be cautious of potential duplication of benefits and the resulting penalties that could occur when administering any program or activity to provide financial assistance to address losses that result from a major disaster or emergency. Section 312 (42 U.S.C. 5155) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (42 U.S.C. 5121 et seq.) prohibits duplication of benefits for programs that provide financial assistance to people or entities suffering losses because of a major disaster or emergency.*

Duplication of benefits occurs when Federal disaster recovery funding is provided for the same costs paid by any other source, or for costs to repair or replace losses that have or will be paid by private insurance, and the total amount received exceeds the total need for those costs. For example, if a family's damaged home costs \$100,000 to repair and the homeowner received \$100,000 in insurance proceeds for structural loss, the homeowner could not also receive federal disaster recovery funds to repair the home. Any additional federal assistance would duplicate the assistance already provided which fully addressed the recovery need. If a family receives \$80,000 in insurance proceeds for structural loss, and the repair costs are \$100,000, the family could receive \$20,000 of additional recovery resources without duplicating benefits. Insurance payments can take time to process. Grantees must reduce assistance by the amount of anticipated insurance or other sources of assistance, or provide assistance on a temporary basis that can be recovered when the beneficiary receives insurance proceeds or other assistance for the same purpose.

Grantees should also consider how they will work closely with other entities to best serve residents and to avoid duplication of benefits. HUD assistance is intended to supplement, not replace, other public, private, and nonprofit sector resources that have already been provided for the same need or loss. Prior to providing CPD program assistance to address losses that result from a major disaster or emergency, a grantee should review and document a

household's eligibility, financial resources, support networks, and other assistance available or reasonably anticipated for the same purpose as the CPD program assistance. For example, in addition to other federal programs offering short-term assistance, insurance may cover temporary housing while a home is being repaired.

**ALL ESG CV FUNDS MUST BE EXPENDED BY SEPTEMBER 30, 2022.**