

## DESCRIPTION OF THE YORK COUNTY ESG PROGRAM

**Rental Assistance.** The York County ESG program includes two types of Rental Assistance. The first is called Homeless Prevention and is for individuals and families who are at-risk-of-homelessness in order to help them maintain their residence. The second is called Rapid Re-housing and is to stabilize homeless individuals and families in a stable housing situation as quickly as possible and to provide wrap-around services after the family or individual obtains housing. Program parameters are established by the York City and County Continuum of Care Committee.

### Homeless Prevention (HP)

*Who is eligible?* 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

*Who is **NOT** eligible?* Individuals and families who are:

1. Homeless
2. whose annual income is greater than **30 %** of median income for York County as determined by HUD.
3. Who don't meet at least one of the conditions listed in 3. Above.

*What type of housing is eligible?*

1. Unit for which the program participant and landlord have a legally binding, written lease.
2. Unit for which the rent does not exceed the Fair Market Rent (FMR) established by HUD (see attached for 2016 FMR, updated annually); AND
3. The rent charged for a unit must be reasonable in relation to rents currently being charged for comparable units in the private unassisted market and must not be in excess of rents currently being charged by the owner for comparable unassisted units (known as "Rent Reasonableness").
4. For units constructed before 1978, a visual inspection to identify potential lead hazards (may be a consideration if children under six or pregnant women are applicants).
5. Meets minimum Housing Habitability Standards (see attached list).

*What does the program provide?*

1. One-time rental assistance
2. Maximum amount is one month rent not to exceed \$1,000 for families and \$750 for individuals.
3. Assistance may be provided to keep the individual or family in current permanent housing or to move to other permanent housing unit.
4. Initial evaluation and housing stability plan, services to connect program participant with mainstream and other services in order to implement housing stability plan.

## Rapid Re-Housing (RRH)

*Who is eligible?* 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

*Who is NOT eligible?* Individuals and families who are:

Not homeless.

*What type of housing is eligible?*

1. Unit for which the program participant and landlord will enter into a legally binding, written lease.
2. Unit for which the rent does not exceed the Fair Market Rent (FMR) Established by HUD; AND
3. The rent charged for a unit must be reasonable in relation to rents currently being charged for comparable units in the private unassisted market and must not be in excess of rents currently being charged by the owner for comparable unassisted units (known as "Rent Reasonableness").
4. For units constructed before 1978, a visual inspection to identify potential lead hazards (may be a consideration if children under six or pregnant women are applicants).
5. Meets minimum Housing Habitability Standards.

*What does the program provide?*

1. Rental assistance for up to six (6) months duration based on need determined by caseworker and approved by supervisor.
2. Amount of rental assistance will be provided based on the client's caseworker's determination of the client's ability to pay and may be provided on a declining scale over the duration of the provision of assistance.
3. Initial evaluation and housing stability plan, monthly case worker meetings, services connecting program participant with community services in order to implement housing stability plan.
4. Rental assistance may be used to relocate to a different unit.

## Procedures

York County's ESG funded rental assistance programs are designed to help those who are at-risk-of-homelessness to remain in their homes, and for those who are homeless, transition into permanent housing. The primary goal is to stabilize a program participant in permanent housing as **quickly as possible** and to provide wrap-around services after the family or individual maintain or obtains housing. Agencies administering either the homeless prevention or rapid re-housing programs should rely heavily on a case management plan to ensure long term stability. Agencies are expected to design a housing stability plan and assist program participants in plan implementation, which may include connection to mainstream or other resources, increase household incomes and/or improve access to mainstream benefits.

HUD ESG regulation at 24 CFR 576 describe the homeless prevention and rapid rehousing programs, the housing relocation and stabilization services requirements in § 576.105, the short- and medium term rental assistance requirements in § 576.106, recordkeeping and documentation in **SS** and the written standards and procedures established under § 576.400.

**Policies and procedures and forms developed by agency staff must be forwarded to YCPC CD staff for approval prior to implementation.**

**Step 1. Initial contact with Applicant.**

1. telephone or drop in applicants. (see phone intake form to initially document housing status and whether or not homeless or at-risk-of-homelessness)
2. shelter residents (while at shelter, considered homeless)
3. determine whether children are present in the household, as families with children have preference to ESG Homeless Prevention and Rapid Re-housing assistance.

**Step 2. Determination of Applicant Housing Status.**

**Initial Evaluation.** An initial consultation between ESG program applicant and agency staff is required. The consultation will include:

1. Determination and documentation of homelessness status
2. OR, determination and documentation of applicant status as not meeting ESG homeless or at-risk-of-homelessness definition
3. Determination and documentation of applicant's barriers to housing stability and initial plan to achieve stability
4. Documentation of HMIS universal data elements.
5. Documentation of income of individual, family (family means related by marriage or blood), and household (household means persons living at one address, may include more than one individual, families and combinations thereof)
6. Documentation of identification of all persons.

**Verification of Housing Status**

1. Document evidence provided by applicant or agency staff and verify through one or more of the following means, listed in order of preference:
  - o third party documentation. If available, this is the preferred evidence, (ex. letter from shelter, eviction notice from District Justice)
  - o documented caseworker observation of homeless condition
  - o self-declaration form signed and dated by program applicant
2. Check HMIS to determine if the applicant is currently receiving assistance from any other federal funding sources. A printed HMIS screen can be used as documentation in the applicant's file.
3. When applicable, verify evidence that client is fleeing domestic violence and has insufficient support networks
4. Provide applicant with 10 days to bring necessary evidence and/or verification. If applicant fails to provide evidence, perform and document agency staff's due diligence to contact applicant and the reason for the delay before any action is taken.

**Step 3. Determination of Applicant Income**

1. Calculate monthly and annual income for one person households (individuals) or for a family, or for all families/individuals living together in a household. Monthly income is used to calculate how much the applicant can pay for rent. Annual income is used to calculate whether or not applicant is eligible for Homeless Prevention. Income calculations are modeled after the requirements for the HOME Investment Partnerships program (24 CFR 92.508) and other HUD regulations. Guidance is located here: [http://portal.hud.gov/hudportal/documents/huddoc?id=19754\\_1780.pdf](http://portal.hud.gov/hudportal/documents/huddoc?id=19754_1780.pdf)
2. Document the gross income of every individual and family member in the household for a minimum of the last 30 days, 90 days preferred (usually requested on intake form).

**Verification of Income.**

Verify gross income by identifying all amounts and sources, received by, or on behalf of, the individuals and families in the household: employment, child support, SSI/SSD, unemployment, etc.. Obtain evidence such as pay stubs, child support letter, SSI letter, etc., from all the sources of income for the individuals and families in the household. In cases where evidence is not available, obtain source contact information and verify from source directly, and document verification attempts and results. Document evidence in applicant file.

**Calculate monthly and annual income** for individuals or by family based on verified income amounts. The complete formula calculation will be completed on an income sheet summary (see attached).

1. Add up the individual and/or family incomes to obtain the household income.
2. Examples of different scenarios for ESG income calculations:
  - o If the individual or family member receives monthly income (ex. child support, SSI, pension) the monthly gross amount will be multiplied by twelve. (Example: Child support \$250 a month + SSI/\$200.00a month = \$450 a month x 12 months a year = \$5,400 yearly income)
  - o If the individual/family just began working (less than 30 days and have no paystubs available yet) the calculation will go as follows: Verification of Employment (VOE) documents as verification. (Example: \$10.00 an hour x 35 hours = \$350 a week x 52 week a year = \$18,200)
  - o If individual/family has been working before applying to the ESG program. At least 30 days of income.

Week # 1	1/1/2016 – gross pay	\$400.00
Week # 2	1/7/2016 – gross pay	\$380.00
Week # 3	1/14/2016 – gross pay	\$200.00
Week # 4	1/21/2016 – gross pay	<u>\$400.00</u>

**Total of all pay stubs provided**                      \$1380.00 gross monthly income divided by 4 weeks = \$ 345.00  
average per week x 52 weeks a year = \$ 17,940 /12 months = the average monthly amount for this client is \$1,495.00.

**Step 4. Determination of Eligible Housing Unit for Applicant.**

1. address must be located in York City or York County
2. Minimum habitability standards and lead paint hazards.

**Verify that unit meets minimum habitability standards:**

  - o structurally sound and not pose any threat to the health and safety of the residents;
  - o each resident be provided adequate space and security for themselves and their belongings and be provided an acceptable place to sleep;
  - o interior air quality be provided in each room or space through natural or mechanical means of ventilation and be free of pollutants at a level that might threaten or harm the health of residents;
  - o water supply must be free of contamination;
  - o sanitary facilities must be provided to residents, be in proper operating condition, be private, and adequate for personal cleanliness and the disposal of human waste;
  - o illumination and electricity must be provided through natural or artificial means sufficient 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;
  - o all food preparation areas must contain suitable space and equipment to store, prepare and serve food in a safe and sanitary manner;
  - o the housing must be maintained in a sanitary condition; and
  - o fire safety must be maintained:
    - the unit must provide a second means of exiting the building in the event of fire or other emergency;
    - the unit includes 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 a hearing impaired

person, smoke detectors must have an alarm system designed for hearing-impaired persons in each bedroom occupied by a hearing-impaired person.

- public areas (laundry rooms, community rooms, day care centers, hallways, stairwells, etc.) of all housing units be equipped with a sufficient number, but not less than, one for each area, of battery-operated or hardwired smoke detectors.

**Verify units housing children under age of six, or a woman who could become pregnant which may have lead paint hazards.** Childhood lead poisoning is a major environmental health problem in the United States, especially for low-income families in poor living conditions. If not detected early, children with high levels of lead in their bodies can suffer from damage to the brain and nervous system, behavioral and learning problems (such as hyperactivity), slowed growth, hearing problems, and headaches. Grantees that receive funds for Emergency Shelter, Homeless Prevention and Rapid Re-Housing MUST comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821–4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851–4856), and implementing regulations in 24 CFR part 35, subparts A, B, H, J, K, M, and R.

- Determine age of unit.
- If older than 1978, conduct a visual assessment AND
- Complete the “Lead Screening Worksheet” form. Contact the York County Planning commission if you require further assistance

3. Lease. Each program participant receiving rental assistance 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. Executed copy must be in the file.
4. Rent Reasonableness. Rental assistance cannot be provided for a housing unit unless the total rent for the unit does not exceed the fair market rent established by HUD, as provided under 24 CFR 982.503, **and** complies with HUD’s standard of rent reasonableness, as established under 24 CFR 982.507. These rent restrictions are intended to make sure that program participants can remain in their housing after their ESG assistance ends.

**Verify rent reasonableness**

- Obtain rent amount and rents currently being charged by the owner for comparable unassisted units. Assisted unit rent must be comparable to unassisted unit rents.
  - Obtain rent amounts for comparable units in the private unassisted market. Other local resources may be used to obtain information, e.g.: market surveys, classified ads, information from real estate agents. Make copies for the file. Assisted unit rent must not be in excess of unassisted units’ rents.
  - Document on Rent Reasonableness chart (included) must be completed and signed.
5. Fair Market Rent (FMR). The Fair Market Rents- are updated by HUD every year and can be found online at: <http://www.huduser.org/portal/datasets/fmr.html> When calculating the FMR, include the utility allowance provided by the Housing Authority of the City of York. The monthly utility allowance is added only for those utilities that the tenant pays for separately from the rent (i.e. if range and refrigerator are included in the rental price, the monthly allowance for those items would not be used in the calculation). 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.

**Verify that unit rent is at or below current FMR**

Obtain and verify rent amount and utility costs paid by tenant. Maintain copy of lease and utility bills.

6. Agency/Landlord Agreement. Agency may make rental assistance payments only to an owner with whom the they have entered into a rental assistance agreement. The rental assistance agreement must set forth the terms under which rental assistance will be provided, including the requirements that apply under this section. The rental assistance agreement must provide that, during the term of the agreement,
  - the owner must give the Agency a copy of any notice given 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.
  - Rental assistance agreement must contain the same payment due date, grace period, and late payment penalty requirements as the program participant’s lease.

- The rental assistance agreement with the owner must terminate and no further rental assistance payments under that agreement may be made if:
  - The program participant moves out of the housing unit for which the program participant has a lease;
  - The lease terminates and is not renewed; or
  - The program participant becomes ineligible to receive ESG rental assistance.

**Step 5. Identify Applicant and Housing Unit as Eligible or Ineligible and Enter into HMIS System.**

1. Once Determination of Housing Status, Determination of Income, and Determination of Eligible Housing Unit are verified and documented, the agency staff will make a determination of eligibility for ESG program assistance.  
Applicant will be notified of decision.
  - If approved, applicant will be provided with the written decision and a
    - Written description of the assistance to be provided, AND
    - The agency and applicant responsibilities for participation in either the ESG funded Homeless Prevention or Rapid Re-Housing program.
  - If not approved, the applicant will be provided with the written decision and the reasons why they were not approved.
2. Applicant chooses to accept assistance and participate in the program.
  - Agency staff will connect program participant with case management services in order to develop implementation plan for achieving housing stability per initial evaluation.
3. Data Entry of eligible applicants and Program participants into Homeless Managements Information System (HMIS), the system used to collect data develop reports and ensure compliance. All agencies must submit agency policy and procedures as how, who and what data is being entered.
  - record required HMIS data in the Pathways COMPASS system for all program participants.
4. Identify applicants that qualify for ESG funding.  
Staff time and agency operating costs that are expended assisting both eligible applicants *and* program participants is eligible for reimbursement through ESG funding.

**Step 6. Determination and Payment of Rental Assistance**

1. Determine amount of rental assistance:
  - HP - staff determine amount of assistance needed for program participant to remain in unit and avoid homelessness. Maximum amount of assistance is the lesser of one month's rent OR \$1,000 (family), \$750 (individual)
  - RRH - Agency staff assesses program participant's income and amount of monthly rent that can be afforded. Staff compare rent charged for eligible unit and calculates difference. Includes security deposit for a maximum of one month's rent.
2. Determine length of time for assistance:  
HP – maximum 1 month of assistance  
RRH – three to six months of assistance is provided.
3. Agency is required to prepare a policy and procedure guide for establishing amount of ESG assistance provided to program participants and provide a copy of this to County. Policies and procedures must provide for an appeal process and a termination policy. Examination of policies and procedures will be conducted by YCPC staff once is forwarded.
4. Agency prepares Rental Assistance Agreement which Tenant signs and contract for ESG assistance with tenant responsibilities rights.
5. Payment of Rental Assistance
  - Payment is made to the property owner, or manager, on a monthly basis for eligible program participants.

- Agency is required to prepare a policy and procedure guide for financial procedures followed in making and documenting payments.

### **Step 7. Housing Stability Plan and Case Management**

All ESG program participants must be provided with case management in order to develop and implement a plan to obtain and maintain housing stability and to connect participants to mainstream and other resources as needed.

Program participants must:

1. Meet with a case manager not less than once per month while assistance is being provided to assist the program participant in ensuring long-term housing stability. (Since the Homeless Prevention program provides only one month of assistance, HP program participants do not have to meet this requirement.);  
AND
2. Develop a plan to assist the program participant to retain permanent housing after the ESG assistance ends, taking into account all relevant considerations, such as the program participant's current or expected income and expenses; other public or private assistance for which the program participant will be eligible and likely to receive; and the relative affordability of available housing in the area.
3. Written documentation related to meeting this requirement is required to be maintained in the participant file.

### **Step 8. Documentation to be included in the participant file**

1. Initial Contact with Applicant
  - Phone Intake form – if applicable
  - Referral letters, forms
  - Release of Information
2. Determination of Applicant Housing Status
  - ID and SS cards for all household members
  - Client Intake form –with all documents necessary for back-up as stated within.
  - Release of Information – Use organization release
  - 3<sup>rd</sup> party verification or evidence
  - Calculation of income
3. Determination of Applicant Income
  - Employment verification & paystub- for all household that is working (not necessary for approval but needed in file if applicable).
  - 3<sup>rd</sup> party verification or evidence
4. Determination of Eligible Housing Unit for Applicant
  - Apartment unit – Housing Habitability Standards checklist (including Rent Reasonableness checklist and certification and Lead screening worksheet.
  - Executed Lease agreement copy between tenant (customer) and Landlord
  - Rental assistance agreement between agency and property owner/manager
  - Copy of verification of owner of unit and appointed manager
5. Identify Applicant and Housing Unit as Eligible or Ineligible and Enter into HMIS System
  - Notice of decision must be completed to indicate file status
6. Determination and Payment of Rental Assistance and Landlord Rental Assistance agreement
  - Tenant Rental Assistance Agreement & Contract of ESG Participation with all other requirements such as Termination Policy /Grievance/EEO /Fair Housing/Confidentiality Policy – see attached template
  - Agency/LLD agreement & Proof of all payments submitted to landlord-for each payment
7. Housing Stability Plan and Connection with Case Management
  - Case management – dates of meetings, goals/plans and outcomes
  - Case manager/worker case notes (as applicable)

### **Step 9. Termination, Complaints, Appeals and Confidentiality Policies.**

Agency must develop policies and procedures regarding a formal process for termination of assistance to participants, complaints, appeals, and confidentiality procedures and submit to CD staff for review. Minimum requirements follow:

1. Must recognize the rights of individuals affected.
2. Must exercise judgment and examine all extenuating circumstances in determining when violations warrant termination so that a program participant's assistance is terminated only in the most severe cases.
3. Provide for written notice to the program participant containing a clear statement of the reasons for termination.
4. Provide for a review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person **other** than the person (or a subordinate of that person) who made or approved the termination decision; **AND**
5. Prompt written notice of the final decision to the program participant.
6. Ability to Provide Further Assistance. Termination does not bar the CPC from providing further assistance at a later date to the same family or individual.

### **CONTRACTING WITH COUNTY FOR ESG PROGRAM FUNDS**

Exhibits describing activity, activity budget, and match sources and amount are prepared by Agency and submitted to CD Department.

Annual subrecipient agreement between County and Agency providing ESG funding for activity are prepared by CD Department.

Subrecipient agreements are executed by County Commissioners and subrecipient Agency.

### **REQUESTING REIMBURSEMENT AND DOCUMENTING MATCH UNDER THE ESG PROGRAM**

Eligible reimbursement under the ESG program includes costs that are necessary to help program participants regain stability in the current permanent housing or in other permanent housing, provision of rental assistance to eligible program participants, and direct costs for delivery of activity services including: staff salaries; benefits, office expenses, and indirect costs in accordance with Agency's approved federal indirect cost plan (if available).

#### **Request for Payment Form**

1. Standard form
  - o CD Department of York County Planning Commission prepares a standard fillable PDF with the activity account numbers and grant amount matching the ESG program funding grant provided to Agency. HP and RRH are separate grants. Instructions for completion are attached.
  - o Completion is by agency and includes signature by an approved official in accordance with Agency fiscal policies
  - o Submission is to CD Department of the YCPC at least quarterly, with more frequent submissions allowed
2. Backup documentation
  - o Invoice and statement showing all direct and indirect staff and operating expenses and rental assistance provided for Rental Assistance program, for the time period for which reimbursement is requested. Eligible costs chargeable to ESG activity account number are those defined in sub-recipient agreement providing ESG funding for the activity.
  - o Match documentation: costs of delivering ESG eligible activities that are included in the Rental Assistance program and the assistance provided to ESG eligible households, but not charged to the activity, are to be included as they may qualify towards the required match. Include on invoice and statement with the account numbers to which they are charged.

- Staff and Operating expenses. Staff time spent helping *program participants* regain stability in their current permanent housing (HP) or in other permanent housing (HP relocation or RRH) and direct delivery of *activity services* may be charged to ESG activity account number.
  - Back up documentation. Copies of electronic time sheets for all staff charged to the program, for the time period for which reimbursement is requested, showing all accounts charged, including ESG activity account numbers. Documentation of one-time operating expenses (training, etc.). Documentation for recurring operating expenses will be requested under program monitoring by CD department.
  - **Rental assistance provided** - Copies of approved and paid vouchers for all rental assistance provided by agency to landlords renting to ESG eligible households (24 CFR 576 Definitions), with copies of completed rental assistance agreements between Agency and landlords, and with the ESG eligible households. Include designation of which month in assistance continuum is included in this reimbursement. Designate which vouchers are being charged to ESG activity by adding activity number to voucher.
3. County payment procedures
- CD Department reviews the Request and backup documentation.
  - Completed and approved Requests are submitted for drawdown of ESG program funds
  - Upon receipt of ESG program funds, County prepares and send payment to Agency

**Fiscal Reporting and Monitoring**

- Fiscal policies and procedures. Submitted by Agency to CD Department upon request
- Federally approved Indirect Cost Plan. Submitted by Agency to CD Department upon request
- Audit submission. Submitted by Agency to Programs Management and Compliance Department of YCPC annually within 90 days of end of Agency fiscal year.