HUD CoC Committee Agenda
Tuesday, June 15th, 2021
2:00 p.m. - 4:30 p.m.

Zoom Link: https://us02web.zoom.us/j/82227753659
Meeting ID: 822 2775 3659
One tap mobile: +16699006833, 82227753659# US (San Jose)

Meetings are public. Homeless and formerly homeless Alameda County residents are especially encouraged to attend. Public Comment will be taken at the beginning of each meeting and is limited to 2 minutes per person. Click here to learn more about the public participation policy.

1. Welcome (C’Mone Falls, HUD CoC Chair) 2:00-2:10pm
2. HUD CoC Public Comment 2:10-2:20pm
3. Approval of Meeting Minutes, #5- 5.18.21 Action Item 2:20-2:30pm
   Update
4. Homeless System Updates (All) 2:30-2:35pm
   Update
5. Youth Action Board (Hannah/ Paul) 2:35-2:40pm
   Update
6. Youth Homelessness Demonstration Project (Ja’Nai) 2:40-2:50pm
   Action
7. Governance Update (Chelsea) 2:50-3:00pm
   Update
8. 2021 NOFA (Ja’Nai/ Alexis) 3:00-3:35pm
   Action
   a. Consultant (Riley)
   b. NOFA Committee
   c. Strategic Direction
9. Emergency Housing Vouchers (Ja’Nai) 3:35-3:55pm
   Action
10. Announcements and Next Meeting/Agenda 3:55-4:05pm
    a. Next meeting August 17th at 2pm
    b. No meeting in July. Enjoy your time off!
HUD CoC Committee Minutes  
Tuesday, May 18, 2021  
2:00 p.m. - 4:30 p.m.

HUD CoC Members: C'Mone Falls (City of Oakland), Josh Jacobs (City of Berkeley), Riley Wilkerson (Alameda County Housing and Community Development), Marnelle Timson (Consumer Member), Tunisia Owens (Family Violence Law Center), Paulette Franklin (Alameda County Behavioral Health), and Lara Tannenbaum (City of Oakland).

EveryOne Home Team: Chelsea Andrews (Executive Director), Ja’Nai Aubry (Director of CoC Strategies), and Alexis Lozano (Data Analyst).

Members of The Public: Hannah Moore (All In Alameda County), Nic Ming (Social Impact Wheel), Ali Mashal (Alameda County Housing and Community Development), Peter Radu (City of Oakland), Sophora Acheson (Ruby’s Place), Kerry Abott (Alameda County Health Care Services Agency, OHCC), Suzanne Warner (Alameda County Health Care Services Agency, OHCC), Beth Quirarte (Ruby’s Place), Jennifer Vasquez (City of Berkeley), Patrick Crosbt (Alameda County Housing and Community Development) and Jordane Tofighi (International Rescue Committee).

Absent: Wendy Jackson (East Oakland Community Project), Paul Berry (Youth Action Board)

1. Welcome (C’Mone Falls, HUD CoC Chair)  
   a. HUD CoC Chair C’Mone F. (City of Oakland) welcomed the committee and attendees to the May meeting.

2. HUD CoC Public Comment  
   a. Peter R. (City of Oakland), on behalf of City of Oakland Mayor Schaaf, is in support of the System Coordination Committee’s recommendation on the target population for the new emergency housing vouchers. Targeting the vouchers for Project Roomkey participants to support outflow from the hotels and will advance the efforts to end unsheltered homelessness.

3. Approval of Meeting Minutes, #4-  
   a. Josh J. (City of Berkeley) made a motion to approve the minutes. Paulette F. seconded.
      i. C’Mone=Yes  
      ii. Josh=Yes  
      iii. Riley=Yes  
      iv. Marnelle=Yes  
      v. Tunisia=Yes  
      vi. Paulette=Abstain  
      vii. Lara=Abstain  
      1. Motion passed.

4. Homeless System Updates (All)  
   a. C’Mone F. announced that the Lake Merritt Lodges are officially open. The lodges include 92 units for literally homeless, adult only households that are COVID sensitive; similar to the other Safer Ground sites. Housing Consortium of the East Bay is managing the site.

5. Youth Action Board (Hannah)  
   a. The Youth Action Board met for the first time in May with ten new youth participating. At the meeting, they began discussing what their relationship with the HUD Continuum of Care (CoC) Committee will be.

6. HIC /Sheltered PIT Count (Ali Mashal)
a. Ali M. (Alameda County HCD), the lead for the Housing Inventory Count (HIC) and sheltered Point-in-Time (PIT) count data submission, provided an update on the project.
   i. The final reports were submitted to HUD on May 14th, after HUD extended the due date.
   ii. The committee reviewed the final summary sheet and discussed the lower utilization rates, particularly in permanent supportive housing and suggested the numbers be explored further at the HMIS Oversight Committee.
   iii. The HMIS team confirmed that it is possible to sort the data by geocode to show capacity and utilization by jurisdiction.

7. 2021 NOFA Committee (Ja'Nai)
a. Ja'Nai A. (Director of CoC Strategies) reviewed the roles and responsibilities of the NOFA Committee and asked the committee for guidance for seating the 2021 NOFA Committee.
   i. HUD CoC Committee agreed to start by reaching out to people that agreed to serve in 2020. And stated that the composition should mirror the new governance diversity benchmarks to ensure people with lived experience and Black, Indigenous and People of Color (BIPOC) are represented.
   ii. As staff is recruiting members, gaps can be filled using those benchmarks. For future cycles, the committee recommends opening up the process to invite new participants.
   iii. In the current governance discussions, the Leadership Board has expressed interest in creating the strategic direction for the CoC Notice of Funding Availability (NOFA) once the new structure is in place. While there is a transition, the committee agreed that setting a joint meeting with the Leadership Board and HUD CoC would be a good next step. As a result, there can be alignment between the Leadership Board and HUD CoC Committee on the strategic direction for the FY 2021 CoC NOFA competition.

8. Emergency Housing Vouchers (Ja'Nai)
a. Ja'Nai A. provided an overview of the newly allocated Emergency Housing Vouchers.
   i. Our community has been allocated 864 vouchers across four public housing authorities (City of Alameda, Oakland, Berkeley and HACA) in Alameda County. People experiencing homelessness, recently homeless, at-risk of homelessness, and persons fleeing domestic violence are eligible. Referrals for the vouchers must come through coordinated entry or a designated partner. The committee is being asked to provide guidance for priority populations for the use of the vouchers, as staff begins conversations with the four housing authorities.
   ii. The System Coordination Committee is recommending that Project Roomkey residents are prioritized and there are set aside for populations underrepresented in Project Roomkey.
   iii. Lara T. (City of Oakland) discussed how participants who exited from Project Roomkey went to housing but they do not always have a permanent subsidy since they were served with one-time funds.
   iv. Josh J. (City of Berkeley) agreed to prioritizing Project Roomkey participants, which for Berkeley includes respite programs and trailers.
   v. Beth Q. (Ruby's Place) and Tunisia O. (FVLC) advocated for a set-aside for populations not served well by Project Roomkey, particularly youth and domestic violence survivors, so that they also have access to vouchers. Jordan T. (IRC) supported these set-asides and advocated for a set-aside for houseless refugees.
   vi. The committee requested additional data for Project Roomkey, so that at the next meeting they can make a full recommendation for targeting eligible populations.

1. This agenda item will also be included in the scheduled joint meeting with the Leadership Board.

9. HHAP Planning (Suzanne Warner)
a. Suzanne W. (Alameda County HCWS) provided updates on the Homeless Housing, Assistance and Prevention HHAP round 2 funding from the state of California.
   i. The state requested an updated MOU between the CoC and Health Care Services Agency to administer funds on behalf of the CoC. Some language
changes in the MOU included updating the reporting schedule on spending and allocation and removing the language for the requests for information (RFI) since most of the funding for round 2 is a continuation of round 1.

10. Contract (Chelsea)
   a. The Alameda County Board of Supervisors approved the Continuum of Care planning grant. The contract is in regard to a one-year federal pass through to fund EveryOne Home’s Continuum of Care work.

11. Governance Update (Chelsea)
   a. The governance work group is continuing to discuss the Leadership Board composition and how elected officials and jurisdictions are represented. The group also needs to determine the composition of subcommittees.
      i. HUD CoC committee will continue to receive updates.

12. Announcements and Next Meeting/Agenda
   a. Next Meeting: June 15, 2021 from 2:00-4:30 p.m.

Notes submitted by: Alexis Lozano
Reviewed by: Ja’Nai Aubry
U.S. Department of Housing and Urban Development

Community Planning and Development

Youth Homelessness Demonstration Program
FR-6400-N-35
07/27/2021
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Program Office:
Community Planning and Development

Funding Opportunity Title:
Youth Homelessness Demonstration Program

Funding Opportunity Number:
FR-6400-N-35

Primary CFDA Number:
14.276

Due Date for Applications:
07/27/2021

Overview
The U.S. Department of Housing and Urban Development (HUD) issues this Notice of Funding Opportunity (NOFO) to invite applications from eligible applicants for the program and purpose described within this NOFO. Prospective applicants should carefully read all instructions in all sections to avoid sending an incomplete or ineligible application. HUD funding is highly competitive. Failure to respond accurately to any submission requirement could result in an incomplete or noncompetitive proposal.

During the selection process HUD is prohibited from disclosing 1) information regarding any applicant’s relative standing, 2) the amount of assistance requested by an applicant, and 3) any information contained in the application. Prior to the application deadline, HUD may not disclose the identity of any applicant or the number of applicants that have applied for assistance.

For Further Information Regarding this NOFO: Please direct questions regarding the specific requirements of this Notice of Funding Opportunity (NOFO) to the office contact identified in Section VII.

Paperwork Reduction Act Statement. The information collection requirements in this notice have been approved by OMB under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid OMB control number. Each NOFO will identify its applicable OMB control number unless its collection of information is excluded from these requirements under 5 CFR part 1320.

OMB Approval Number(s):
2506-0210

I. FUNDING OPPORTUNITY DESCRIPTION.
A. Program Description.

1. Purpose
The goal of the Youth Homelessness Demonstration Program (YHDP) is to support selected communities in the development and implementation of a coordinated community approach to preventing and ending youth homelessness, and sharing that experience with and mobilizing communities around the country toward the same end. The population to be served by this
demonstration program is youth experiencing homelessness, including unaccompanied and pregnant or parenting youth. The demonstration has six primary objectives:

- **Build national momentum.** Motivate state and local homelessness stakeholders and youth services providers, including Runaway and Homeless Youth providers across the country to prevent and end youth homelessness by forming new partnerships, addressing system barriers, conducting needs assessments, testing promising strategies, and evaluating their outcomes;

- **Promote equity in the delivery and outcomes of homeless assistance.** Promote equity throughout the community's youth homeless response system for Black, Indigenous, Hispanic (non-white), and LGBTQ youth who are disproportionally more likely to experience homelessness than their white, straight, and gender conforming counterparts. Awarded communities will promote equity throughout their youth homeless response system and all YHDP projects will measure and demonstrate equitable delivery and outcomes.[1]

- **Evaluate the coordinated community approach.** Evaluate coordinated community approaches to preventing and ending youth homelessness, including local and state partnerships across sectors and other planning operations;

- **Expand capacity.** Expand community capacity to serve youth experiencing homelessness (particularly by using a Housing First approach), pilot new models of assistance, and determine what array of interventions is necessary to serve the target population in their community;

- **Evaluate performance measures.** Evaluate the use of performance measurement strategies designed to better measure youth outcomes and the connection between youth program outcomes and youth performance measures on overall system performance for the Continuum of Care (CoC); and

- **Establish a framework for Federal program and TA collaboration.** Determine the most effective way for Federal resources to interact within a state or local system to support a coordinated community approach to preventing and ending youth homelessness.

To meet these objectives, HUD will award approximately $145,000,000 in YHDP under this NOFO, including funding appropriated for fiscal year (FY) 2019 on February 15, 2019 through the Consolidated Appropriations Act, 2019 (Public Law 116-6) ("FY 2019 Appropriations Act"), and funding appropriated for FY 2020 on December 20, 2019 through the Further Consolidated Appropriations Act, 2020 (Public Law 116-94) ("FY 2020 Appropriations Act"). The FY 2019 Appropriations Act and FY 2020 Appropriations Act appropriated this funding to HUD "to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under ... can dramatically reduce youth homelessness.”

The FY 2019 Appropriations Act appropriated up to $80 million for HUD to select up to 25 communities, including at least eight communities with substantial rural populations. The FY 2020 Appropriations Act appropriated up to $80 million for HUD to select up to 25 communities with a priority for communities with substantial rural populations in up to eight locations. This NOFO is for the selection of the communities under both the FY 2019 Appropriations Act and
the FY 2020 Appropriations Act, for a total of up to 50 communities. This NOFO also outlines the methodology HUD will follow to determine award amounts and to alert each community selected of the amount of money available to them through the YHDP. Subject to HUD's right to select lower scoring community selection applications under section III.F.a, HUD will use the community scores under this NOFO along with the formulas in section II.C of this NOFO, to select communities to receive either FY 2019 Appropriations Act funding or FY 2020 Appropriations Act funding and determine the maximum funding to be awarded in each community. The CoC's Collaborative Applicant is responsible for submitting the application for this NOFO.

Once HUD selects the communities, Project Applicants within the selected communities will be able to apply for project funding. Except as otherwise provided in this NOFO or its appendices, all awards and projects funded under this NOFO will be governed by the requirements of 24 CFR part 578, as it may be amended from time to time.

Technical assistance will be available to selected communities to assist them in analyzing community strengths and needs, developing a coordinated community plan (CCP), implementing the plan, and then engaging in a process of continuous quality improvement.

HUD will share outcomes and make resources publicly available as quickly as possible to accelerate efforts to prevent and end youth homelessness nationally. In addition, HUD, and to the extent possible, its Federal partners, will work to accelerate HUD's learning related to youth and the concepts of:

- Housing First;
- Assessment and prioritization;
- Coordinated entry;
- Risk and protective factors for youth homelessness;
- Diversion from child welfare and systems of justice;
- Success in education and employment;
- Serving victims of violence, including trafficking;
- LGBTQ youth, youth under the age of 18, and pregnant and parenting youth; and
- System performance measures

HUD recognizes that there are promising strategies concerning these concepts but limited evidence to support replication of best practices. Given the importance of advancing our understanding in this topic area, HUD is very interested in communities that will commit to focusing attention on these issues.

After the application submission deadline, HUD will take several months to assess the applications and select communities. For each community selected under this competition, HUD will make a minimum of $1 million available for total YHDP funding. HUD will use a formula
calculated as described in II.C to determine each selected community's maximum total funding in order to scale awards to estimated community need. To determine the maximum total funding a selected community will be eligible to receive, HUD will use the following factors:

- Number of people age 12-24 who are in poverty in the geographic area (# of youth in poverty, using data from the American Community Survey);
- The 2-bedroom Fair Market Rent (FMR) in the geographic area, and if there is more than one FMR for the geographic area, HUD will calculate a population weighted average (FMR).
- The average for years 2017 and 2019 of the number of unaccompanied youth experiencing homelessness up to age 24 plus the number of parenting youth households headed by a youth experiencing homelessness up to age 24 as reported to HUD in HDX. If the community does not have youth homelessness data from 2017 and 2019, HUD will use the most recent two counts submitted to HUD in HDX.

Subject to HUD's right to select lower scoring community selection applications under section III.F.a, HUD will allocate funds according to the steps outlined in section II.C. Additional information is also provided in Appendix A.

Once HUD announces the selected communities, communities will have a total of 6 months to submit a coordinated community plan. Communities that need additional time to form their youth action board or develop community capacity to begin the coordinated community planning phase may request up to a 3-month extension of this deadline by emailing youthdemo@hud.gov. See section III.F.b and Appendix B of this NOFO for further information.

During plan development, Collaborative Applicants or their designee may apply for planning projects to support the selected community's planning efforts. After the CCP is approved, applicants may apply for projects up to the total amount made available to the community under the YHDP. Communities will be expected to fully participate in any evaluation activities conducted by HUD beginning no earlier than the announcement of community selection.


2. Changes from Previous NOFO.
The FY 2019/FY 2020 YHDP NOFO has been updated from the FY 2018 NOFO in several ways.

- HUD modified the formula for determining a community's maximum total YHDP funding to include data from Point in Time (PIT) counts in addition to the poverty and fair market rent data included in previous NOFOs, and added new weights to those factors.
- HUD updated rating criteria for clarity and to emphasize youth voice and leadership in the YHDP. Additionally, the number of questions in the rating factors is decreased from previous NOFOs in order to decrease burden on applicants
HUD modified the ranking process for community selection, establishing a minimum score of 65 out of 100 and adding bonus points for up to eight rural applicants seeking FY 2020 funding to ensure adequate representation of rural areas amongst YHDP communities.

HUD changed the threshold requirements for letters of support from the Public Child Welfare Agency (PCWA) and Youth Action Board to a rating factor.

HUD modified the CoC waiver process to provide more flexibility with respect to YHDP projects that do not comply with CoC program requirements. These exceptions are outlined in Appendix A.

HUD moved the detailed explanation of the CCP requirements to Appendix B for clarity.

3. Definitions.

a. Standard Definitions

**Affirmatively Furthering Fair Housing (AFFH)**. Affirmatively Furthering Fair Housing (AFFH) means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all of a program participant’s activities and programs relating to housing and urban development.

**Assistance Listings** means a unique number assigned to identify a Federal Assistance Listing, formerly known as the CFDA Number.

**Federal Financial Assistance** means assistance that entities received or administer in the form of:

1) Grant;

2. Cooperative agreements (which does not include a cooperative research and development agreement pursuant to the Federal Technology Transfer Act of 1986, as amended (15 U.S.C. 3710a));

3. Loans;

4. Loan guarantees;

5. Subsidies;

6. Insurance;

7. Food commodities;

8. Direct appropriations;

9. Assessed or voluntary contributions; or

10. Any other financial assistance transaction that authorizes the non-Federal entity's expenditure of Federal funds.

b. Federal Financial Assistance does not include:

1. Technical assistance, which provides services in lieu of money; and
2. A transfer of title to federally owned property provided in lieu of money, even if the award is called a grant.

**Authorized Organization Representative (AOR)** is the person authorized to submit applications on behalf of the organization via Grants.gov. The AOR is authorized by the E-Biz point of contact in the System for Award Management. The AOR is listed in item 21 on the SF-424.

**Consolidated Plan** is a document developed by states and local jurisdictions. This plan is completed by engaging in a participatory process to assess their affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions with funding from formula grant programs. (See 24 CFR part 91 HUD’s requirements regarding the Consolidated Plan and related Action Plan).

**Contract** means, for the purpose of Federal financial assistance, a legal instrument by which a recipient or subrecipient purchases property or services needed to carry out the project or program under a Federal award. For additional information on contractor and subrecipient determinations see 2 CFR 200.331.

**Contractor** means an entity that receives a contract as defined in 2 CFR 200.1.

**Deficiency** is information missing or omitted within a submitted application. Examples of deficiencies include missing documents, information on a form, or some other type of unsatisfied information requirement (e.g., an unsigned form, unchecked box.). Depending on specific criteria, deficiencies may be either curable or non-curable.

- **Curable Deficiencies** may be corrected by the applicant with timely action. To be curable the deficiency must:
  - Not be a threshold requirement, except for documentation of applicant eligibility;
  - Not influence how an applicant is ranked or scored versus other applicants; and
  - Be remedied within the time frame specified in the notice of deficiency.
- **Non-Curable Deficiencies** cannot be corrected by an applicant after the submission deadline.

Non-curable deficiencies are deficiencies that, if corrected, would change an applicant’s score or rank versus other applicants. Non-curable deficiencies may result in an application being marked ineligible, or otherwise adversely affect an application’s score and final determination.

**DUNS Number** is the nine-digit Dun and Bradstreet Data Universal Number System identification number assigned to a business or organization by Dun & Bradstreet and provides a means of identifying business entities on a location-specific basis. OMB removed duplicate recipients based on recipient Data Universal Number System (DUNS) numbers, from Dun & Bradstreet (D&B). At this time all Federal financial assistance recipients are required to register for DUNS numbers.

**E-Business Point of Contact (E-Biz POC)** A user registered as an organization applicant who is responsible for the administration and management of grant activities for his or her organization. The E-Biz POC is likely to be an organization's chief financial officer or authorizing official. The
E-Biz POC authorizes representatives of their organization to apply on behalf of the organization (see Standard AOR and Expanded AOR). There can only be one E-Biz POC per DUNS Number.)

**Eligibility requirements** are mandatory requirements for an application to be eligible for funding.

**Federal award,** has the meaning, depending on the context, in either paragraph (1) or (2) of this definition:

1. The Federal financial assistance that a recipient receives directly from a Federal awarding agency or a subrecipient receives indirectly from a pass-through entity, as described in 2 CFR §200.101; or
   
   ii. The cost-reimbursement contract under the Federal Acquisition Regulations that a non-Federal entity receives directly from a Federal awarding agency or indirectly from a pass-through entity, as described in 2 CFR §200.101.

2. The instrument setting forth the terms and conditions. The instrument is the grant agreement, cooperative agreement, other agreement for assistance covered in paragraph (2) of the definitions of Federal financial assistance in 2 CFR §200.1, or the cost-reimbursement contract awarded under the Federal Acquisition Regulations.

3. Federal award does not include other contracts that a Federal agency uses to buy goods or services from a contractor or a contract to operate Federal Government owned, contractor operated facilities (GOCOs).

4. See also definitions of Federal financial assistance, grant agreement, and cooperative agreement.

**Grants.gov** is the website serving as the Federal government’s central portal for searching and applying for Federal financial assistance throughout the Federal government. Registration on Grants.gov is required for submission of applications to prospective agencies unless otherwise specified in this NOFO.

**Non-Federal Entity (NFE)** means a state, local government, Indian tribe, Institution of Higher Education (IHE), or non-profit organization that carries out a Federal award as a recipient or subrecipient.

**Point of Contact (POC)** is the person who may be contacted with questions about the application submitted by the AOR. The POC is listed in item 8F on the SF-424.

**Recipient** means an entity, usually but not limited to non-Federal entities, that receives a Federal award directly from HUD. The term recipient does not include subrecipients or individuals that are beneficiaries of the award.

**Small business** is defined as a privately-owned corporation, partnership, or sole proprietorship that has fewer employees and less annual revenue than a corporation or regular-sized business. The definition of "small"—in terms of being able to apply for government support and qualify for preferential tax policy—varies by country and industry. The U.S. Small Business Administration defines a small business according to a set of standards based on specific industries. \{e-CFR Title 13-Chapter I – Part 121\}
Subaward means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that pass-through entity considers a contract.

Subrecipient means an entity, usually but not limited to non-Federal entities, that receives a subaward from a pass-through entity to carry out part of a Federal award but does not include an individual that is a beneficiary of such award. A subrecipient may also be a recipient of other Federal awards directly for a Federal awarding agency.

System for Award Management (SAM) means the Federal Repository into which an entity must provide information required for the conduct of business as a recipient. Registration with SAM is required for submission of applications via Grants.gov. You can access the website at https://www.sam.gov/SAM/. There is no cost to use SAM.

Threshold Requirements are an eligibility requirement that must be met for an application to be reviewed. Threshold requirements are not curable, except for documentation of applicant eligibility and are listed in Section III.D Threshold Eligibility Requirements. Similarly, there are eligibility requirements under Section III.E, Statutory and Regulatory Requirements Affecting Eligibility.

Unique Entity Identifier means the identifier required for SAM registration to uniquely identify business entities.

4. Program Definitions
a. Collaborative Applicant - The eligible entity that has been designated by the CoC during the FY 2020 CoC Program Registration Process to apply for a grant on behalf of the CoC. The Collaborative Applicant must be the "Applicant" for each community applying for participation in the demonstration. In cases where the CoC needed to change the Collaborative Applicant and that change was approved after this NOFO was published but before the deadline for submissions, that approved replacement Collaborative Applicant is the eligible applicant for this NOFO.

b. Community - Self-organized network of people in a defined geographic area with common agenda, cause, or interest, who collaborate by sharing ideas, information, and other resources. The community must be within a geographic boundary of a single CoC.

c. Continuum of Care (CoC) - the group organized to carry out the responsibilities required under 24 CFR Part 578 and that is composed of representatives of organizations, including non-profit homeless providers, victim service providers, faith-based organizations, governments, businesses, advocates, public housing agencies, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing providers, law enforcement, organizations that serve homeless and formerly homeless veterans, and homeless and formerly homeless persons; to the extent these groups are represented within the geographic area and are available to participate.

d. Housing First - a model of assistance that prioritizes rapid placement and stabilization in permanent housing that does not have service participation requirements or preconditions (such as sobriety or a minimum income threshold). Transitional housing and supportive service only projects can be considered to be using a Housing First model for the purposes of this NOFO if
they operate with low-barriers, work to quickly move people into permanent housing, do not require participation in supportive services, and, for transitional housing projects, do not require any preconditions for moving into the transitional housing (e.g., sobriety or minimum income threshold).

e. Project Applicant - an eligible applicant, as defined in section 24 CFR 578.3 of the CoC Program interim rule, that is designated by the Collaborative Applicant or its designee to apply for assistance under the YHDP and is a private non-profit organization, State, local government, or instrumentality of State or local government. However, if the Collaborative Applicant is a UFA, the Project Applicant must be the UFA. If the Project Applicant is applying for a dedicated HMIS grant, the Project Applicant must be the Collaborative Applicant or the HMIS Lead. All Project Applicants must receive the approval of their Youth Action Board for projects contained in their applications.

f. Public Child Welfare Agency - the governmental entity that has care, custody and responsibility for children in foster care and is responsible for the provision of services and support to youth who have left foster care after age 18 to age 21.

g. Rural - a county or group of counties designated by the applicant in which:

- the population in the CoC has more people residing in rural areas than either suburban or urban areas, based on data from the Census Bureau. Applicants qualifying under this element of the rural definition must designate the entire CoC’s geographic area as the geographic area of the community in IV.B.1 of this NOFO; or
- the population across the designated counties included in the geographic area, which does not encompass the entire CoC, has more people residing in rural areas than either suburban or urban areas, based on data from the Census Bureau; or
- the designated geographical area is located in a state that has a population density of less than 30 persons per square mile (as reported in the most recent decennial census), and at least 1.25 percent of the total acreage of such State is under Federal jurisdiction, provided that no metropolitan city in such State is the sole beneficiary of the grant amounts awarded under this NOFO.

h. Trauma Informed Care (TIC) Model - An approach that recognizes the widespread impact of trauma and understands potential paths for recovery, recognizes the signs and symptoms of trauma in clients, families, staff and others involved with the system, responds by fully integrating knowledge about trauma into policies, procedures, and practices and seeks to actively resist re-traumatization. TIC models generally include a focus on the following: Safety; Trustworthiness and Transparency; Peer Support; Collaboration and Mutuality; Empowerment; Voice and Choice; and Cultural, Historical, and Gender Issues.

i. Unified Funding Agency (UFA) - an eligible applicant selected by the CoC to apply for a grant for the entire Continuum, which has the capacity to carry out the duties in 24 CFR 578.11(b), which is approved by HUD and to which HUD awards a grant.

j. Youth - Persons aged 24 and younger (has not reached their 25th birthday).

- Unaccompanied Youth - persons who are age 24 or younger, who are not part of a family with children.
- Pregnant or Parenting Youth – Individual heads of households who are age 24 or younger who are pregnant or who are the parents or legal guardians of one or more children who are present with or sleeping in the same place as that youth parent.
- Transition Age Youth- persons between age 18 and 24.

k. Youth Action Board (YAB)- A group of at least 3 youth with voting power on policy decisions of the CoC, particularly on policies that relate to preventing and ending youth homelessness. Each YAB member must be age 24 or younger, and at least two-thirds of the YAB members must have lived experience of homelessness and should be representative of the youth and young adult population experiencing homelessness in the community. The Youth Action Board must be a formal committee within the CoC.

B. Authority.
The FY 2019 funds announced in this NOFO were authorized by the Consolidated Appropriations Act, 2019 (Public Law 116-6), approved February 15, 2019, as amended by section 238 of division L of the Consolidated Appropriations Act, 2021 (Public Law 116-260), approved December 27, 2020. The FY 2020 funds announced in this NOFO were authorized by the Further Consolidated Appropriations Act, 2020 (Public Law 116-94), approved December 20, 2019.

II. Award Information.
A. Available Funds
Funding of approximately $145,000,000 is available through this NOFO.
Additional funds may become available for award under this NOFO, because of HUD’s efforts to recapture funds, use carryover funds, or because of the availability of additional appropriated funds. Use of these funds is subject to statutory constraints. All awards are subject to the funding restrictions contained in this NOFO.

B. Number of Awards.
HUD expects to make approximately 50 awards from the funds available under this NOFO.

A Collaborative Applicant can apply on behalf of more than one community; however, HUD will not select more than one community within a CoC's geographic area. HUD will select at least 8 rural applicants to receive FY 2019 funding under this NOFO, provided that they meet a minimum score of 65 out of 100 points, outlined in section V.A.1. If there are fewer than 8 rural applications that meet a minimum score of 65 points, HUD will select the next most rural applicant who meets this baseline score of 65 points. HUD considers the "next most rural" as the applicant that has the highest percentage of population living in rural areas that scores at or above the baseline score of 65, provided that the designated geographic area in the application does not have less than 25% of the population living in rural areas, which HUD has determined is a substantial rural population.

HUD will consider applications from Collaborative Applicants within CoCs that were awarded for less than the total geographic area of the CoC in the FY 2016, FY 2017, or FY 2018 YHDP competitions. Any area that was included in previous YHDP awards may not be included in the application for such areas.
HUD intends to award approximately $145,000,000.

C. Minimum/Maximum Award Information

For each community selected under this competition, HUD will make a minimum of $1 million available for total YHDP funding. This total funding may be split among any number of projects in the community. For example, YHDP funding within a selected community may be used for one project or split among 10 projects.

The total YHDP funding available to each selected community will be based on a formula that accounts for the number of youth in poverty in each community ages 12 to 24 (using data from the American Community Survey), the average for years 2017 and 2019 of the number of unaccompanied youth up to age 24 plus the number of households headed by a youth up to age 24 who are experiencing homelessness as reported to HUD in HDX (or most recent two counts submitted to HUD in HDX if the community does not have homelessness data from 2017 and 2019), and the 2- bedroom FMR for the geographic area listed in the community application (if there is more than one FMR for the geographic area, HUD will calculate a population weighted average (FMR)). In addition, the formula ensures that the amount of funding communities receive is adjusted for the size and level of need in selected communities.

HUD will rank community applications in order of responses to the rating factors outlined in section V.A.1 of this NOFO; only applications that receive a score of 65 points or higher will be considered for funding. HUD will use the following process to select communities and determine the total funding to be made available in each community under the FY 2019 Act or the FY 2020 Act.

FY 2019 Appropriations: HUD will select the 8 highest scoring rural communities and the top 8 scorers from the remaining communities, apply the formula to those 16 communities, then select further communities and redo the formula for all selected communities as explained below.

1. For each selected community, HUD will multiply the number of youth ages 12-24 who are in poverty in the community by the 2-bedroom FMR for the geographic area listed in the community application. This is called the community's "poverty formula factor."

2. For each selected community, HUD will divide the community's poverty formula factor by the sum of the poverty formula factors for all communities selected. This is called the "poverty community ratio."

3. For each selected community, HUD will calculate the "youth homelessness factor" by taking the average for 2017 and 2019 of the number of unaccompanied youth experiencing homelessness up to age 24 plus the number of households headed by a youth experiencing homelessness up to age 24 as reported to HUD in HDX. If the community does not have youth homelessness data from 2017 and 2019, HUD will use the most recent two counts submitted to HUD in HDX.

4. For each selected community, HUD will divide the community's youth homelessness factor by the sum of the youth homelessness factors for all selected communities. This is called the “homelessness community ratio.”

5. HUD will allocate an initial formula amount of $1 million to each selected community.
6. For each selected community, HUD will multiply its poverty community ratio by 0.7 times the total YHDP funding remaining after step 5, and multiply the homelessness community ratio by 0.3 times the total YHDP funding remaining after step 5, and add these two figures to the community's initial formula amount in step 5 to come up with the community's new formula amount.

7. HUD will calculate the ratio of the formula amount for each selected community to the poverty formula factor (see step 1) of that community.

If no ratio calculated in step 7 is less than 0.09, then HUD will select the next highest-scoring community from the applicant pool and redo steps 1 through 7 for all selected communities. HUD will repeat this process (selecting the next highest-scoring community and redoing steps 1 through 7 for all selected communities), until any ratio calculated in step 7 is less than 0.09 or 25 communities are selected and receive formula amounts. The purpose of this step is to ensure that each selected community receives enough funding to have a substantial impact. It does this by setting a minimum level of funding, adjusted for the size of selected communities and level of need. If no selected community is below the ratio calculated in Step 7, HUD will select additional communities. Once a selected community falls below a ratio of .09 or 25 communities are selected and receive formula amounts, HUD will stop selecting communities.

FY 2020 Appropriations: HUD will remove communities awarded funding under the FY 2019 funding from the ranked application list, and select the next 16 highest scoring applications, and apply the formula described above. If no ratio calculated in step 7 is less than 0.08, then HUD will select the next highest-scoring community from the applicant pool and redo steps 1 through 7 for all selected communities. HUD will repeat this process (selecting the next highest-scoring community and redoing steps 1 through 7 for all selected communities), until any ratio calculated in step 7 is less than 0.08 or 25 communities are selected and receive formula amounts. This step applies the same process for determining how many communities are selected with FY 2020 funds as for FY 2019, but uses a ratio of .08 rather than .09. As described above, the purpose of this step is to ensure that each selected community receives enough funding to have a substantial impact. It does this by setting a minimum level of funding, adjusted for the size of selected communities and level of need. The minimum ratio calculated in step 7 for selected communities for FY 2019 funding is higher than the minimum ratio calculated in step 7 for selected communities for FY 2020 funding to provide higher levels of funding for communities that scored higher and are selected with FY 2019 funding.

Estimated Total Funding:
$ 145,000,000

Minimum Award Amount:
$ 1,000,000
Per Project Period

Maximum Award Amount:
$ 15,000,000
Per Project Period
D. Period of Performance

Project Applicants within selected communities may apply for projects designed to implement the CCP to prevent and end youth homelessness immediately following the approval of the CCP and up until 11:59:59 PM EDT, July 1, 2022 or until the community ceases to participate or the available funds have been depleted (whichever is earlier). During plan development, Collaborative Applicants for their designee may apply for planning projects to support the selected community's planning efforts. Public Law No: 116-94 and Public Law No: 116-260 requires HUD to obligate YHDP funds by September 30, 2022. The period of performance for each award will be determined as provided below. HUD may amend the grant agreement to extend this period of performance. However, in no case will HUD authorize expenditures or drawdown of FY 2019 funds beyond the date HUD's FY 2019 YHDP account must be closed under applicable law or for administrative purposes (approximately September 15, 2027). Project Applicants must plan accordingly and only submit applications that can start operations in a timely manner with sufficient time to complete the post award process and the awarded grant term.

The period of performance for all grants will begin on the project start date HUD enters into LOCCS after the recipient makes its first drawdown of funds. All grants for projects will be for an initial 2-year grant term, except for CoC planning projects which will be for a 1-year grant term and are non-renewable. Collaborative applicants within selected communities can apply for more than one planning project over the course of the YHDP. All projects, except planning projects may be eligible for 1-year renewal terms after the initial grant term expires beginning with the next CoC Program Competition as further explained in section I.C.1 of Appendix A. If a community cannot successfully complete the development of a CCP or must otherwise withdraw from the demonstration, the funding HUD has made available but did not obligate to projects in that community will be made available to the other selected communities or other communities HUD selects as provided in section II.C subject to HUD's right to select lower scoring community selection applications under section III.F.a, provided that sufficient funds are available.

Estimated Project Start Date:
10/01/2021

Estimated Project End Date:
07/01/2024

Length of Project Periods:
24-month project period and budget period

Other

12-month project period and budget period

Length of Periods Explanation of Other:
HUD will award planning projects for a 1-year non-renewable grant term. All other approved projects will be awarded for 2-year grant terms and may be renewed for 1-year grant terms under the CoC Program as explained in section I.C of Appendix A.
**E. Type of Funding Instrument.**
Funding Instrument Type:
G (Grant)

**III. Eligibility Information.**

**A. Eligible Applicants.**
00 (State governments)
01 (County governments)
02 (City or township governments)
04 (Special district governments)
25 (Others (see text field entitled "Additional Information on Eligibility" for clarification))

**Additional Information on Eligibility**
(25) Other -
Nonprofits, as demonstrated by criteria at 24 CFR 5.109(l)(1) through 24 CFR 5.109(l)(5).

**Community Selection application:**
Available to Collaborative Applicants designated by CoCs registered through the FY 2020 CoC Program Registration process. The Collaborative Applicant can apply for any community located within its CoC’s geographic area. The Collaborative Applicant can also apply for multiple communities located within its CoC’s geographic area; however, HUD will not select more than one community within a CoC’s geographic area.

**Project application:**
Project Applicants that are designated during the application process by the Collaborative Applicant or its designee are eligible to apply for grant funds. The Collaborative Applicant may apply for projects under this Demonstration as well. The Collaborative Applicants that are not Unified Funding Agencies (UFAs) may also designate an eligible applicant to be the recipient of the planning grant. UFAs must apply for and be recipient of all grants for their Community. For-profit entities are not eligible to apply for grants or to be subrecipients of grant funds.

For a dedicated HMIS grant, the application must either be from the UFA (when there is a UFA for the community) or the HMIS Lead (when there is no UFA for the community) that will be the grant recipient.

To be considered for funding, Project Applicants must complete the information required by HUD, receive the approval of the YAB for their project(s) through a letter of support, and receive the approval of the CoC to apply for funding, as signed off on by the Collaborative Applicant or its designee.

**This NOFO application is for community selection only. Applications for funding individual projects will occur after communities have been selected. Requirements for applying for projects are detailed in Appendix A.**
As required in the Code of Federal Regulations (CFR) at 2 CFR 25.200 and 24 CFR Part 5 Subpart K, all applicants for financial assistance must have an active Data Universal Numbering System (DUNS) number (http://fedgov.dnb.com/webform) and have an active registration in the System for Award Management (SAM) (www.sam.gov) before submitting an application. Getting a DUNS number and completing SAM registration can take up to four weeks. Therefore, applicants should start this process or check their status early. See Section IV.C for information on SAM and the DUNS number requirement.

See also Section IV.B for necessary form and content information.

**B. Ineligible Applicants.**

Ineligible Applicants. HUD will not consider an application from an ineligible applicant. HUD will only score applications for community selection that are completed by a CoC’s Collaborative Applicant.

**C. Cost Sharing or Matching.**

This Program requires cost sharing or matching as described below.

This NOFO requires a Project Applicant to leverage resources through cost sharing or matching as described in the regulation at 24 CFR 578.73, except as otherwise provided in Appendix A.

**D. Threshold Eligibility Requirements.**

Applicants who fail to meet any of the following threshold eligibility requirements will be deemed ineligible. Applications from ineligible applicants will not be evaluated.

**1. Resolution of Civil Rights Matters.** Outstanding civil rights matters must be resolved before the application deadline. Applicants, who after review are confirmed to have civil rights matters unresolved at the application deadline, will be deemed ineligible. Their applications will receive no further review, will not be rated and ranked, and they will not receive funding.

a. Applicants having any of the charges, cause determinations, lawsuits, or letters of findings referenced in subparagraphs (1) – (5) that have not been resolved to HUD’s satisfaction before or on the application deadline date are ineligible for funding. Such matters include:

1. Charges from HUD concerning a systemic violation of the Fair Housing Act or receipt of a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of a substantially equivalent state or local fair housing law proscribing discrimination because of race, color, religion, sex, national origin, disability or familial status;
2. Status as a defendant in a Fair Housing Act lawsuit filed by the Department of Justice alleging a pattern or practice of discrimination or denial of rights to a group of persons raising an issue of general public importance under 42 U.S.C. 3614(a);
3. Status as a defendant in any other lawsuit filed or joined by the Department of Justice, or in which the Department of Justice has intervened, or filed an amicus brief or statement of interest, alleging a pattern or practice or systemic violation of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973,
Section 109 of the Housing and Community Development Act of 1974, the Americans with Disabilities Act or a claim under the False Claims Act related to fair housing, non-discrimination, or civil rights generally including an alleged failure to affirmatively further fair housing;
4. Receipt of a letter of findings identifying systemic non-compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974; or the Americans with Disabilities Act; or
5. Receipt of a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of provisions of a state or local law prohibiting discrimination in housing based on sexual orientation, gender identity, or lawful source of income.

b. HUD will determine if actions to resolve the charge, cause determination, lawsuit, or letter of findings taken before the application deadline date will resolve the matter. Examples of actions that may be sufficient to resolve the matter include, but are not limited to:
1. Current compliance with a voluntary compliance agreement signed by all the parties;
2. Current compliance with a HUD-approved conciliation agreement signed by all the parties;
3. Current compliance with a conciliation agreement signed by all the parties and approved by the state governmental or local administrative agency with jurisdiction over the matter;
4. Current compliance with a consent order or consent decree;
5. Current compliance with a final judicial ruling or administrative ruling or decision; or
6. Dismissal of charges.

2. Timely Submission of Applications. Applications submitted after the deadline stated within this NOFO that do not meet the requirements of the grace period policy will be marked late. Late applications are ineligible and will not be considered for funding. See Section IV. D. Application Submission Dates and Times.

E. Statutory and Regulatory Requirements Affecting Eligibility.

Eligibility Requirements for Applicants of HUD’s Grants Programs
The following requirements affect applicant eligibility. Detailed information on each requirement is posted on HUD’s Funding Opportunities Page.

- Active Prime and Sub Recipient registration with SAM.gov
- Outstanding Delinquent Federal Debts
- Debarments and/or Suspensions
- Pre-selection Review of Performance
- Sufficiency of Financial Management System
- False Statements
- Mandatory Disclosure Requirement
- Prohibition Against Lobbying Activities
- Equal Participation of Faith-Based Organizations in HUD Programs and Activities
F. Program-Specific Requirements.

a. Identifying a Target Community Area
Applicants have the option of identifying the entire geographic area of the CoC as the demonstration community or designating a smaller area that includes a single community or group of communities within the CoC’s geographic area as the YHDP community. In addition, the CoC can designate the application as a rural community application, competing for the 8 reserved rural community selection availabilities for FY 2019 funding and the prioritization of up to 8 rural communities for FY 2020 funding. If an applicant decides to submit two applications, one for the rural communities within the CoC and one for the non-rural areas or the entire CoC, HUD will consider both applications independently but will only select one community per CoC. In general, HUD will select the higher scoring application of the two; however, HUD reserves the right to select the lower scoring application if there are no other qualifying applications in the competition group (rural or non-rural) or if the next qualifying application in that group is lower in quality by a significant degree.

HUD has determined that geographic diversity is an appropriate consideration in selecting communities for the YHDP. To this end, HUD reserves the right to fund eligible communities with the highest total score in each of the 10 HUD regions. In addition, HUD will also consider the size of the overall population to ensure that urban, suburban, and rural communities are selected and balanced across the FY 2019 and FY 2020 awards, to ensure that one round of funding does not contain an imbalanced number of very large cities.

Applicants are required to respond to the questions listed in Section V.A.1 regarding their proposed geographic area for the YHDP. Eligibility as a Rural Community will be determined based on the geographic areas selected in the SF-424; number of youth experiencing poverty will be verified using Federal census data. If not enough Rural Communities score high enough to qualify for selection for the FY 2019 funding, HUD will select the "next most rural" communities that do meet the scoring threshold as outlined in section II.B. HUD will consider applications from CoCs that were awarded for less than the total area of the CoC in the FY 2016, FY 2017, and FY 2018 competitions, provided that none of the geographic area was covered in the previously awarded application.

b. Develop a coordinated community plan
Selected communities are required to develop a CCP to prevent and end youth homelessness. Communities selected for funding under this Notice will have a total of 6 months to submit a CCP. Communities that need additional time to form their youth action board or develop community capacity to begin the coordinated community planning phase may request up to a 3 month extension of this deadline by sending an email to youthdemo@hud.gov. The planning process is expected to lay the groundwork for implementation and provide a framework for the various projects that the Project Applicants will apply for. The plan submission will also impact the availability of funding for selected communities, as HUD will only allow planning project applications until a CCP has been approved by HUD.

HUD will only approve of a CCP that meets threshold criteria, including whether the plan addresses the mandatory structural components below:
Mandatory Structural Components of a CCP
A CCP must include the following structural components:

- A statement of need concerning at-risk and homeless unaccompanied and pregnant or parenting youth in the geographic area;
- A list of partners, and a description of their involvement in the development of the CCP;
- A shared vision, list of goals, objectives, and action steps;
- A list of new projects;
- A governance structure;
- A signature page that includes signatures of official representatives of at least the following systems:
  - The Continuum of Care
  - Public Child Welfare Agencies
  - Local Government Agency
  - Youth Action Board
  - Runaway and Homeless Youth Program Providers (if any)

More information on the required components of the CCP can be found in Appendix B.

Plan Submission and HUD Review

The CCP must be submitted electronically to YouthDemo@hud.gov no later than 6 months after announcement of the selected communities, unless an extension is granted, in which case the CCP must be submitted electronically no later than the deadline as extended. HUD will review each plan and provide feedback within 2 weeks of submission. All community plans must be compliant with all relevant Federal requirements, including fair housing and civil rights requirements. HUD reserves the right to reject a plan and require resubmission if the plan does not meet the requirements described above. HUD reserves the right to extend up to a 3 month extension of the due date for the CCP submission if the community requests additional time to form their youth action board or develop community capacity to begin the coordinated community planning phase.

Release of Full Funding

Prior to HUD approval of the CCP, HUD will only consider project applications for planning projects using their awarded YHDP funds. Once a plan is approved by HUD, Project Applicants within the selected communities may submit project applications for all projects listed under their CCP. See Appendix A for further details on project applications for planning and non-planning projects.

Communities must submit a plan to HUD by deadlines discussed above. If HUD does not receive the CCP in that timeframe, the selected community will lose access to all its remaining funding. Funding that has already been obligated for projects will continue to be available for those projects only.

c. Displacement, relocation and acquisition
Applicants are reminded that the CoC program regulations at 24 CFR 578.83 include unique requirements addressing displacement, relocation, and acquisition. In addition to these program specific requirements, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (URA) may apply. The URA generally applies when there is acquisition, rehabilitation or demolition for a Federally-funded program or project.

This program requires a certification of Consistency with the Consolidated Plan under 24 CFR 91.2. This certification means the proposed activities in the application are consistent with the jurisdiction's strategic plan, and the location of the proposed activities is consistent with the geographic areas specified in the Consolidated Plan.

G. Criteria for Beneficiaries.

NA

IV. Application and Submission Information.
A. Obtaining an Application Package.

Instructions for Applicants.
You must download both the Application Instructions and the Application Package from Grants.gov. You must verify that the Assistance Listing Number and Assistance Listing Description on the first page of the Application Package, and the Funding Opportunity Title and the Funding Opportunity Number match the Program and NOFO to which you are applying.

The Application Package contains the portable document forms (PDFs) available on Grants.gov, such as the SF-424 Family. The Instruction Download contains official copies of the NOFO and forms necessary for a complete application. The Instruction Download may include Microsoft Word, Microsoft Excel and additional documents.

An applicant demonstrating good cause may request a waiver from the requirement for electronic submission, for example, a lack of available Internet access in the geographic area in which your business offices are located. Lack of SAM registration or valid DUNS Number is not good cause. If you cannot submit your application electronically, you must ask in writing for a waiver of the electronic grant submission requirements. HUD will not grant a waiver if HUD does not receive your written mailed, shipped, or emailed request at least 15 calendar days before the application deadline and if you do not demonstrate good cause. If HUD waives the requirement, HUD must receive your paper application before the deadline of this NOFO. To request a waiver, you must contact:

Name: Caroline Crouse
Email: YouthDemo@hud.gov
HUD Organization: SNAPS
Applicants requesting a waiver should submit their waiver requests via e-mail to Youthdemo@hud.gov. The subject line should contain the name of the applicant and ‘Request for Waiver of Electronic Submission for Youth Demo’.

**B. Content and Form of Application Submission.**

You must verify that boxes 11, 12, and 13 on the SF-424 match the NOFO for which you are applying. If they do not match, you have downloaded the wrong Application Instruction and Application Package.

Submission of an application that is otherwise sufficient, under the wrong Assistance Listing and Funding Opportunity Number is non curable unless otherwise stated in Threshold requirements.

1. **Content.**

<table>
<thead>
<tr>
<th>Forms/Assurances/Certifications</th>
<th>Submission Requirement</th>
<th>Notes/Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application for Federal Assistance (SF424)</td>
<td>Submission is required for all applicants by the application due date.</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Lobbying Activities (SFLLL), if applicable</td>
<td>HUD will provide instructions to grantees on how the form is to be submitted.</td>
<td>If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the applicant shall complete and submit the SF-LLL, &quot;Disclosure Form to Report...&quot;</td>
</tr>
<tr>
<td>Forms/Assurances/Certifications</td>
<td>Submission Requirement</td>
<td>Notes/Description</td>
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<tr>
<td>Lobbying,&quot; in accordance with its instructions. Applicants must furnish an executed copy of the Certification Regarding Lobbying prior to award.</td>
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<tr>
<td>HUD Applicant Recipient Disclosure Report (HUD) 2880 Applicant/Recipient Disclosure/Update Report</td>
<td>HUD will provide instructions to grantees on how the form is to be submitted.</td>
<td></td>
</tr>
<tr>
<td>HUD instructions to grantees are provided by webcast, To view the webcast, click here.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Acknowledgment of Application Receipt (HUD2993), if applicable</td>
<td>This form is applicable only to applications submitted on paper, following receipt of a waiver of electronic submission</td>
<td></td>
</tr>
<tr>
<td>This form is not required but is available for applicants who want confirmation that their hard-copy application was received by HUD. The form must be submitted with the application, in accordance with the application submission instructions included in the waiver of electronic submission.</td>
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Additionally, your complete application must include the following narratives and non-form attachments:

- Applicants are required to respond to the following questions regarding their proposed geographic area for the YHDP. Applicants must indicate:
  - Whether you are requesting participation as a rural community in the YHDP through this application.
  - The geographic area that the application covers. If the application covers a geographic area smaller than an entire CoC, the application must list all counties covered by the application and a justification for the decision to apply for a geographic area smaller than an entire CoC.
- Narrative: Responses to the rating factors in Section V.A.1
- Agreement: Youth Action Board agreement as described in Section V.A.1 under Collaboration - please name the attachment "Youth Action Board Agreement"
• Agreement: PCWA agreement as described in Section V.A.1 under Collaboration - please name the attachment "PCWA Agreement"

• The HUD Applicant Recipient Disclosure Report (HUD 2880) can be found here: http://portal.hud.gov/hudportal/documents/huddoc?id=2880.pdf. The form should be completed and sent with the application via grants.gov.

2. Format and Form.
Narratives and other attachments to your application must follow the following format guidelines.
25 Pages maximum length of narratives

Other

The application will be comprised of narrative exhibits and required attachments. The narratives will respond to thresholds, rating factors, and other criteria in the NOFO as indicated below.

Applicants should number their narrative responses to correspond to the numbering in Section V.A.1. The narrative will be a maximum of 25 pages and needs to comply with the following format:

• Double-space your narrative exhibit pages. Single-spaced pages will be counted as two pages;
• Use 8-1/2 x 11-inch paper;
• All margins should be approximately one inch. If any margin is smaller than 1/2 inch, the page will be counted as two pages;
• Use 12-point, Times New Roman font;
• Any pages marked as sub-pages (e.g., with numbers and letters such as 25A, 25B, 25C), will be treated as separate pages;
• If a section is not applicable, indicate "N/A" so that there is a clear indication to HUD (do not just leave the section blank);
• No more than one page of text may be placed on one sheet of paper; i.e., you may not shrink pages to get two or more on a page. Shrunken pages, or pages where a minimized/reduced font are used, will be counted as multiple pages;
• Do not format your narrative exhibits in columns. Pages with text in columns will be counted as two pages;
• Any tables included in the narrative exhibits of the application must also be double spaced or they will be counted twice; and
• All pages should be numbered. HUD recommends that applicants consecutively number the pages of the Attachments section to ensure proper assembly of their application if printed.

Attachments will not count toward the 25-page maximum.
There is no minimum length required for narratives. However, HUD will review only the first 25 pages of narrative (not including required attachments). Any responses after 25 pages will not be considered for scoring for this competition.
C. System for Award Management (SAM) and Dun and Bradstreet Universal Numbering System (DUNS) Number.

1. SAM Registration Requirement.
Applicants must be registered with https://www.sam.gov/ before submitting their application. Applicants must maintain current information in SAM on immediate and highest-level owner and subsidiaries, as well as on all predecessors that have been awarded a Federal contract or grant within the last three years, if applicable. Information in SAM must be current for all times during which the applicant has an active Federal award or an application or plan under consideration by HUD.

2. DUNS Number Requirement.
Applicants must provide a valid DUNS number, registered and active at https://www.sam.gov/ in the application. DUNS numbers may be obtained for free from Dun & Bradstreet.

Anyone planning to submit applications on behalf of an organization must register at grants.gov and be approved by the E-Biz POC in SAM to submit applications for the organization. Registration for SAM and grants.gov is a multi-step process and can take four (4) weeks or longer to complete if data issues arise. Applicants without a valid registration cannot apply through grants.gov. Complete registration instructions and guidance are provided on grants.gov.

D. Application Submission Dates and Times.

Application Due Date Explanation
The application deadline is 11:59:59 PM Eastern Standard time on

07/27/2021

Applications must be received no later than the deadline, or, if HUD has issued you a waiver allowing you to submit your application in paper form, by HUD no later than the deadline.

Submit your application to Grants.gov unless a waiver has been issued allowing you to submit your application in paper form. Instructions for submitting your paper application will be contained in the waiver of electronic submission.

"Received by Grants.gov" means the applicant received a confirmation of receipt and an application tracking number from Grants.gov. Grants.gov then assigns an application tracking number and date-and timestamps each application upon successful receipt by the Grants.gov system. A submission attempt not resulting in confirmation of receipt and an application tracking number is not considered received by Grants.gov.

Applications received by Grants.gov must be validated by Grants.gov to be received by HUD.

"Validated by Grants.gov" means the application has been accepted and was not rejected with errors. You can track the status of your application by logging into Grants.gov, selecting "Applicants" from the top navigation, and selecting “Track my application” from the dropdown list. If the application status is "rejected with errors,” you must correct the error(s) and resubmit the application before the 24-hour grace period ends. Applications in “rejected with errors” status after the 24-hour grace period expires will not be received by HUD. Visit Grants.gov for a
complete description of processing steps after applying.

HUD strongly recommends you submit your applications at least **48 hours before the deadline** and during regular business hours to allow enough time to correct errors or overcome other problems.

**Grants.gov Customer Support.** Grants.gov provides customer support information on its website at [https://www.grants.gov/web/grants/support.html](https://www.grants.gov/web/grants/support.html). Applicants having difficulty accessing the application and instructions or having technical problems can receive customer support from Grants.gov by calling (800) 518-GRANTS (this is a toll-free number) or by sending an email to support@grants.gov. The customer support center is open 24 hours a day, seven days per week, except Federal holidays. The phone number above may also be reached by individuals who are deaf or hard of hearing, or who have speech disabilities, through the Federal Relay Service’s teletype service at 800-877-8339.

You can verify the contents of your submitted application to confirm Grants.gov received everything you intended to submit. To verify the contents of your submitted application:

- Log in to Grants.gov.
- Click the Check Application Status link, which appears under the Grant Applications heading in the Applicant Center page. This will take you to the Check Application Status page.
- Enter search criteria and a date range to narrow your search results.
- Click the Search button. To review your search results in Microsoft Excel, click the Export Data button.
- Review the Status column, to view more detailed submission information, click the Details link in the Actions column.
- To download the submitted application, click the Download link in the Actions column.

Please make note of the Grants.gov tracking number as it will be needed by the Grants.gov Help Desk if you seek their assistance.

HUD may extend the application deadline for any program if Grants.gov is offline or not available to applicants for at least 24 hours immediately prior to the deadline date, or the system is down for 24 hours or longer and impacts the ability of applicants to cure a submission deficiency within the grace period.

HUD may also extend the application deadline upon request if there is a presidentially declared disaster in the applicant’s area.

If these events occur, HUD will post a notice on its website establishing the new, extended deadline for the affected applicants. HUD will also include the fact of the extension in the program’s Notice of Funding Awards required to be published in the Federal Register.

In determining whether to grant a request for an extension based on a presidentially-declared disaster, HUD will consider the totality of the circumstances including the date of an applicant’s extension request (how closely it followed the basis for the extension), whether other applicants in the geographic area are similarly affected by the disaster, and how quickly power or services
are restored to enable the applicant to submit its application.

**PLEASE NOTE:** Busy servers, slow processing, large file sizes, improper registration or password issues are not valid circumstances to extend the deadline dates or the grace period.

1. **Amending or Resubmitting an Application.**
   Before the submission deadline, you may amend a validated application through Grants.gov by resubmitting a revised application containing the new or changed material. The resubmitted application must be received and validated by Grants.gov by the applicable deadline.

   If HUD receives an original and a revised application for a single proposal, HUD will evaluate only the last submission received by Grants.gov before the deadline.

2. **Grace Period for Grants.gov Submissions.**
   If your application is received by Grants.gov before the deadline, but is rejected with errors, you have a grace period of 24 hours after the application deadline to submit a corrected, received, and validated application through Grants.gov. The date and time stamp on the Grants.gov system determines the application receipt time. Any application submitted during the grace period not received and validated by Grants.gov will not be considered for funding. There is no grace period for paper applications.

3. **Late Applications.**
   An application received after the NOFO deadline date that does not meet the Grace Period requirements will be marked late and will not be received by HUD for funding consideration. Improper or expired registration and password issues are not causes that allow HUD to accept applications after the deadline.

4. **Corrections to Deficient Applications.**
   HUD will not consider information from applicants after the application deadline.

   HUD will uniformly notify applicants of each curable deficiency. See curable deficiency in the definitions section (Section I.A.3). Examples of curable (correctable) deficiencies include inconsistencies in the funding request and failure to submit required certifications. These examples are non-exhaustive.

   When HUD identifies a curable deficiency, HUD will notify the authorized organization representative identified on the SF 424 Application for Federal Assistance via email. This email is the official notification of a curable deficiency.

   Applicants must email corrections of curable deficiencies to applicationsupport@hud.gov within the time limits specified in the notification. The time allowed to correct deficiencies will be no less than 48 hours and no more than 14 calendar days from the date of the email notification. The start of the cure period will be the date stamp on the email sent from HUD. If the deficiency cure deadline date falls on a Saturday, Sunday, Federal holiday, or on a day when HUD’s Headquarters are closed, then the applicant’s correction must be received on the next business day HUD Headquarters offices in Washington, DC are open.
The subject line of the email sent to applicationsupport@hud.gov must state: Technical Cure and include the Grants.gov application tracking number or the GrantSolutions application number (e.g., Subject: Technical Cure - GRANT123456 or Technical Cure - XXXXXXXXXXXXX). If this information is not included, HUD cannot match the response with the application under review and the application may be rejected due to the deficiency.

Corrections to a paper application must be sent in accordance with and to the address indicated in the notification of deficiency. HUD will treat a paper application submitted in accordance with a waiver of electronic application containing the wrong DUNS number as having a curable deficiency. Failure to correct the deficiency and meet the requirement to have a DUNS number and active registration in SAM will render the application ineligible for funding.

5. Authoritative Versions of HUD NOFOs. The version of these NOFOs as posted on Grants.gov are the official documents HUD uses to solicit applications.

6. Exemptions. Parties that believe the requirements of the NOFO would impose a substantial burden on the exercise of their religion should seek an exemption under the Religious Freedom Restoration Act (RFRA).

E. Intergovernmental Review.
This program is not subject to Executive Order 12372, Intergovernmental Review of Federal Programs.

F. Funding Restrictions.
NA

Indirect Cost Rate.
Normal indirect cost rules under 2 CFR part 200, subpart E apply. If you intend to charge indirect costs to your award, your application must clearly state the rate and distribution base you intend to use. If you have a Federally negotiated indirect cost rate, your application must also include a letter or other documentation from the cognizant agency showing the approved rate. Successful applicants whose rate changes after the application deadline must submit new rate and documentation.

Applicants other than state and local governments. If you have a Federally negotiated indirect cost rate, your application must clearly state the approved rate and distribution base and must include a letter or other documentation from the cognizant agency showing the approved rate. If your agency does not have a current negotiated rate (including provisional) rate and elects to use the de minimis rate, your application must clearly state you intend to use the de minimis rate of 10% of Modified Total Direct Costs (MTDC). As described in 2 CFR 200.403, costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. Once elected, the de minimis rate must be applied consistently for all Federal awards until you choose to negotiate for a rate, which you may apply to do at any time. Documentation of the decision to use the de minimis rate must be retained on file for audit.
State and local governments. If your department or agency unit has a Federally negotiated indirect cost rate, your application must include that rate, the applicable distribution base, and a letter or other documentation from the cognizant agency showing the negotiated rate. If your department or agency unit receives more than $35 million in direct Federal funding per year, you may not claim indirect costs until you receive a negotiated rate from your cognizant agency for indirect costs as provided in Appendix VII to 2 CFR Part 200.

If your department or agency unit receives no more than $35 million in direct Federal funding per year and your department or agency unit has developed and maintains an indirect cost rate proposal and supporting documentation for audit in accordance with 2 CFR Part 200, Appendix VII, you may use the rate and distribution base specified in that indirect cost rate proposal. Alternatively, if your department or agency unit receives no more than $35 million in direct Federal funding per year and does not have a current negotiated rate (including provisional) rate, you may elect to use the de minimis rate of 10% of MTDC. As described in 2 CFR 200.403, costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. Once elected, the de minimis rate must be applied consistently for all Federal awards until you choose to negotiate for a rate, which you may apply to do at any time. Documentation of the decision to use the de minimis rate must be retained on file for audit.

G. Other Submission Requirements.

1. Application, Assurances and Certifications.

Standard Form 424 (SF-424) Application for Federal Assistance Programs is the government-wide form required to apply for Application for Federal Assistance Programs, discretionary Federal grants and other forms of financial assistance programs. Applicants for this Federal assistance program must submit all required forms in the SF-424 Family of forms, including SF-424B (Assurances of Non construction Programs) or SF424D (Assurances for Construction Programs).Applications receiving funds for both non-construction programs and construction programs must submit both the SF-424B and SF-424D.

By signing the forms in the SF-424 either through electronic submission or in paper copy submission (for those granted a waiver), the applicant and the signing authorized organization representative affirm that they have reviewed the certifications and assurances associated with the application for Federal assistance and (1) are aware the submission of the SF-424 is an assertion that the relevant certifications and assurances are established and (2) acknowledge that the truthfulness of the certifications and assurances are material representations upon which HUD will rely when making an award to the applicant. If it is later determined the signing authorized organization representative to the application made a false certification or assurance, caused the submission of a false certification or assurance, or did not have the authority to make a legally binding commitment for the applicant, the applicant and the individual who signed the application may be subject to administrative, civil, or criminal action. Additionally, HUD may terminate the award to the applicant organization or pursue other available remedies. Each applicant is responsible for including the correct certifications and assurances with its application submission, including those applicable to all applicants, those applicable only to Federally recognized Indian tribes, or Alaska native villages and those applicable to applicants other than federally recognized Indian tribes or Alaska native villages.
Assurances. By submitting your application, you provide assurances that, if selected to receive an award, you will comply with U.S. statutory and public policy requirements, including, but not limited to civil rights requirements. Applicants and recipients are required to submit assurances of compliance with federal civil rights requirements. See, e.g., Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments Act of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975; see also 24 C.F.R. §§ 1.5; 3.115; 8.50; and 146.25. HUD accepts these assurances in the form of the SF-424B and SF-424D, which also require compliance with all general federal nondiscrimination requirements in the administration of the grant.

V. Application Review Information.
A. Review Criteria.

1. Rating Factors.
1. Rating Factors.
Points are assigned for five rating factors: Leadership Capacity, Community Need, Collaboration, Youth Collaboration, and Data and Evaluation Capacity. Applications will be evaluated based on responses to all narratives. The table below outlines the selection criteria by rating factor with the points that may be awarded for each out of a possible 100 total points.

<table>
<thead>
<tr>
<th>Rating Factor</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leadership Capacity</td>
<td>15</td>
</tr>
<tr>
<td>Community Need</td>
<td>20</td>
</tr>
<tr>
<td>Collaboration</td>
<td>20</td>
</tr>
<tr>
<td>Youth Collaboration</td>
<td>25</td>
</tr>
<tr>
<td>Data and Evaluation Capacity</td>
<td>20</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

Rural Bonus for FY 2020 funds 10

**Leadership Capacity**

**Maximum Points:** 15

HUD will award up to 15 points to applicants that demonstrate they have the necessary leadership in place to effectively manage the development of a CCP to prevent and end youth homelessness. Applicants must:

1. Describe how the CoC has addressed a similar systematic challenge related to homelessness. Examples can include the CoC's efforts to prevent and end veteran's homelessness, adoption of a comprehensive coordinated entry process, and other innovative community-wide and cross-sector initiatives.

2. Demonstrate how the CoC structure will support the lead agency. The applicant must clearly identify the names of committees (and approximate number of members) within the CoC that will be involved in the planning and implementation of a coordinated community approach to prevent and end youth homelessness, each current committee objective, and current youth-relevant task(s).
3. Describe the CoC’s current written plan or strategy to prevent and end youth homelessness. If a part of a plan to prevent and end all forms of homelessness, to get maximum points under this criterion, there must be a dedicated section or set of youth-specific strategies and objectives. The narrative should include the organizations or agencies that helped to develop, signed or adopted the plan.

4. Describe how the CoC prioritizes authentic youth collaboration through the Youth Action Board or through youth participation in committee meetings or planning and feedback events. Additionally, the applicant must

   4a. Define what authentic youth collaboration means to your community
   4b. Describe the extent to which the CoC solicits and receives information from youth regarding youth homelessness; and
   4c. Describe how youth are prepared, debriefed, and otherwise supported for participation in committee meetings and other planning and feedback events.

**Community Need**

**Maximum Points:** 20

HUD will award up to 20 points to applicants that can demonstrate high need in the community based on the number and needs of the community's youth experiencing homelessness. Applicants must:

1. Describe the most recent youth homelessness needs assessment conducted by the CoC. The narrative must include the following:

   1a. The name of the lead and partnering agencies or organizations involved in the assessment.
   1b. How youth were involved in designing or executing the needs assessment.
   1c. The scope of the assessment including (1) geography, (2) types of housing units and (3) services covered;
   1d. A description of disparities identified through the assessment, including race, gender, LGBQT+ status, and system involvement.
   1e. An explanation of the key findings from the youth homelessness needs assessment, including the number and types of youth-appropriate housing units and the number of youths experiencing homelessness.

If no needs assessment was conducted in the previous 5 years, write "none".

2. Describe at least one youth-focused intervention that is not currently operating in the community that the community wishes to pursue. Include in your response the barriers that currently prevent you from implementing the intervention.

3. Describe how existing youth-focused interventions could be improved and their capacity increased. Include in your response barriers that prevent you from improving these interventions.

4. The factors that are currently contributing to youth homelessness in the community, including how your community identified which factors are most prominent. Your response should describe how factors have been identified at the community level and not how individual factors
are identified on a case-by-case basis.

5. Has your community assessed your homeless response system for disparities in populations that have a higher incidence of homelessness (e.g. Black people, people of color, former foster youth, justice-involved youth)? If so, how will your community address the identified disparities, consistent with fair housing and civil rights requirements? If not, what are your plans to assess disparate rates of homelessness or different rates of housing placement from the homeless response system?

**Collaboration**

**Maximum Points: 20**

HUD will award 20 points to applicants that can demonstrate strong current community-wide partnerships that are working to prevent and end youth homelessness. Applicants must:

1. Indicate whether the Coordinated Entry Process incorporates youth. If the Coordinated Entry Process incorporates youth, the Collaborative Applicant must answer Questions 1a-1c; if the Coordinated Entry Process does not incorporate youth, the Collaborative Applicant does not answer Questions 1a-1c.

   1a. Indicate whether there is a separate coordinated entry access point for youth or, if access points are designed for all persons presenting for assistance, describe what youth-specific policies and procedures the CoC has adopted to ensure that access points are appropriate for youth.

   1b. Describe how youth are prioritized within the coordinated entry process, including factors used to prioritize youth or subpopulations of youth.

   1c. Describe the extent to which all other youth homelessness and at-risk providers and other stakeholders providing services to homeless and at-risk youth (including PCWAs and other mainstream resource providers) are integrated into the coordinated entry process.

2. How does the CoC work with each of the following institutions to ensure that participants in the programs are not released into homelessness?

   - Child welfare (Foster Care)
   - Justice system (juvenile and adult)
   - Institutions of mental and physical health

3. Attach a letter of support for the application from the PCWA that indicates a commitment to participate in the creation of the CCP.

**Youth Collaboration**

**Maximum Points: 25**

HUD will award 25 points to applicants that demonstrate how Youth voice is a crucial component to addressing and ending youth homelessness. In order to be successful, responses to this section should clearly be written by Youth Action Board (YAB) members and applicants must consider how youth with lived experience will be integrated into system and program design and implementation. Applicants must:

1. Describe the mission and vision of the YAB.
2. Describe the structure and work of the YAB:
   
   2a. How long has the YAB been in existence?
   2b. How many members does the YAB have? If attendance at meetings extends beyond membership, state the attendance at the most recent three meetings.
   2c. How often does the YAB meet?
   2d. How are youth and young adults with lived experience recruited for membership in the YAB?
   2e. Describe the decision-making structure of the YAB.
   2f. How is the YAB integrated into CoC-wide work (i.e., beyond issues solely dealing with youth homelessness)?
   2g. What training and other preparation are YAB members provided on the CoC structure, CoC rules, housing types, and other issues surrounding homelessness?

3. Is the membership of the YAB reflective of the population of youth and young adults experiencing homelessness in the community?
   
   3a. Provide data indicating the prevalence of youth of color, LGBTQ+, and gender non-conforming youth in the general population of youth experiencing homelessness and describe how the YAB works to ensure that its membership is reflective of the population of youth experiencing homelessness in the community.

4. How are youth incentivized to participate in the YAB or other aspects of the youth homelessness system? These may include paid positions, professional development opportunities, access to other resources, etc.

5. From a youth perspective, what are the biggest challenges to integrating youth voice into community decision-making structures? To receive full points, this response should clearly be written by a youth or include quotes from youth regarding the challenges to integrating youth voice.

6. From a youth perspective, what are the biggest challenges/barriers to sustaining a Youth Action Board? To receive full points, this response should clearly be written by a youth or include quotes from youth regarding the challenges to sustain a Youth Action Board.

7. From a youth perspective, identify the biggest areas of risk in the current youth homelessness system (for example, aging out of foster care or transitioning from an institution) and how the community is working to address these risks.

8. From a youth perspective, if selected as a YHDP community, how would your community define success?

9. Attach a letter of support for the application from the YAB, signed by all members of the YAB. The letter of support must indicate the age range of all YAB members and certify that the YAB meets the requirements outlined in Section I.A.4.k of this NOFO.

Data and Evaluation Capacity

Maximum Points: 20
HUD will award 20 points to applicants that can demonstrate the existence of a functioning Homeless Management Information System (HMIS) that facilitates in the collection of information on homelessness using residential and other homeless services and effective performance measures. The applicant must:

1. Indicate the percentage of all types of homeless beds, excluding beds provided by victim service providers, that currently participates in HMIS.

2. Indicate the percentage of all types of youth beds, excluding beds provided by victim service providers, that are covered in HMIS, regardless of funding source.

3. Describe how the CoC actively recruits new homeless projects to HMIS for youth-dedicated projects.

4. Describe how the CoC supports the transition of new homeless projects to HMIS, including financial resources, technical resources, and training.

5. In addition to gathering youth data in HMIS, indicate whether the CoC gathers youth data from other sources (i.e., education, juvenile justice, child welfare). If the CoC does gather youth data from other sources, please describe the data collected, the system(s) the data are collected from and the system(s) in which the data are stored.

6. Describe how the CoC monitors the performance of its youth providers. The description should include:
   - Monitoring criteria
   - Frequency of monitoring
   - Process by which the CoC provides feedback regarding monitoring to providers
   - How the CoC support providers with identified issues to improve their performance
   - How youth are involved in the monitoring of projects

7. Demonstrate how the CoC has used data to develop a strategy to prevent and end youth homelessness. These data can be related to the composition of the local population of youth experiencing homelessness or the effectiveness of various interventions for serving homeless youth.

8. Describe how youth are currently brought into evaluation and quality improvement conversations in your community, either at the project or system level.

9. If selected as a YHDP community, how would stakeholders define success?

**Rural Bonus for FY 2020 Funding**

**Maximum Points:** 10

After the selection of communities to receive FY 2019 funds, HUD will award 10 bonus points to the next eight highest ranking applications where the geographic area covered by the application meets the rural definition found in section I.A.4. of this NOFO. These bonus points will only be awarded when communities are being considered for FY 2020 funding.
2. Other Factors.
This program does not offer points for Section 3.

Preference Points
This program does not offer preference points.

Opportunity Zones.
This program does not offer Opportunity Zone preference points.

HBCU.
This program does not offer HBCU preference points.

Promise Zones
This program does not offer Promise Zone preference points.

B. Review and Selection Process.

1. Past Performance
In evaluating applications for funding, HUD will consider an applicant’s past performance in managing funds. Items HUD will consider include, but are not limited to:

HUD may reduce scores based on the past performance review, as specified under V.A. Review Criteria. Whenever possible, HUD will obtain past performance information. If this review results in an adverse finding related to integrity of performance, HUD reserves the right to take any of the remedies provided in Section III E., Statutory and Regulatory Requirements Affecting Eligibility, "Pre-selection Review of Performance" document link above.

In evaluating risks posed by applicants, HUD may use a risk-based approach and may consider any items such as the following:

- Financial stability;
- Quality of management systems and ability to meet the management standards prescribed in this part;
- History of performance. The applicant's record in managing Federal awards, if it is a prior recipient of Federal awards, including timeliness of compliance with applicable reporting requirements, failing to make significant progress in a timely manner, failing to meet planned activities in a timely manner, conformance to the terms and conditions of previous Federal awards, and if applicable, the extent to which any previously awarded amounts will be expended prior to future awards;
- Reports and findings from audits performed under Subpart F—Audit Requirements of this part or the reports and findings of any other available audits; and
- The applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities.

3. Integrity. HUD evaluates the integrity of the applicant as reflected in government-wide websites, information in HUD’s files, the Federal Do Not Pay portal, public information and information received during HUD’s Name Check Review process.

4. Review Process. HUD staff, who may be assisted by staff from other Federal agencies with experience related to youth experiencing homelessness, coordinated community approaches to
preventing and ending youth homelessness, and/or evidence-based interventions, will review applications in two phases:

**Phase 1: Threshold Eligibility Requirements.** The application will be reviewed to determine whether it meets the threshold eligibility requirements in Section III.D of this NOFO. Applicants who fail to meet all of the threshold eligibility requirements will be deemed ineligible. Applications from ineligible applicants will not be evaluated.

**Phase 2: Application Scoring.** If the applicant meets all threshold requirements, the application will be reviewed and scored using the selection criteria outlined in Section V.A.1 of this NOFO. After individual reviewers assign a score, each application will be paneled with an additional reviewer for a final score. Notwithstanding V.B.1, HUD will not adjust scores based on past performance review or take any remedies in response to adverse findings related to integrity of performance.

### 5. Selection Process

**Ranked Order and Selection of Applicants.** Once final scores have been assigned, applications will be listed in ranked order and applicants will be selected in ranked order, except as provided in section III.F.a where HUD reserves the right to select lower scoring community selection applications. The amount awarded to applications will be determined according to the formula described in Section II.C and the factors described in Section V.A.1 of this NOFO.

**6. Funding Decisions.** Funding decisions will be made on project applications as described in Appendix A. In determining the amount that will be available to a selected community, HUD will take into consideration the amount of funds available; the collaborative applicant’s current organizational capacity, where and when required, as presented in the application, including, among other things, the number, quality, and experience of their key personnel; and the final score assigned to the application.

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**VI. Award Administration Information.**

**A. Award Notices.**

Following the evaluation process, HUD will notify successful applicants of their selection for funding. HUD will also notify other applicants, whose applications were received by the deadline, but have not been chosen for award. Notifications will be sent by email to the person listed as the AOR in item 21 of the SF424.

HUD may impose special conditions on an award as provided under 2 CFR 200.208:

- Based on HUD’s review of the applicant’s risk under 2 CFR 200.206;
- When the applicant or recipient has a history of failure to comply with the general or specific terms and conditions of a Federal award;
- When the applicant or recipient fails to meet expected performance goals contained in a Federal...
award; or
• When the applicant or recipient is not otherwise responsible.

**Adjustments to Funding.** To ensure the fair distribution of funds and enable the purposes or requirements of a specific program to be met, HUD reserves the right to fund less than the amount requested in an application.

a. HUD will fund no portion of an application that:
   (1) Is not eligible for funding under applicable statutory or regulatory requirements;
   (2) Does not meet the requirements of this notice; or
   (3) Duplicates other funded programs or activities from prior year awards or other selected applicants.

b. If funds are available after funding the highest-ranking application, HUD may fund all or part of another eligible fundable application. If an applicant turns down an award offer, or if HUD and an applicant do not successfully complete grant negotiations, HUD may withdraw the award offer and make an offer of funding to another eligible application.

c. If funds remain after all selections have been made, remaining funds may be made available within the current FY for other competitions within the program area, or be held for future competitions, or be used as otherwise provided by authorizing statute or appropriation.

d. If, after announcement of awards made under the current NOFO, additional funds become available either through the current appropriations, a supplemental appropriation, other appropriations or recapture of funds, HUD may use the additional funds to provide additional funding to an applicant awarded less than the requested amount of funds to make the full award, and/or to fund additional applicants that were eligible to receive an award but for which there were no funds available.

**Funding Errors.** If HUD commits an error that when corrected would cause selection of an applicant during the funding round of a Program NOFO, HUD may select that applicant for funding, subject to the availability of funds. If funding is not available to award in the current fiscal year, HUD may make an award to this applicant during the next fiscal year, if funding is available then.

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**B. Statutory and Administrative, National and Department Requirements for HUD Recipients**

For this NOFO, the following [Administrative, National and Department Policy Requirements and Terms for HUD Financial Assistance Awards](http://example.com) apply. (Please select the linked text to read the detailed description of each applicable requirement).

1. Unless otherwise specified, these non-discrimination and equal opportunity authorities and other requirements apply to all NOFOs. Please read the following requirements carefully as the requirements are different among HUD’s programs.
   • Compliance with Fair Housing and Civil Rights Laws, Which Encompass the Fair Housing Act and Related Authorities (cf. 24 CFR 5.105(a)).
   • Affirmatively Furthering Fair Housing.
   • Economic Opportunities for Low-and Very Low-Income Persons (Section 3). See 24 CFR part 75.
• Improving Access to Services for Persons with Limited English Proficiency (LEP) See
• Accessible Technology. See
2. Equal Access Requirements. See 24 CFR 5.105(a)(2)
4. Equal Participation of Faith-Based Organizations in HUD Programs and Activities.
5. Uniform Relocation Act – Real Property Acquisition and Relocation Requirements. See 49
CFR part 24.
7. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal
Awards.
9. Safeguarding Resident/Client Files.
11. Eminent Domain.
12. Accessibility for Persons with Disabilities. See
https://www.hud.gov/program_offices/fair_housing_equal_opp/disability_overview
13. Violence Against Women Act. See 24 CFR part 5, subpart L and applicable program
regulations.
15. Environmental Requirements, which include compliance with environmental justice
requirements under Executive Order 12898.

Compliance with 24 CFR part 50 or 58 procedures is explained below:
See Appendix A, Section II.C.4. Environmental Requirements, for information on the
environmental review procedures required during the project evaluation process.

2 CFR 200.216 Prohibition on Certain Telecommunication and Video Surveillance Services or
Equipment

Lead Based Paint Requirements.

When providing housing assistance funding for purchase, lease, support services, operation, or
work that may be disturb painted surfaces, of pre-1978 housing, you must comply with the lead-
based paint evaluation and hazard reduction requirements of HUD's lead-based paint rules (Lead
Disclosure; and Lead Safe Housing (24 CFR part 35)), and EPA's lead-based paint rules (e.g.,
Repair, Renovation and Painting; Pre-Renovation Education; and Lead Training and
Certification (40 CFR part 745)).

When providing education or counseling on buying or renting housing that may include pre-1978
housing under your grant you must inform clients of their rights under the Lead Disclosure Rule
(24 CFR part 35, subpart A), and, if the focus of the education or counseling is on rental or
purchase of HUD-assisted pre-1978 housing, the Lead Safe Housing Rule (subparts B, R, and, as
applicable, F - M).
C. Reporting.
HUD requires recipients to submit performance and financial reports under OMB guidance and
program instructions.

1. Recipient Integrity and Performance Matters. Applicants should be aware that if the total
Federal share of your Federal award includes more than $ 500,000 over the period of
performance, you may be subject to post award reporting requirements reflected in Appendix XII
to Part 200-Award Term and Condition for Recipient Integrity and Performance Matters.
In addition to the reporting requirements in 2 CFR part 200, the recipient must collect and report
data on its use of YHDP funds awarded to Project Applicants in selected communities in an
Annual Performance Report (APR), a quarterly report of key project metrics, and any additional
reports, as and when required by HUD. This includes all projects awarded to the selected
communities under the YHPD.

Please direct questions regarding specific reporting requirements to the point of contact listed in
Section VII. Agency Contact(s), below.

2. Race, Ethnicity and Other Data Reporting. HUD requires recipients that provide HUD-
funded program benefits to individuals or families to report data on the race, color, religion, sex,
national origin, age, disability, and family characteristics of persons and households who are
applicants for, participants in, or beneficiaries or potential beneficiaries of HUD programs in
order to carry out the Department’s responsibilities under the Fair Housing Act, Executive Order
11063, Title VI of the Civil Rights Act of 1964, and Section 562 of the Housing and Community

4. Compliance with the Federal Funding Accountability and Transparency Act of 2006
(Pub. L. 109-282) as amended (FFATA). FFATA requires information on Federal awards be
made available to the public via a single, searchable website, which
is www.USASpending.gov. Accordingly, each award HUD makes under this NOFO will be
subject to the requirements provided by the Award Term in Appendix A to 2 CFR Part 170,
“REPORTING SUBAWARD AND EXECUTIVE COMPENSATION INFORMATION,”
unless the Federal funding for the award (including funding that may be added through
amendments) is not expected to equal or exceed $30,000. Requirements under this Award Term
include filing subaward information in the Federal Funding Accountability and Transparency
Act (FFATA) Sub-award Reporting System (FSRS.gov) by the end of the month following the
month in which the recipient awards any sub-grant equal to or greater than $30,000. Each
applicant under this NOFO must have the necessary processes and systems in place to comply
with this Award Term, in the event that they receive an award, unless an exception applies under
2 CFR 170.110.

5. Program-Specific Reporting Requirements
D. Debriefing.
For a period of at least 120 days, beginning 30 days after the public announcement of awards
under this NOFO, HUD will provide a debriefing related to their application to requesting
applicants. A request for debriefing must be made in writing or by email by the authorized
organization representative whose signature appears on the SF-424 or by his or her successor in
office and be submitted to the POC in Section VII Agency Contact(s), below. Information
provided during a debriefing may include the final score the applicant received for each rating factor, final evaluator comments for each rating factor, and the final assessment indicating the basis upon which funding was approved or denied.

**VII. Agency Contact(s).**

HUD staff will be available to provide clarification on the content of this NOFO. Questions regarding specific program requirements for this NOFO should be directed to the POC listed below.

Name: Caroline Crouse
Phone: 612-843-6451
Email: YouthDemo@hud.gov

Persons with hearing or speech impairments may access this number via TTY by calling the toll-free Federal Relay Service at 800-877-8339. Please note that HUD staff cannot assist applicants in preparing their applications.

**VIII. Other Information.**

1. **National Environmental Policy Act.**

A Finding of No Significant Impact (FONSI) with respect to the environment has been made for this NOFO in accordance with HUD regulations at 24 CFR part 50, which implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

The FONSI is available for inspection at [HUD's Funding Opportunities](https://www.hud.gov/fundingopps) web page.

2. **Web Resources.**

   - Affirmatively Furthering Fair Housing
   - Code of Conduct list
   - CFDA
   - Dun & Bradstreet
   - Equal Participation of Faith-Based Organizations
   - Federal Awardee Performance and Integrity Information System
   - FFATA Subaward Reporting System
   - Grants.gov
   - HBCUs
   - Healthy Homes Strategic Plan
   - Healthy Housing Reference Manual
   - HUD’s Strategic Plan
   - HUD Grants
   - Limited English Proficiency
   - NOFO Webcasts
   - Opportunity Zone
• **Procurement of Recovered Materials**
• **Promise Zones**
• **Section 3 Business Registry**
• **State Point of Contact List**
• **System for Award Management (SAM)**
• **Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (URA)**
• **USA Spending**

3. Program Relevant Web Resources

APPENDIX

Appendix A - Program Project Requirements
Appendix B- Coordinated Community Plan Requirements
MEMORANDUM

To: NOFA Committee
From: HUD CoC Committee
Date: July 17th, 2019
Re: Strategic Direction from HUD CoC Committee for Responding to the 2019 Continuum of Care Program Notice of Funding Availability (CoC NOFA)

The purpose of this Memo is to provide the HUD NOFA Committee with strategic guidance for approaching the local rating and ranking process for projects seeking to be included in the collaborative application for up to $39,511,216 in 2019 CoC Program funding for Alameda County.

The Strategic Direction was approved by the HUD CoC Committee in its July 16th meeting in Oakland. EveryOne Home staff provided analysis of our last CoC competitive application and NOFA results and recommended strategies for this year’s NOFA competition. HUD CoC and NOFA committee members discussed and provided feedback that resulted in the set of recommendations below to execute a fair local process to maintain an effective array of HUD CoC funded projects.

The NOFA Committee will incorporate the following Strategic Direction in its process of designing the 2019 Local Application and scoring criteria, which will be shared at the upcoming July 30th Bidder’s Conference for community’s consideration of the implementation of this guidance:

1. Ranking Policy

The HMIS and Coordinated Entry (CE) Projects will not receive scores. As critical infrastructure for the CoC, HMIS and CE projects will be placed automatically at the bottom of Tier 1.

Renewal “new projects” that do not have one year of operating data because they were recently awarded will be automatically ranked at the bottom of Tier 1, immediately above the HMIS and Coordinated Entry projects. The NOFA Committee should determine how to treat consolidated, expanded and reallocated projects with “one year of data,” and further define straddling situations under this Ranking Policy. The relative ranking of these projects will be alphabetical. Recently awarded projects that are not making sufficient progress toward becoming operational and/or no longer meet thresholds may be subject to ranking in Tier 2 or not being included in the package.
2. Involuntary Reallocation Policy

The HUD CoC Committee directs the NOFA Committee to continue to pursue reallocation that strengthens our system and application package and is aligned with our guiding principles.

The Involuntary Reallocation Policy establishes that any grants that have a history of significant underspending will be candidates to have their grant amount reduced involuntarily by the NOFA Committee. Significant underspending will be defined as a minimum of 3 years of grant underspending of 10% or greater and provide a narrative that fails to adequately describe current efforts and results toward resolving underspending.

Consistent with the 2019 CoC NOFA Local Competition Review and Ranking Process, any project subject to potential reallocation of funds under this definition will be informed before the Rating and Ranking session and invited for an interview with the NOFA Panel. In addition, projects facing involuntary reallocation of its renewal amount will be allowed to appeal and meet with the Appeals Panel.

The Committee is also supportive of continuing to pursue strategies already in use such as; 1. Maintaining a minimum scoring threshold, and 2. Inviting voluntary reallocation.

3. Solicit applications from CoC and non CoC grantees for new projects through reallocation, expansion or bonus 1) that are competitive and improve our system performance, and 2) to apply for the maximum amount allowed under the Domestic Violence (DV) Bonus housing and services targeting domestic violence, dating violence, sexual assault, stalking and trafficking survivors, consistent with 2019 HUD “new projects” requirements.

4. Increasing employment opportunities

This year NOFA is requiring Continuum of Care programs to prioritize training and employment opportunities for people experiencing homelessness in order to afford housing. The HUD CoC Committee recommends the NOFA committee to encourage projects to provide employment-related Memorandum of Understanding (MOUs) that will be used in support of the Consolidated Application to HUD and use the NOFA process to notify projects they will likely be scored on this item in the future. In addition, the Committee will recommend EveryOne Home’s Leadership Board, County and City partners and the County’s Homeless Council to assist in developing Memorandum of Understanding with public and private organizations that promote training and employment and prioritize and create job opportunities for people with lived experience of homelessness.
Community Guiding Principles

1. Maximize the resources available to community
2. Package submitted will align with HUD priorities in order to meet local needs
3. Prioritize ensuring existing residential capacity and housing stability is maintained system-wide
4. Keep the renewal process as simple as possible
5. Continue to emphasize project performance and the submission of projects that will meet HUD’s thresholds
6. Support individual projects seeking to reallocate or reclassify where relevant
7. Facilitate a clear, fair and transparent local process
8. Advocate locally and nationally to protect and fund projects that add value to our Continuum of Care and response to homelessness
# HUD CoC NOFA Committee Proposed Roster
**June 2021**

<table>
<thead>
<tr>
<th>Name</th>
<th>Organization</th>
<th>HUD Experience</th>
<th>Background</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paulette Franklin</td>
<td>Alameda County Behavioral Health Care Services</td>
<td>NOFA Committee – 1 year HUD COC &amp; Leadership Board – 4 years</td>
<td>Paulette is a Mental Health Specialist II (BHCS), Certified Peer Specialist, as well as having been a small business owner for the past 23 years. She also has many years of lived experience with services (homelessness/housing, mental health) and brings lived experience to the Committee, as well as represents the HUD CoC and Leadership Board.</td>
</tr>
<tr>
<td>Heather MacDonald-Fine</td>
<td>Alameda County Health Systems</td>
<td>Alameda County NOFA Committee – 3 years</td>
<td>Heather has over 20 years’ experience writing grants and working with programs that are evaluated by grant making agencies. She holds a Masters degree in Health Care Administration and completed certificates from the Institute for Health Care Improvement which focuses on improvement and quality. Since 2013 Heather has worked with Health Care for the Homeless and applied for many grants related to workforce development (ARRA, OFCY), Dental Reimbursement Program (HRSA) to name a few. In addition, Heather worked on 2 panels to award grants, 2x with CDBG district 5 and once with HUD. She is LEAN trained, uses performance measures at various intervals for strategic planning and decision making, and reviews performance measures annually for the Universal Data System report to HRSA and facilitate discussions with local stakeholders to drive change at Alameda Health System.</td>
</tr>
<tr>
<td>Timothy Evans</td>
<td>Hamilton Families</td>
<td>Several years as a HUD CoC Grantee in Alameda County (Berkeley), San Francisco County, and Santa Clara County.</td>
<td>Timothy manages RRH at Hamilton Families, which submits three different APR's to HUD competitions. He has also operated PSH and RRH (with a total of five different APRs) at other organization. Timothy also has experience with cleaning data in the Alameda County HMIS system, SF Clarity system, Sage, Presto, and e-snap. Lastly, he brings ten years of homeless services experience spanning over shelters, transitional housing, RRH programs, Real Estate departments, Senior Housing, Family Housing, TAY housing, HIV housing, mental health, and substance abuse services.</td>
</tr>
<tr>
<td>Donna Griggs-Murphy</td>
<td>Human Good &amp; Oakland Housing Authority</td>
<td>Several years as a NOFA Grantee for resident services.</td>
<td>Donna is the Resident Services Supervisor for Human Good and has provided resident services for the past 18 years. Currently she works out of Allen Temple Arms, and supervises 7 other communities. Donna is also currently serving as a commissioner for Oakland’s’s Housing Authority, is on EBHO’s Oakland Committee, was the past Chair of Alameda Counties Commission on Aging, and</td>
</tr>
<tr>
<td>Name</td>
<td>Organization</td>
<td>Roles</td>
<td>Experience/Qualifications</td>
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<tr>
<td>Katie Derrig</td>
<td>Operation Dignity</td>
<td>None</td>
<td>Katie works to build Operation Dignity’s financial strength and sustainability through fundraising, grantwriting, and fostering community relationships. She has worked in marketing and communications for almost 10 years, and is committed to helping our community end homelessness. Katie is originally from Chicago and holds an M.A. in Classics from the University of California Berkeley.</td>
</tr>
<tr>
<td>Marnelle Timson</td>
<td>Consumer Representative</td>
<td>Alameda County NOFA Committee—5 years HUD CoC Committee</td>
<td>Marnelle is an active member of the HUD CoC Committee and has served on the NOFA Committee for several years.</td>
</tr>
<tr>
<td>Ellen Morris</td>
<td>Eden Housing</td>
<td>None</td>
<td>Ellen is the Associate Director of Real Estate Development with Eden Housing, Inc with almost ten years of experience in housing and economic development. Ellen has a B.A. in Government from Colby College and a Masters in City Planning from Massachusetts Institute of Technology.</td>
</tr>
<tr>
<td>Miguel Dwin</td>
<td>Berkeley USD</td>
<td>None</td>
<td>Miguel is a Budget Analyst with Berkeley Unified School District. Miguel also currently serves as a Board Member for the Emeryville Citizens Action Program (ECAP) and is a Commissioner on the Alameda County Human Relation Commission. Miguel has extensive experience in Leadership and governance, budget and financial analysis, and financial management and reporting.</td>
</tr>
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Emergency Housing Vouchers
Frequently Asked Questions (FAQs) v.2

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Eligibility

1. Who qualifies for the Emergency Housing Voucher Program?

Emergency Housing Vouchers (EHVs) are specifically designed for households who are:

- Homeless;
- At Risk of Homelessness;
- Fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking or human trafficking;
- Recently homeless and for whom providing rental assistance will prevent the family’s homelessness or having high risk of housing instability.

Detailed information on household eligibility can be found in Section 8 of PIH Notice 2021-15.

2. Are participants in Rapid Rehousing programs eligible for EHV?

Yes. Continuums of Care (CoCs) have the discretion to refer households in Rapid Rehousing programs to receive Emergency Housing Vouchers administered by PHAs.

3. How is HUD defining “recently homeless” in PIH Notice 2021-15? (new)

PIH Notice 2021-15, Section 8, defines recently homeless as individuals and families who have previously been classified by a member agency of the Continuum of Care (CoC) as homeless but are not currently homeless as a result of homeless assistance (financial assistance or services), temporary rental assistance or some type of other assistance, and where the CoC or its designee determines that the loss of such assistance would result in a return to homelessness. Examples of households that may be defined as recently homeless by the CoC include, but are not limited to, participants in rapid rehousing or permanent supportive housing.

Individuals and families classified as recently homeless must be referred by the CoC or its designee.

4. Regarding the McKinney-Vento Act definitions, the following provision about not having a support network appears in several places: “Lacks the resources or support networks, e.g., family, friends, and faith-based or other social networks, to obtain other permanent housing.” Does this have to be demonstrated, and if so, how must this be demonstrated?

Organizations certifying whether applicants lack the resources or support networks to obtain other permanent housing must establish procedures of documentation of the evidence relied upon to establish and verify status at intake. The procedures must establish the order of priority for obtaining evidence in the following order:

- Third-party documentation first;
- Intake worker observations second; and
- Certification from the person seeking assistance third.

Regarding proof that there is a lack of resources or support networks, the following are acceptable forms of documentation:
• Certification by the individual or head of household that no residence has been identified; and
• Certification or other written documentation that the individual or family lacks the resources and support networks needed to obtain other permanent housing.

5. **Is there an appeals process required for Coordinated Entry (CE) determinations?**

CoCs are required to have written policies and procedures that include a process by which individuals and families may appeal coordinated entry decisions.

6. **Does the PHA pull households from its current waitlist for EHV?**

No, PHAs must only accept referrals for EHV from the CoC’s Coordinated Entry System or other partner referral agencies. However, PHAs must inform families on the HCV waiting list of the availability of EHV at a minimum. PHAs can post the information to their website or provide public notice in their respective communities. The PHA public notice must describe the targeted populations to which the EHV are limited and explain that the availability of these EHV is managed through a direct referral process through the CoC. The PHA notice must also advise the household to contact the CoC (and any other PHA referral partner) if they believe they might be eligible for EHV assistance.

HUD has waived 24 CFR 982.204(f), which provides that a PHA must use a single waitlist for admission to its HCV program. An alternative requirement has been established for the EHV program under which the PHA maintains a separate waiting list for EHV referrals/applicants.

7. **Are the vouchers available for individuals or just families?**

EHVs are available to both individuals and families meeting the eligibility criteria.

8. **What if an individual or family is over income?**

As in the regular Housing Choice Voucher program, the PHA must determine whether a family is income eligible prior to the provision of EHV assistance. If the family is over income based on the most recently published income limits for the family size, the family is ineligible for HCV and therefore EHV assistance.

9. **What type of documentation is acceptable when determining that a family falls under the four categories? Should the PHA receive formal documentation or information from the local CoC or local Victims Service Provider (VSP)?**

CoCs and Victim Service Providers are responsible for determining eligibility for EHV and referring eligible families to the PHA. An example certification of homelessness and human trafficking is provided in PIH Notice 2020-15 and may be utilized by communities to certify eligibility. PHAs may utilize HUD Form 5382 to certify survivors of domestic violence, dating violence, sexual assault, and stalking.

10. **Are unaccompanied youth eligible for EHV? (new)**

A family that does not include a person 18 years or older is ineligible for an EHV.
11. Can households without eligible immigrant status be eligible for EHV? (new)

No. As tenant-based assistance under section 8(o) of the United States Housing Act of 1937, EHV requirements for citizenship are the same as the regular Housing Choice Voucher program. 24 CFR § 5.506 requires at least one member of the household to be a U.S. citizen or noncitizens with eligible immigration status to receive assistance under section 8(o).

Partnerships and Collaborations

12. What is a Continuum of Care (CoC)?

The Continuum of Care is a local planning body that coordinates housing and services funding for homeless individuals and families. The CoC Program is designed to:

- promote communitywide commitment to the goal of ending homelessness;
- provide funding for efforts by nonprofit providers and State and local governments to quickly rehouse homeless individuals and families and minimize the trauma and dislocation that homelessness causes for individuals, families, and communities;
- promote access to and effect utilization of mainstream programs by homeless individuals and families; and
- optimize self-sufficiency among individuals and families experiencing homelessness.

Section 9.b of PIH Notice 2021-15 provides a more thorough description of CoCs and their role in the EHV program. Additional information on CoCs can be found at https://www.hud.gov/program_offices/comm_planning/coc.

13. What is a Victims Service Provider (VSP)?

HUD defines a Victim Service Provider to mean a private nonprofit organization whose primary mission is to provide direct services to victims of domestic violence. This term includes permanent housing providers, rapid rehousing, domestic violence programs (shelters and non-residential), domestic violence transitional housing programs, dual domestic violence and sexual assault programs, and related advocacy and supportive services programs.

14. What is a Coordinated Entry (CE) system?

Provisions in the Program Interim Rule at 24 CFR§578.7(a)(8) require that CoCs establish a Coordinated Entry system. The CE process helps coordinate and manage a crisis response system’s resources that allows users to make consistent decisions based on available information to connect people to housing and service interventions efficiently and effectively.

15. Is HUD requiring a signed Memorandum of Understanding (MOU) with the CoC and Victim Service Providers for the administration of EHV?

HUD has established an alternative requirement for the EHV program under which the PHA must enter into an MOU with all referring agencies to establish a partnership for the administration of EHV. Communities may have a single MOU or multiple MOUs with referring agencies.
See Section 9.b of PIH Notice 2021-15 for more information regarding the MOU requirement and Attachment 2 for a sample MOU template. Partners can update MOUs as the program progresses.

16. What are the roles and responsibilities of CoCs, VSPs, and PHAs?

CoCs and VSPs are responsible for the following:
- Assessing eligible households for EHV and services, if needed.
- Referring eligible households to the PHA for EHV.
- CoCs may also assist referred households in completing and obtaining necessary documentation for the EHV application process.

PHAs are responsible for all the PHA administrative responsibilities for the EHV program in accordance with the EHV Operating Requirements Notice and the applicable HCV program regulations, including but not limited to:
- Reviewing applications for EHV, certify program eligibility, and conducting annual recertifications for continued eligibility.
- Determining that the unit meets Housing Quality Standards and approving units for leasing and contracts.
- Determining amounts and paying Housing Assistance Payments landlords on behalf of the participants.
- Explaining and providing information about program policies and procedures to current and prospective landlords and participants.
- Monitoring program performance and compliance of participants and owners.

17. Are PHAs required to partner with more than one CoC?

PHAs are required to partner with at least one CoC in the administration of EHVs. HUD strongly encourages PHAs to partner with as many CoCs as possible to effectively administer EHVs.

18. How should MOUs be structured if (a) a PHA’s jurisdiction includes more than one CoC or (b) a CoC catchment area requires work with multiple PHAs?

The intent of the Notice is to provide communities with the flexibilities needed to respond to the target population. HUD expects these vouchers to be deployed in a community-wide manner. PHAs are required to partner with at least one CoC in the administration of EHVs. In instances where there are multiple CoCs within the PHA’s jurisdiction, HUD strongly encourages PHAs to collaborate with as many CoCs as possible to effectively administer EHVs. Regardless of how many CoCs a PHA is working with, they can enter into a single MOU or multiple MOUs as needed. The intent of these MOUs is to ensure that all parties are aware of the policies governing referrals and defining the roles and responsibilities of each involved entity. MOUs may additionally address local protocols and procedures that are consistent and equitable in designating clear EHV distribution criteria.

19. When does HUD expect PHAs to have executed MOUs with partnering agencies?

HUD’s expectation is that PHAs will enter into an MOU as soon as possible, ideally by July 1, 2021. By this date, PHAs will have received their July EHV Housing Assistance Payment (HAP) amount, and the timeline for placement fees begins. HUD is providing $500 for each EHV family placed under contract no later than 4 months from the effective date of July 1, 2021, of the
ACC funding increment, which is November 1, 2021. PHAs are required to enter into a MOU within 30 days of the effective date of the ACC funding increment; therefore, the MOU must be established no later than July 31, 2021.

A sample MOU has been included in the Notice to help communities start.

20. **How do service providers outside of the CoC scope (e.g. victims of domestic violence, sexual assault, stalking, dating violence, and human trafficking) facilitate referrals to the PHA? With whom does the PHA enter into an MOU for this purpose?**

   In some communities, Victim Service Providers may be embedded into the community’s Coordinated Entry system. In such instances, VSPs will work with the CoC to refer qualified households to PHAs.

   In communities where VSPs are not a part of the CoC’s Coordinated Entry process, PHAs must enter into a MOU with respective partners outlining each entities roles and responsibilities while developing consistent and equitable protocols and procedures governing referrals to the PHA. HUD recognizes that each community is unique, and PIH Notice 2021-15 provides communities the flexibility to develop procedures that work best on a local level.

21. **What happens if the PHA and CoC(s) cannot agree on the terms of an MOU?**

   If you are having difficulties entering into a MOU, please email EHV@hud.gov. The HUD EHV team regularly monitors this mailbox. HUD will be able to provide technical assistance to you and your community.

22. **Can you clarify if or how the agencies partnering with PHAs on EHV s are paid? If the CoC or VSP refers a family, or assists the family, does the PHA pay them by way of the services fee, or out of the admin fee? And if so, at what rate? Or are the partnering agencies paid some other way?**

   Paying a fee to a CoC, Victim Service Provider, or other partnering agency for a referral is not an eligible use of the EHV funding. Section 6 of PIH Notice 2021-15 defines the administrative fees and funding for other eligible expenses a PHA administering EHV s may receive. The use of this funding is limited to the activities defined in the notice.

   A PHA may enter into an agreement, through the MOU for the EHV program, to reimburse the CoC or other partnering service agencies for eligible expenses. For example, housing search assistance is required to be made available to EHV families during their initial housing search. Housing search assistance may be provided directly by the PHA or through the CoC or another agency or entity. Where housing search assistance is being provided by the CoC or another agency or entity, the PHA may reimburse that entity for the eligible activities as defined in the agreement.

   As a reminder, CoC funds may be used to cover many of the costs associated with the EHV Program. For example, Coordinated Entry (CE) grants can be used to cover the CE costs, and Rapid Rehousing(RRH) funds can be used to assist with housing location etc. In addition,
Homeless Emergency Solutions Grants (ESG)-CV funds may be used for referrals, housing location, and other costs, including outreach, essential services in emergency shelter, RRH, and homeless prevention.

23. Can the CoC Governance Board Chair sign the MOU or should we use our Collaborative Applicant? (new)

HUD is not requiring a specific entity from the CoC to sign the MOU for EHV. The signatory must be a person or entity that has the authority of the CoC to sign documents on behalf of the CoC.

24. Are PHAs allowed to accept referrals outside the Coordinated Entry system if the CE system does not have anyone on the list from multiple eligible categories? (new)

Per Section 9.c of PIH Notice 2021-15, if the CE system does not have a sufficient number of eligible households, the PHA must enter into a formal partnership with another entity, such as another homeless service provider and/or victim services provider, to receive referrals.

25. We are in the Balance of State CoC, but we have a local homeless coalition. Can we work with the local organization, or do we have to use a HUD recognized CoC? (new)

No, the PHA’s partnership must be with the CoC. HUD established an alternative requirement for the EHV Program under which the PHA must enter into an MOU with the CoC to establish a partnership for the administration of EHV. The specific services that the CoC will provide to individuals/families referred to the EHV program must be outlined in the PHA’s MOU with the CoC. PHAs that agree to accept an allocation must enter into an MOU with a partnering CoC within 30 days of the effective date of the ACC funding increment. See Section 9.b of PIH Notice 2021-15 for more information regarding the MOU requirement. Additionally, a sample MOU template is included as Attachment 2 of Notice 2021-15.

HUD strongly encourages communities to involve as many stakeholders as possible during the planning and implementation process to ensure the EHV Initiative is successful. The MOU can be amended over time to reflect changes in how the program is implemented.

26. What should we do if our CoC does not have a functioning Coordinated Entry system? (new)

Section 9.c of PIH Notice 2021-15, states that “[t]he PHA must also take direct referrals from outside the CoC CES if: (1) the CE system does not have a sufficient number of eligible families to refer to the PHA, or (2) the CES does not identify families that may be eligible for EHV assistance because they are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking.”

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1 Balance of State CoC is defined as a CoC that covers all jurisdictions within a given state.
If there is no active CE system in the community or the PHA could not receive adequate referrals from a CES the CoC should work with the PHA to come up with an alternative referral system. This system should continue to allow for prioritization according to the standards set out in the MOU between the referring organization and the PHA and should be easy to transition to the CoC’s CE system when it comes online.

If you are having difficulties, please email EHV@hud.gov.

Voucher Administration

27. Does acceptance of EHV require PHA Board approval? (new)

No, not initially. PIH Notice 2021-15 includes waiver HCV-1 that allows PHAs to establish an alternative requirement that policies may be adopted without board approval until September 30, 2021. The waiver is referenced in the notice, including alternative requirement for PHAs adopting the waiver notice.

28. Can I request an increase for PUC? If so, to whom should it be submitted?

Yes. PIH Notice 2021-15, Section 7a states:

“The initial funding increment for the EHV allocation will be based on the PHA’s per unit cost (PUC) for the PHA’s HCV program, adjusted for inflation and taking into consideration that the initial term is longer than 12 months. However, if during the initial term a PHA can demonstrate based on actual leasing and costs that the HAP funding will be insufficient to cover its actual HAP costs for the EHV for the initial term, the PHA may request that HUD adjust the initial funding increment amount for the EHV during the initial funding term. If the PHA has demonstrated the need to do so, HUD will adjust the initial funding amount based on the actual costs incurred upon request by the PHA to ensure the PHA has sufficient funding during the initial funding term to lease all of its EHV's and pay its EHV HAP costs through December 31, 2022. If the PHA believes that it needs an adjustment, it should contact its financial analyst in HUD’s Office of Housing Voucher Programs Financial Management Center (FMC).”

29. If a PHA has unleased vouchers after September 30, 2023, can they still be issued? Can we over-issue in recognition of our success rate? (For example, if we have 10 yet unleased vouchers and we have to issue 16 to house 10, can we issue 16?)

No. A PHA may not over-issue EHV's beyond what was allocated to the PHA.

30. What is a waiver and alternative requirement?

Per PIH Notice 2021-15, EHV's are tenant-based vouchers under Section 8(o) of the United States Housing Act of 1937. Therefore, all regulatory requirements and HUD directives regarding the HCV program are applicable to EHV's, including the use of all HUD-required contracts and other forms.

Waivers and alternative requirements have been determined by the HUD Secretary to be needed to expedite and facilitate the use of the EHV funding. In the context of EHV, a “waiver” is where
HUD is intentionally eliminating a normally applicable HCV program statutory or regulatory requirement. An “alternative requirement” is where HUD is creating a specific requirement that is not an existing HCV program requirement, such as an alternative requirement to an existing requirement that HUD has waived for the EHV program.

31. If, after September 30, 2023, a PHA cannot re-issue vouchers when a family leaves the EHV program, but can issue vouchers that were never leased, how should PHAs be tracking the vouchers?

The PHA must track the number of vouchers that have been leased and are not permitted to be re-issued. One way to do that is to number/identify EHV vouchers, but HUD is not requiring that specific approach to tracking.

32. Can we allow EHV holders to keep the security deposit we paid on behalf of the family when it is returned by the owner?

PHAs are encouraged to consult with their counsel to determine whether local and State statutes regarding unclaimed property may apply and take precedence over the Notice. The Notice states that the PHA, “…may place conditions on the security deposit assistance, such as requiring the owner or family to return the security deposit assistance to the PHA at the end of the family’s tenancy (less any amounts retained by the owner in accordance with the lease.”, or it may choose to not place those restrictions.

33. Can EHV be utilized for individuals and families identified for the “Moving-On” Strategy? (updated)

Yes. Individuals and families identified for a Moving On strategy who currently reside in Permanent Supportive Housing (PSH) and were homeless at the time of admission to that program are eligible under Category 4 of the eligible populations for EHV as individuals or families who are recently homeless. PSH participants must also be referred for EHV through the CoC and all applicants must meet the statutory requirements under the ARP. HUD has made available resources to help communities with their Moving On strategies at the following webpage: https://www.hudexchange.info/programs/coc/moving-on/

34. Do Emergency Housing Vouchers come with supportive services? (updated)

EHVs do not come with ongoing supportive services. Communities are encouraged to work with local stakeholders that have a vested interest in supporting services for vulnerable populations. HUD will be providing technical assistance to communities to aide in the design and implementation of EHV including service delivery resources that may be paired with EHV to ensure housing stability.

As HUD-VASH has shown, some people are more successful with wrap-around services. While EHV do not come with the “automatic” services that HUD-VASH provides, HUD encourages communities to partner with health and behavioral health agencies like community health centers, state and county behavioral health agencies, and state Medicaid agencies and managed care to explore funding opportunities and provide housing search/navigation and also ongoing tenancy...
and wrap-around supportive services for those that may benefit from such services to maintain housing stability.

35. **Who is responsible for helping EHV recipients locate housing?**

PHAs are required to ensure housing search assistance is made available to EHV families during their initial housing search. The PHA may use the services fee funding to provide this required housing search assistance to eligible EHV households. Housing search assistance can be provided by the PHA, the CoC or other entities, with these responsibilities outlined in the MOU. PHAs are encouraged to leverage housing location services offered by the CoC and VSPs. Housing Locators affiliated with CoCs and VSPs are often skilled negotiators and have existing relationships with landlords, which can provide opportunities for households with higher barriers to housing.

36. **Can EHV be utilized for project-based voucher (PBV) units?**

No. PHAs may not project-base EHV but must administer these vouchers exclusively as tenant-based assistance. Section 4102(b)(1) of the American Rescue Plan Act provides that the EHV "shall be tenant-based assistance under Section 8(o) of the United States Housing Act of 1937." In addition to the requirement that EHV must be tenant-based voucher assistance, several provisions of Section 4102 are not compatible with project-based voucher assistance. In particular, the requirement with respect to the termination of vouchers upon turnover discussed below in Section 13 is clearly compatible with tenant-based voucher assistance, but it is not compatible with multi-year PBV contracts where assistance is tied to the project.

37. **If a PHA has not obtained eligibility documentation from the CoC, can the PHA issue a voucher?**

Yes. If the CoC determines that a family qualifies for an EHV, then the PHA may accept self-certifications in accordance with the waiver described in Sections 9.h, 9.i of PIH Notice 2021-15.

38. **Can a PHA contract with another PHA to administer their EHV allocation?**

In general, yes. PHAs can contract with a third party to carry out PHA administrative functions on behalf of the PHA in administrating their HCV program. A PHA may enter into an arrangement with another entity (including another PHA) to perform specific PHA administrative responsibilities with respect the EHV on behalf of the PHA. However, in such a circumstance the entity is acting on behalf of the PHA, not as another independent PHA. The PHA to which HUD allocated the EHV and executed the ACC remains the PHA and is ultimately responsible for ensuring that its EHV program complies with all EHV and HCV requirements and all applicable PHA discretionary policies in accordance with its PHA administrative plan, regardless of whether some of the PHA functions are conducted on behalf of the PHA by a third party. If the third-party entity to which the PHA contracted some of its EHV administrative responsibilities is a PHA that also administers its own EHV allocation, that entity must maintain a clear separation between the administration of its own EHV allocation and any administrative functions it is performing on behalf of another PHA.
39. Are EHV time-limited for the family?

No. However, EHV cannot be reissued after September 23, 2023. After this date, PHAs cannot reissue vouchers that have turned over. This provision does not impact existing families and their continued assistance. The funds appropriated for the EHV program are available for obligation by HUD until September 30, 2030.

40. Are the waivers HUD has made available for EHV automatically applied or does each PHA need to request the specific ones they want to utilize?

PIH Notice 2021-15 provides waiver authority and alternative requirements to administer EHV to all participating PHAs and communities. PHAs do not need to request HUD approval for these waivers. However, while some waivers and alternative requirements are at the discretion of the PHA, others are mandatory and required for EHV administration. With respect to those waivers that are discretionary, PHAs are highly encouraged to work with partners to select from a menu of waivers to aide eligible households to eliminate barriers to housing and ensure expedited leasing.

41. Are there any restrictions on families who may owe debts to a PHA?

No. As outlined in PIH Notice 2021-15, Section 9g., unlike regular HCV admissions, PHAs may not deny an EHV applicant admission regardless of whether:

- Any member of the family has been evicted from federally assisted housing in the last five years or a PHA has ever terminated assistance under the program for any member of the family.
- The family currently owes rent or other amounts to the PHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.
- The family has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease.
- The family breached an agreement with the PHA to pay amounts owed to a PHA or amounts paid to an owner by a PHA.

EHV funding may not be used for the repayment of debts or any amounts owed to HUD by HUD program participants including, but not limited to, those resulting from Office of Inspector General (OIG), Quality Assurance Division (QAD) or other monitoring review findings.

42. What is the difference in end dates: September 30, 2030 vs September 30, 2035 under item 16 of the PIH notice?

The ARP provides that the $5 billion appropriated for the EHV program remains available until September 30, 2030. This means HUD must obligate the funding by September 30, 2030. With respect to the September 30, 2035 date by which any remaining unexpended EHV obligations must then be cancelled as a matter of law, 31 U.S.C 1552 provides that on September 30th of the 5th fiscal year after the period of availability for obligation of a fixed appropriation account ends, the account shall be closed and any remaining balance (whether obligated or unobligated) in the account shall be canceled and thereafter shall not be available for obligation or expenditure for any purpose.

Updated as of June 2, 2021
43. Can Emergency Solutions Grants (including ESG-CV) or CoC funding be used to pair support services/case management with EHV? (new)

In general, yes. A community could braid ESG or CoC funding with EHV. Recipients must ensure an individual is eligible and prioritized for both EHV and the program providing services. Additionally, recipients must ensure that all program requirements are met and that the services or case management are eligible under the ESG or CoC program rules. If a community can meet those requirements, it may provide supportive services from either ESG or CoC with the voucher from EHV.

44. Will funding for EHV be available on a continuous basis? (new)

The initial funding term expires on December 31, 2022, and HUD will provide renewal funding for EHV on a calendar basis moving forward after that, beginning in calendar year 2023. As stated in PIH Notice 2021-15, Section 16, the $5 billion in funds appropriated for EHV are available until September 30, 2030.

45. Will EHV clients be able to sign a 6-month lease, or will it follow the HAP contract of 12 months? (new)

Per PIH Notice 2021-15, Section 9n, HUD is waiving Section 8(o)(7)(A) of the United States Housing Act of 1937 and § 982.309(a)(2)(ii) so that the initial lease term for an EHV family may be less than 12 months regardless of whether the shorter term is a prevailing market practice.

Administrative & Service Fees

46. What additional fees will PHAs qualify for under EHV?

PHAs that accept an allocation of EHV will receive fees in addition to ongoing administrative fees to assist in the facilitation and leasing of EHV. Additional fees include:

- Preliminary Fees – $400 will be awarded per allocated EHV.
- Issuing Fees – Participating PHAs will earn $100 once the voucher is initially leased, provided the PHA reported the issuance of the EHV in the Public Housing Information (PIC-NG) system within 14 days of the later of the effective date of the family’s voucher or when the system becomes available for reporting.
- Placement Fees – PHAs will be awarded $500 for each EHV family placed under a HAP contract no later than 4 months of effective date of the ACC funding increment. For each EHV family placed under a HAP no later than 6 months after the effective date of the ACC funding increment, PHAs will receive $250.
- Ongoing Admin Fees – PHAs will receive the full column A admin fee amount.
- Service Fee – For each allocated EHV, PHAs will receive $3,500 that must initially be used for the services fee. Eligible uses are defined in PIH Notice 2021-15. The services fee can be used for:
  - Housing search assistance
  - Tenant fees including security and utility deposit assistance, rental application fees, and holding fees
• Owner recruitment and outreach as well as incentive and retention payments, and
• Other eligible uses to help families successfully lease up, including moving expenses, tenant readiness services, essential household items, and renter’s insurance if required by the family's lease.

47. In terms of expensing Administrative expenses to EHV, if our PHA has a Central Office Cost Center (COCC), do we charge the same fees to EHV that we do to HCV?

Yes, the COCC may charge the same fees to EHV as HCV.

48. Can CoC staff do the HQS inspection and be paid from our PHA administrative fees?

Yes, the PHA may contract with other qualified entities to perform HQS inspections, which may include the CoC. However, HQS inspections are ultimately the responsibility of the PHA, and the PHA is responsible for ensuring that the HQS is performed accurately regardless of whether the HA conducts the inspection or contracts the administrative function out to a third party.

49. Can PHAs use EHV Service Fees to hire staff? (new)

Yes, PHAs may use the EHV service fees to hire staff to carry out required housing search assistance as described in Section 9d of PIH Notice 2021-15. PHAs utilizing staff to conduct these activities must ensure that financial records are maintained in such a way as to fully support the time that staff have spent on required housing search assistance. This would include position descriptions, allocations, and actual timecards in cases where staff are allocated less than 100% to the required housing search assistance.

PHAs are also reminded that EHV funds may not be used for any other program, including the regular HCV or Mainstream programs. As such, HUD recommends that PHAs create a separate subledger to record all transactions for this program.

50. Are we required to spend $3,500 services administrative fee for each voucher tenant or is it a pool of funds and we can spend more or less on each voucher tenant, depending on the need? (new)

The $3,500 service fee is a one-time amount provided per EHV. The use of the funds will depend on the supportive services identified for participants, including consideration of services to be provided by partners. Because this is a one-time fee, communities will want to ensure that they are able to assist additional families with EHV should the voucher turn over within the allowed window.

51. Would an FMR rent study be categorized as an eligible expense under Section 6.d.iii.A. of PIH Notice 2021-15? (new)

As in the HCV program, an FMR rent study would be an eligible EHV administrative expense if that FMR rent study is going to be used for EHV purposes (such as determining an appropriate EHV payment standard, for example). However, an FMR rent study obviously has applicability beyond the EHV program to the PHA’s regular HCV program. Since EHV funds may not be used for regular HCV administrative expenses, a PHA could not use EHV administrative fees to pay the entire cost of the FMR rent study. In such an instance, the PHA would need to allocate the cost of the FMR study proportionally between the EHV program and the regular HCV.
program. For example, if the PHA has 180 HCV authorized units and 20 EHV units, the PHA could not use EHV administrative funds to pay for more than 10 percent of the cost of the FMR rent study, since the EHV units represent 10 percent of the PHA’s combined HCV and EHV units. (20 EHV units divided by 200 (180+20) total HCV and EHV units = 10 percent.)

52. Can service fees be used for landlord incentives? (new)

Yes.

53. Is there a cap on the amount that can be given as security deposit? For example, could a PHA do triple deposits as the landlord incentive? Or will it be up to each community? (new)

Per Section 6 of PIH Notice 2021-15, "The amount of the security deposit assistance may not exceed the lesser of two months’ rent to owner, the maximum security deposit allowed under applicable state and/or local law, or the actual security deposit required by the owner."

54. Is there an upper limit on the amount of incentive/retention payments or restrictions on the number or frequency of such payments? (new)

The Notice gives latitude to the PHA to design an Owner Incentive/Retention Payment structure in order to meet the needs of the housing supply challenges in their jurisdiction. The overall Service Fee is a one-time payment of $3,500 per voucher allocated. As such, the PHA will want to weigh the Owner Incentive/Retention Payment amount among the other menu of services to be offered to EHV families to facilitate successful leasing. In terms of limitations on the number or frequency of the owner incentive/retention fee, while PIH Notice 2021-15 (Section 6.d.iii.B, page 13) states that HUD anticipates the owner incentive/retention payments would typically be made as a single payment at the beginning of the assisted lease term (or lease renewal if a retention payment), PHAs may structure the incentive/retention payment in a manner in which the owner receives more than one payment. However, the incentive/retention payments cannot be made in a way that violates (or clearly circumvents) applicable statutory or regulatory requirements, so making owner “incentive payments” on an ongoing monthly basis would not be permissible.

Additionally, the PHA’s Administrative Plan must clearly define the terms of the Owner Incentive/Retention Payments for the EHV program.

Portability

55. Will individuals and families be able to use vouchers outside the jurisdiction of the PHA that issued the voucher (port the voucher)?

Yes. EHV follows most of the normal portability rules of the HCV program with a few alternative requirements intended to be more permissive on moves, as outlined in PIH Notice 2021-15, Section 9o. Under HCV program rules, if neither the household head nor spouse of an assisted family already had a ‘domicile’ (legal residence) in the jurisdiction of the PHA at the time the family first submitted an application for participation in the HCV program, the family

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does not have any right to portability during the 12-month period from when the family is first admitted to the program, as the family is considered a “non-resident applicant”. This means that the PHA has the discretion to restrict portability during this 12-month period in the HCV program. For EHV, the PHA may not restrict an EHV family from exercising portability as a non-resident applicant. Therefore, all EHV families may immediately move under portability.

56. On portability, will a receiving non-EHV PHA have to submit the new EHV-related 50058s?

Yes, the non-EHV receiving PHA will submit on an EHV-compliant 50058. More guidance will be issued on this topic. As stated in the Notice, “HUD expects to issue a streamlined Form 50058 in the near future that will allow HUD to pay monthly HAP and Administrative Fee disbursements based on that information”.

Reporting Requirements

57. Is there any guidance regarding to PIC-NG?

The EHV Operating Notice references that HUD will utilize the new Public Information Center – Next Generation (PIC-NG) system for EHV. This is a similar technology solution that HUD is currently piloting through the MTW Expansion. HUD will work closely with participating PHAs and PHA software providers to ensure a seamless transition. In the event that the new PIC-NG platform is not operational by July 2021, PHAs will continue to utilize the current PIC system and transition to PIC-NG at a later date. In the interim, HUD is updating VMS with new fields to allow PHAs to report on their administration of the EHV program and the associated fees. A separate notice will follow to aide PHAs in understanding the reporting requirements associated with EHV. Additionally, a webinar will be offered to talk through the reporting requirements and discuss any questions or concerns PHAs may have. HUD will offer technical assistance to participating PHAs.

EHV Voucher Allocation

58. Why was my PHA not selected to receive EHV?

HUD’s allocation formula is designed to direct emergency vouchers to the PHA operating in areas where the EHV eligible population have the greatest need while also considering PHA capacity and the requirement to ensure geographic diversity, including rural areas. The EHV Operating Notice includes a detailed description of the formula HUD used to determine whether and how much EHV a PHA was allocated.

If a PHA did not receive EHV funding, it is because of the minimum allocation amounts that are explained in the Notice. Note, because of the process for allocations to high need rural areas, it is possible smaller PHAs received an allocation in a state while a larger PHA does not.
EHV Voucher Acceptance/Rejection Process

59. Can I request fewer vouchers than the amount allocated to my PHA?

Yes. While PHAs are encouraged to accept the entire EHV allocation, the PHA may choose to accept a lower number of vouchers than the number offered by HUD in the notification but not fewer than the minimum allocation of 25 or 15, as applicable.

60. Can I request more EHVs than the amount outlined in my award?

Yes, the initial award letter provides an option where the PHA can select “Accept Full Allocation, Plus More.” When a PHA selects this option, they will also be requested to respond to the question of how many additional EHVs the PHA would accept.

If PHAs fail to lease their authorized EHVs within a reasonable period of time, HUD may revoke (recapture) and redistribute any unleased vouchers and associated funds to other PHAs. See Section 14 of the EHV Operating Notice for additional information about EHV acceptance.

61. Upon a declining PHA’s request, may HUD instead allocate the PHA’s EHV allocation to a neighboring PHA or a PHA with an overlapping jurisdiction?

No. HUD must follow the EHV allocation formula outlined in PIH Notice 2021-15.

62. If PHA does not accept the rewarded vouchers, will there be any penalties? (new)

No. There are no penalties for not accepting an award or accepting less than the amount identified. PHAs are encouraged to reach out to their HUD Field Office to discuss their concerns. There may be technical assistance available to address concerns.

MTW

63. My PHA is an MTW agency. How do we request approval to use MTW flexibilities as part of our EHV administration? (new)

Section 10 of PIH Notice 2021-15 states that, “MTW agencies may request approval from HUD’s Office of Housing Voucher Programs to administer EHVs in accordance with the HCV programmatic flexibilities approved under PHA’s Annual MTW Plan or MTW Supplement to the PHA Plan, as permitted by its MTW Agreement or the MTW Operations Notice. The Office of Housing Voucher Programs may approve the MTW PHA’s request provided it determines the requested MTW flexibility is not in direct conflict with an EHV waiver or alternative requirement, and its application would not have a detrimental impact on EHV families. MTW PHAs must submit such requests with supporting justification through their local Field Office.

To request approval:

- The MTW PHA should initiate the request with supporting justification to its local Field Office. The request must identify the specific MTW activities the PHA wants to apply to EHVs.
- The Field Office will submit the request with their recommendation to the Housing Voucher Management and Operations Division (HVMOD).
- The HVMOD recommends final determination and approvals are signed by the Office of Public and Indian Housing (PIH) Assistant Secretary.
SUBJECT: Emergency Housing Vouchers – Operating Requirements

1. Purpose

   This notice describes the process HUD is using to allocate approximately 70,000 emergency housing vouchers (EHVs) to public housing agencies (PHAs).

   These EHV s are to assist individuals and families who are experiencing homelessness; at risk of experiencing homelessness; fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking; or were recently homeless and for whom providing rental assistance will prevent the family’s homelessness or having high risk of housing instability.

   This notice also sets forth the operating requirements for the EHV s, including the administrative fees and fees for other eligible expenses; the housing assistance payments (HAP) funding renewal process; family eligibility requirements; EHV waivers, alternative requirements, and special rules, including a requirement that families are offered housing search assistance and that PHAs partner with the Continuum of Care (CoC) or other homeless or victim services providers to assist qualifying families through a direct referral process; the EHV recapture and redistribution procedures, and the prohibition on the reissuance of turnover EHV s after September 30, 2023.

2. Background

   On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 (P.L. 117-2, hereafter referred to in this notice as “the ARP”) into law, which provides over $1.9

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1 While the ARP and the definitions of the qualifying categories specifically refer to “individuals and families,” under the HCV program regulations at 24 CFR 982.4, the term “family” is a person or a group of persons, as determined by the PHA consistent with 24 CFR 5.403, approved to reside in a unit with assistance under the program. The term “family” used in EHV/HCV context always includes a family that is comprised of a single individual as well as a group of persons.
trillion in relief to address the continued impact of the COVID-19 pandemic on the economy, public health, State and local governments, individuals, and businesses.

Section 3202 of the ARP appropriates $5 billion for new incremental EHVs, the renewal of those EHVs, and fees for the cost of administering the EHVs and other eligible expenses defined by notice to prevent, prepare, and respond to coronavirus to facilitate the leasing of the emergency vouchers, such as security deposit assistance and other costs related to retention and support of participating owners.

Eligibility for these EHVs is limited to individuals and families who are (1) homeless; (2) at risk of homelessness; (3) fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking; or (4) recently homeless and for whom providing rental assistance will prevent the family’s homelessness or having high risk of housing instability. After September 30, 2023, a PHA may not reissue any previously leased EHV, regardless of when the assistance for the formerly assisted family ends or ended.

EHVs are tenant-based rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)). The ARP further provides that HUD may waive any provision of any statute or regulation used to administer the amounts made available under section 3202 (except for requirements related to fair housing, nondiscrimination, labor standards and the environment) upon a finding that any such waivers or alternative requirements are necessary to expedite or facilitate the use of amounts made available for the EHVs.

To facilitate and expedite leasing, PHAs that accept an allocation of EHVs will receive an allocation of administrative fee funding for other eligible expenses defined by this notice that are not normally eligible administrative expenses under the Housing Choice Voucher (HCV) program, as well as administrative fees for the cost of administering EHVs. The administrative fees and fees for EHV eligible expenses are described in detail in section 6 of this notice.

EHV Housing Assistance Payment (HAP) funding (both the initial funding allocation and subsequent renewals) and both forms of administrative fee funding have been appropriated separate and apart from the regular HCV program appropriations provided through HUD’s annual appropriations acts. The ARP limits the use of all EHV funding by time and purpose. Consequently, ARP EHV funding HAP and administrative fee funding (including services fees) covered by this notice may only be used for the EHVs and may not be for the PHA’s regular HCVs or other special purpose vouchers (including Mainstream vouchers).

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2Under Section 3202, the $5 billion in appropriations may also be used for “adjustments in the calendar year 2021 section 8 renewal funding allocations, including mainstream vouchers, for public housing agencies that experience a significant increase in voucher per-unit costs due to extraordinary circumstances or that, despite taking reasonable cost savings measures, would otherwise be required to terminate rental assistance for families as a result of insufficient funding.” Use of a portion of the $5 billion for that purpose will be covered under a separate notice.
3. **PHA Eligibility**

To be eligible to receive an EHV funding allocation, a PHA must currently administer the HCV program through an existing Consolidated Annual Contributions Contract (CACC) with HUD. Non-profit agencies that only administer HCV Mainstream vouchers are not eligible to receive an EHV allocation.

4. **EHV Allocation Formula**

HUD’s allocation formula is designed to direct emergency vouchers to the PHAs operating in areas where the EHV’s eligible populations have the greatest need while also taking into account PHA capacity and the requirement to ensure geographic diversity, including rural areas.

The following data and indicators were used to develop the statutorily mandated allocation formula:

a. **Comparative homeless and at-risk of homelessness need**

In developing an allocation formula based on comparative need, HUD focused on “homeless need” and “at-risk of homelessness need.” These measures also serve as a proxy for relative need regarding the eligibility categories that includes those fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking; as well as recently homeless families for whom providing rental assistance will prevent the family’s homelessness or having a high risk of housing instability.

HUD is defining homeless need as the total count of persons experiencing homelessness (whether sheltered or unsheltered). HUD is using January 2020 Continuum of Care (CoC) Point-in-Time (PIT) homeless data for this measure. HUD does not generally use PIT homeless data to allocate funds. However, as was the case when HUD allocated Emergency Solutions Grant (ESG)-CV2 funding, HUD is using PIT homeless data to allocate these emergency vouchers to PHAs as expeditiously as possible.

For at-risk of homelessness need, HUD used special tabulation data from the American Community Survey (ACS 2013-17) on rental households with incomes less than 30% of the area median income.

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3 The 2018 Part 2 Annual Homeless Assessment Report (AHAR) notes that it is difficult to count the full extent that individuals are fleeing domestic and other violence, but based on bed capacity, we expect a substantial portion of those in the homeless data are in fact homeless because of domestic violence: “Based on the bed counts in the 2018 HIC, 12 percent of the emergency shelter, safe haven, and transitional housing beds for people currently experiencing homelessness were intended for survivors of domestic violence (DV). A smaller share, 6 percent, of all the beds available year-round in the homeless services system (including beds in permanent housing programs) were targeted to domestic violence survivors. Approximately 16 percent of all DV beds were in permanent housing programs.” https://www.huduser.gov/portal/sites/default/files/pdf/2018-AHAR-Part-2.pdf

percent of Area Median Income (AMI).\textsuperscript{5} HUD used data sets on those households living in overcrowded units (1.01 or more persons per room) and/or without complete kitchen or plumbing (referred to below as “At-risk Category 1’’); and for those households that in addition to meeting the income and housing condition criteria are also severely rent burdened (paying more than half their income for rent) (referred to below as “At-risk Category 2’’).

To construct need measures for PHAs, HUD had to convert data to the county level. ACS at-risk of homelessness data are available at the county level. However, the PIT homeless data are available at the Continuums of Care geographies that can vary from a place within a county to being multiple counties. HUD allocated the PIT homeless data to the county level using a county-to-CoC crosswalk based on the renter share in each county with income less than 30 percent of AMI and then used it to determine comparative homeless and at-risk of homelessness need at a county-by-county level.

To allocate the PIT homeless data and the ACS at-risk of homelessness data to PHAs, each PHA was allocated these need variables based on their December 2020 share of voucher leasing in each county. For example, if a PHA’s share of currently served voucher tenants in a county is 20 percent, they would be allocated 20 percent of the need for that county. Their total need is the sum of their county allocated need across all counties in which they have active voucher tenants.

\textit{b. Ensuring geographic diversity including with respect to rural areas}

As discussed above, HUD’s allocation formula is primarily driven by relative EHV eligibility need under the assumption that a PHA with an operating area that includes a higher number of homeless or at-risk of homelessness people should receive a larger allocation share than a PHA with relatively few homeless or at-risk of homelessness individuals and families in its operating area. However, PHAs serving rural areas might have a relatively low absolute number of such individuals and families due to the low population of the area in general, but nonetheless have a high rate of homeless and at-risk individuals and families as a percentage of that general population. To address these circumstances, HUD’s allocation formula also identifies PHAs that operate in areas which have high rates of homelessness or at-risk of homelessness (among all PHAs, those with a rate of need in the top quartile for any of the three need variables – homeless persons, At-risk Category 1, and At-risk Category 2), even if the overall number of those individuals and families is comparatively low when compared to the rest of the country. The formula ensures that at least one PHA operating in each area with these high homeless or at-risk of homelessness rates will receive an EHV allocation.

\textsuperscript{5}The McKinney-Vento definition of “at-risk” homelessness for households specifies that they have incomes of less than 30 percent of Area Median Income in addition to one or more other characteristic that puts them at risk for homelessness.
c. Public housing agency capacity

The HUD allocation formula considers two factors when determining the PHA’s capacity to implement this program effectively and quickly. The first is how many vouchers an agency currently administers within each county. As discussed above, the more vouchers a PHA administers in a county relative to other PHAs with jurisdiction in that same county, the greater the share of the homeless/at-risk of homelessness need within the county that will be potentially allocated to that PHA.

The second factor is the PHA’s estimated leasing potential, as measured by the PHA’s current number of unleashed vouchers and its available budget authority to lease those vouchers (over and above voucher turnover) in its existing HCV program. PHAs with HCV programs that are fully leased or almost fully leased are assumed to have the operational capacity to take on a new allocation of vouchers, specifically an allocation targeted for traditionally hard-to-house homeless and at-risk of homelessness populations. In contrast, PHAs that will simultaneously need to put significant attention and effort into leasing a significant number of unused vouchers that are already part of the PHA’s HCV program are assumed to have less capacity to administer the EHVs.

HUD calculates leasing potential using the PHA’s actual leasing and cost data reported by the PHA in the Voucher Management System (VMS) and all the budget authority available to the PHA for the calendar year (including reserves). HUD projects PHA spending for the future months based on VMS information (e.g., vouchers that have been issued to families that are currently engaged in their housing search, per unit cost (PUC) trends, etc.) and then estimates the number of vouchers the PHA could potentially lease, factoring in the need for the PHA to maintain a reasonable reserve. Once the need from each county is assigned to a PHA consistent with paragraphs (a) and (b) above, that need is then adjusted based on a PHA’s current leasing potential for their existing HCV program.

Leasing potential for the initial 39 MTW agencies is calculated in the following manner. The Planned Number of MTW HCV Households Served, as stated in an MTW PHA’s FY2020 Annual MTW Plan, is the total number of households that the MTW PHA planned to serve through the full Plan Year. This total is compared to VMS data from the last month of the MTW PHA’s Fiscal Year 2020 (e.g., for an MTW PHA with a Fiscal Year 2020 that spans January 1, 2020 – December 31, 2020, December 2020 VMS data is used). Based on an MTW PHA’s agreed upon baseline worksheet for the MTW statutory requirement of Serving Substantially the Same (STS) number of families as it otherwise would have absent MTW designation, certain Special Purpose Vouchers (SPVs) may have also been included in the leasing calculation if applicable to an MTW PHA’s specific STS compliance documents.

The total number of MTW voucher units in VMS is then divided by the Planned Number of MTW HCV Households Served as stated in an agency’s FY 2020 Annual MTW Plan, to arrive at a leasing percentage that determines if an agency has met its stated goal for
housing MTW voucher households for FY2020. MTW PHAs that have achieved less than 95 percent of their Planned Number of MTW HCV Households Served will have the allocation adjusted downward in proportion to the extent that it is below 95 percent.

Finally, with further respect to capacity, HUD may determine a PHA, including an MTW PHA, lacks capacity to administer EHV's based on unresolved outstanding civil rights violations or major program management findings from an Inspector General audit, HUD management review, or Independent Public Accountant (IPA) audit for the PHA’s HCV program, or other significant program compliance issues that were not resolved, or in the process of being resolved, as determined by HUD.

d. Base formula structure

All PHAs will be assigned a base formula allocation, which is estimated using a dual formula structure that provides the highest allocation of vouchers for a PHA based on one of these formulas:

**Formula A. Homeless Need Adjusted for PHA Capacity**

The estimated Homeless Need as described in paragraph (a) assigned to a PHA reduced by the PHA’s leasing potential divided by total Homeless Need less national leasing potential multiplied by the number of EHV's available to be allocated.

**Formula B. At-risk of Homelessness Need Adjusted for PHA Capacity**

At-risk Category 1 assigned to a PHA reduced by a PHA’s leasing potential divided by all PHA At-risk Category 1 less national leasing potential multiplied by 50 percent of EHV's available to be allocated plus

At-risk category 2 assigned to a PHA reduced by a PHA’s leasing potential divided by all PHA At-risk category 2 less national leasing potential multiplied by 50 percent of EHV's available to be allocated.

The formula compares the allocation the PHA would receive under each formula and uses the formula allocation that allocates the highest number of EHV's to the PHA. That assigned voucher allocation is then subject to a pro-rata reduction so that the total number of EHV's that will be allocated to all PHAs is equal to the 70,000 vouchers available to be allocated.

e. Minimum allocation size and rural area adjustments

HUD generally considers 25 vouchers to be the necessary minimum allocation size for a PHA to implement a targeted voucher program that has unique rules and alternative requirements. Accordingly, the basic allocation formula requires that the PHA must qualify for a minimum of 25 vouchers in order to receive an allocation with the following exception. As discussed earlier, the formula makes adjustments with respect to this minimum size in order to ensure high need rural areas are represented. For areas (county
or group of counties) with high rates of homelessness or at-risk of homelessness populations, at least one PHA will receive an allocation of EHV, even if no PHA met the minimum 25 voucher requirement. The PHA that is primarily operating in the high need area and to which the formula would allocate the largest allocation of EHV will be allocated the greater of (1) the number of vouchers it received under the base formula or (2) 15 EHV.

Each state has a base allocation, which is the total number of EHV allocated to each PHA in the state under the base formula allocation in paragraph d. The minimum size allocation requirement and the rural high need adjustments may, however, cause the base allocation of some states to change. To restore the state base allocation (and to maintain the national total of 70,000 EHV), the formula makes one final pro-rata adjustment. If there are not enough “below the minimum” vouchers (EHVs not allocated because they were part of an allocation that was less than 25 vouchers) within the state necessary to make up for the rural high need adjustments (where PHAs received additional vouchers to reach the 15-voucher minimum), each PHA will always receive its minimum size allocation. The minimum allocation size is 25 vouchers in most cases but will be 24 to 15 vouchers for PHAs that received the rural high need adjustment.

If on the other hand there are more vouchers available for the state because of the number of “below the minimum” vouchers exceeded the number of vouchers needed to make the rural high need adjustments, the formula makes the following adjustment. First, the number of vouchers available for reallocation is reduced proportionate across all of this subgroup of states to support the vouchers allocated above the state base amounts described in the paragraph above.

Next, for the remaining vouchers, for states where there is a state agency that administers the HCV program, the state agency will receive the additional vouchers because the state agency is likely to be able to operate in those rural areas of the state that did not get an allocation because they did not qualify as a high need area. For states without a state agency administering the HCV program, HUD will prorate the excess “below the minimum” vouchers to all PHAs in the state that qualified for an EHV allocation based on their share of allocated vouchers above the high need rural area 15-voucher minimum.

HUD will reallocate any vouchers within the state that become available because PHAs declined their initial EHV allocation using the same approach described above, that is, allocating to state agencies if a state has a state agency or pro-rata within the state if it does not.

5. **Invitation/Acceptance Process**

Once HUD has determined the EHV allocation in accordance with section 4 above, HUD will notify eligible PHAs of the number of EHV allocated to the PHA no later than May 10, 2021.
The notification will specify the number of vouchers allocated to the PHA in accordance with the allocation formula and will provide specific instructions regarding how the PHA may either accept or decline the allocation. While PHAs are encouraged to accept the entire EHV allocation, the PHA may choose to accept a lower number of vouchers than the number offered by HUD in the notification, but not less than the minimum allocation of 25 or 15 EHV$s, as applicable.

HUD may subsequently contact PHAs to ask them to accept or decline the offer of additional EHV$s if additional EHV$s become available because other PHAs declined their allocation.

PHAs are encouraged to respond to HUD’s notification as soon as possible but must provide their acceptance of the allocation (or a portion of the allocation) and the terms and conditions of the program no later than 14 calendar days following HUD’s notification.⁶

6. **Administrative Fees and Funding for Other Eligible Expenses**

The ARP provides funding for fees for the costs of administering the EHV$s and other eligible expenses defined by notice to prevent, prepare for and respond to coronavirus to facilitate the leasing of the emergency housing vouchers, such as security deposit assistance and other costs related to retention and support of participating owners.

PHAs will be allocated administrative fee funding for EHV administrative costs and for other eligible expenses described in this notice. These fees may only be used for EHV administration and other eligible expenses and must not be used for or applied to other PHA programs or vouchers (e.g., regular HCV$s, Mainstream vouchers, etc.). As is the case with Mainstream vouchers, the PHA must maintain separate financial records from its regular HCV funding for all EHV funding, both HAP and administrative fee amounts. Please see section 15 below for more information on the use of funds, reporting, and financial records.

PHAs will be allocated administrative fees as follows:

a. **Preliminary Fee.** PHAs will receive a single, one-time preliminary fee of $400 per EHV allocated to the PHA once the PHA’s CACC is amended to reflect the EHV funding obligation. This fee amount will support the anticipated immediate start-up costs that the PHA will incur in implementing the EHV alternative requirements, such as the outreach to and coordination with the CoC⁷ and other potential partnering agencies and planning and development. This fee may be used for any eligible administrative expenses related to the EHV$s. This fee may also be used to pay for any of the eligible activities under the EHV services fee (see paragraph d below).

b. **Placement Fee /Expedited Issuance Reporting Fee.** This fee amount will support initial lease-up costs as well as the added cost and effort required to expedite the leasing

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⁶ PHAs are not required to have the memorandum of understanding (MOU) in place with the CoC at the time they accept the allocation. PHAs that agree to accept an allocation must enter into an MOU with a partnering CoC within 30 days of the effective date of the ACC funding increment for the EHV$s. See section 9.b below.

⁷ Please see the description of the CoC and its partnership role in referring families to the PHA in section 9.b below.
of the EHV. Initial lease-up costs are expected to include the PHA’s costs to establish and refine the direct referral process with its partners and to expedite income determinations, family briefings, and voucher issuance. It also supports the PHA’s costs to report the issuance of the EHV to HUD ahead of the normally applicable reporting deadlines, which will allow HUD access to EHV issuance data in as timely a manner as possible.

PHAs will receive $100 for each EHV that is initially leased upon the effective leasing date of that voucher if the PHA reported the voucher issuance date in the Public Housing Information Center-Next Generation (PIC-NG) system within 14 days of the later of the voucher issuance date or the date when the system becomes available for reporting. (See Section 15 for additional information on reporting requirements.)

PHAs will receive an additional placement fee of $500 for each EHV family placed under a HAP contract that is effective no later than four months after the effective date of the ACC funding increment for that EHV, or $250 for each EHV family placed under a HAP contract with an effective date that is after 4 months but no later than six months after the effective date of the ACC funding increment for that EHV. This bifurcated fee structure is based on the anticipated extra costs the PHA will experience in its efforts to expedite the leasing of the EHV and the expectation that those costs should start to diminish as the PHA gains more experience operating the EHV program and resolving leasing challenges for EHV families.

In cases where the PHA received more than one EHV allocation and the funding increments have different dates, HUD will determine the PHA’s eligibility for the placement fee based on the effective date of the PHA’s initial increment. EHVs from the initial increment are expected to be issued and leased first for purposes of calculating the placement fee. Once the number of EHVs under lease equals the total number of vouchers allocated under the initial increment, HUD will use the effective date of the PHA’s subsequent allocation to determine the PHA’s eligibility for the $500 or $250 placement fee.

For example, if the PHA reported the voucher issuance within 14 days and leased the voucher within the four-month window, the PHA would receive $600 as the total placement and expedited issuance fee. If the PHA reported the voucher issuance within 14 days and leased the voucher within the six-month window, the PHA would receive $350. If the PHA reported the voucher issuance within 14 days but did not lease the voucher until after the six-month window had passed, the PHA would receive $100. The PHA does not receive the fee if the issued voucher is never leased.

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8 The “voucher issuance date” is the actual date the voucher is issued to the family, line 2 on the Voucher (form HUD-52646).

9 For example, if the funding increment for the family’s EHV is June 1, 2021, the HAP contract must have an effective date of no later than October 1, 2021, for the PHA to earn the $500 placement fee, or no later than December 1, 2021, for the PHA to earn the $250 placement fee.
The placement/expedited issuance reporting fee is only applicable to the initial time the voucher is leased by the PHA. The placement/expedited issuance reporting fee is not paid for subsequent lease-ups (e.g., the family moves to another unit or the EHV participant leaves the program and the voucher is reassigned to another family prior to the prohibition on reissuance of turnover vouchers after September 30, 2023).

This placement fee may be used for any eligible administrative expenses related to the EHV. This fee may also be used to pay for any of the eligible activities under the EHV services fee (see paragraph d below).

c. **On-going Administrative Fee.** The on-going administrative fee for EHVs is calculated in the same manner as the on-going administrative fee that the PHA receives for its regular HCV program. PHAs will be allocated the full Column A administrative fee amount for each EHV that is under HAP contract as of the first day of each month. The Column A administrative fee rates for the HCV program are available on HUD’s website and may be accessed at the following: [https://www.hud.gov/program_offices/public_indian_housing/programs/hcv](https://www.hud.gov/program_offices/public_indian_housing/programs/hcv)

As the ARP appropriations for the EHVs are obligated to PHAs and expended by PHAs on program purposes over time, HUD may be required to prorate the EHV on-going administrative fee calculations in future years, based on available EHV funding.

Similar to the regular HCV administrative fee process, HUD will make the EHV ongoing administrative fees available to PHAs each month based on actual leasing reported by the PHA for prior months. HUD will reconcile the PHA’s EHV on-going administrative fees on a periodic basis and at the end of each calendar year (commencing with CY 2022). HUD recognizes that prior month EHV leasing data will not be available during the early stages of the PHA’s EHV program. For each of the first three months following the ACC funding increment effective date, HUD will advance the PHA ongoing administrative fees equal to the amount of ongoing administrative fees the PHA would receive for that month if all EHVs allocated to the PHA were fully leased so that the PHA also has ongoing administrative fees available to meet the initial costs of EHV administration. The advanced ongoing administrative fees will be taken into account when HUD first reconciles the PHA’s EHV administrative fees.

EHV ongoing administrative fees may be used for any eligible administrative expenses related to the EHV. These fees may also be used to pay for any of the eligible activities under the EHV services fee (see paragraph d below).

d. **Services Fee.** A PHA will be allocated a one-time services fee to support its efforts in implementing and operating an effective EHV services program that will best address the needs of EHV eligible individuals and families in its jurisdiction. This fee will be allocated to the PHA once the PHA’s CACC is amended to reflect the EHV funding obligation. The amount allocated to each PHA will be equal to $3,500 for each EHV allocated to the PHA. Note that the services fee amount is not tied to each voucher, but instead is the combined total of the services fees are available to the PHA to design a
menu of services that will best address the leasing challenges faced by the EHV eligible families in the PHA’s community. The PHA may use the services fee to provide any or all of the defined eligible uses to assist families to successfully lease units with the EHV.

The PHA is strongly encouraged to consult with its CoC and its other homeless services/victim services referral partners in establishing which activities it will undertake in support of EHV and any parameters or requirements regarding the application of those activities. For example, if the PHA is working with several direct referral partners and one partner is able to provide security deposit assistance and the other is not, the PHA may provide security deposit assistance for direct referral families from the latter agency but not for families who are already eligible for and receiving security deposit assistance from the partnering agency. The PHA may limit the amount of assistance that it provides for any of the eligible uses and place other restrictions on those uses. However, the services fee funding must be initially used for these defined eligible uses and not for other administrative expenses of the EHV. Service fee funding may never be used for the HCV program.

The eligible uses implemented by the PHA and the parameters/requirements established by the PHA must be described in the PHA’s administrative plan. Any services fee assistance that is returned to the PHA after its initial or subsequent use (such as security deposits/utility deposits/other assistance that may be wholly or partly returned to the PHA by the owner/utility supplier/family) may only be applied to the eligible services fee uses defined by this notice (or subsequent notice) or other EHV administrative costs. Any amounts not expended for these eligible uses when the PHA’s EHV program ends must be remitted to HUD.

The eligible uses are designed to prevent and respond to coronavirus by facilitating the leasing of the EHV, which will provide vulnerable individuals and families a much safer housing environment to minimize the risk of coronavirus exposure or spread. Individuals and families who are homeless or at-risk of homelessness are often living in conditions that significantly increase the risk of exposure to coronavirus in addition to other health risks.

The services fees fall into four main components comprised of specific activities:

i. **Housing Search Assistance.**

   As discussed in section 9.d below, the PHA is required to ensure housing search assistance is made available to EHV families during their initial housing search. The PHA may use the services fee funding to provide this required housing search assistance to EHV families during their initial housing search. Housing search assistance is a broad term which may include many activities such as but not limited to helping a family identify and visit potentially available units during their housing search, helping to find a unit that meets the household’s disability-related needs, providing transportation and directions, assisting with the completion of rental applications and PHA forms, and helping to expedite the EHV leasing process for
the family. For specific information on the EHV housing search assistance requirement, please refer to section 9.d.

ii. Security Deposit/Utility Deposit/Rental Application/Holding Fee Uses.

A. Application fees/non-refundable administrative or processing fees\(^{10}\)/refundable application deposit assistance. The PHA may choose to assist the family with some or all these expenses.

B. Holding fees. In some markets, it is not uncommon for an owner to request a holding fee that is rolled into the security deposit after an application is accepted but before a lease is signed. The PHA may cover part or all of the holding fee for units where the fee is required by the owner after a tenant’s application has been accepted but before the lease signing. The PHA and owner must agree how the holding fee gets rolled into the deposit, and under what conditions the fee will be returned. In general, owners need to accept responsibility for making needed repairs to a unit required by the initial housing quality standards (HQS) inspections and can only keep the holding fee if the client is at fault for not entering into a lease.

C. Security deposit assistance. The PHA may provide security deposit assistance for the family. The amount of the security deposit assistance may not exceed the lesser of two months’ rent to owner, the maximum security deposit allowed under applicable state and/or local law, or the actual security deposit required by the owner. The PHA may choose to pay the security deposit assistance directly to the owner or may pay the assistance to the family, provided the PHA verifies the family paid the security deposit. The PHA may place conditions on the security deposit assistance, such as requiring the owner or family to return the security deposit assistance to the PHA at the end of the family’s tenancy (less any amounts retained by the owner in accordance with the lease). Security deposit assistance returned to the PHA must be used for either services fee eligible uses or other EHV administrative costs.

D. Utility deposit assistance/utility arrears. The PHA may provide utility deposit assistance for some or all of the family’s utility deposit expenses. Assistance can be provided for deposits (including connection fees) required for the utilities to be supplied by the tenant under the lease. The PHA may choose to pay the utility deposit assistance directly to the utility company or may pay the assistance to the family, provided the PHA verifies the family paid the utility deposit. The PHA may place conditions on the utility deposit assistance, such as requiring the utility supplier or family to return the utility deposit at the end of the family’s tenancy.

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\(^{10}\) In some markets, non-refundable administrative fees are becoming more common as states pass laws limiting application fees, or as an alternative to refundable deposits.
deposit assistance to the PHA at such time the deposit is returned by the utility supplier (less any amounts retained by the utility supplier). In addition, some families may have large balances with gas, electric, water, sewer, or trash companies that will make it difficult if not impossible to establish services for tenant-supplied utilities. The PHA may also provide the family with assistance to help address these utility arrears to facilitate leasing. Utility deposit assistance that is returned to the PHA must be used for either services fee eligible uses or other EHV administrative costs.

iii. Owner-related uses.

A. Owner recruitment and outreach. The PHA may use the service fee funding to conduct owner recruitment and outreach specifically for EHVws. In addition to traditional owner recruitment and outreach, activities may include conducting pre-inspections (see section 9.1 below) or otherwise expediting the inspection process, providing enhanced customer service, and offering owner incentive and/or retention payments (see paragraph B that follows below).

B. Owner incentive and/or retention payments. The PHA may make incentive or retention payments to owners that agree to initially lease their unit to an EHV family and/or renew the lease of an EHV family. The PHA may design the owner incentive payment to meet its specific needs (such as, for example, limiting the incentive payments to new owners or owners in high opportunity neighborhoods, or structuring all or part of the payment as a damages or unpaid rent mitigation fund, where the owner receives the mitigation payment only if the security deposit is insufficient to cover damages and other amounts owed under the lease). The PHA may condition the offer of the owner incentive payment on the owner’s agreement to abide by certain terms and conditions. For example, the PHA could require the owner to agree to contact and work with the family’s CoC case manager or other intervention services (assuming such services are available) should lease violations or other tenant-related issues arise during the assisted tenancy before taking action to evict the tenant.

HUD anticipates that owner incentive/retention payments would typically be made as a single payment at the beginning of the assisted lease term (or lease renewal if a retention payment). However, regardless of the frequency that the PHA chooses to make such payments, owner incentive/retentions payments are not housing assistance payments and are not part of the rent to owner. Owner incentive/retention payments are not taken into consideration when determining whether the rent for the unit is reasonable.

iv. Other eligible uses.

A. Moving expenses (including move-in fees and deposits). The PHA may provide assistance for some or all of the family’s reasonable moving expenses
when they initially lease a unit with the EHV. The PHA may not provide moving expenses assistance for subsequent moves unless the family is required to move for reasons other than something the family did or failed to do (e.g., the PHA is terminating the HAP contract because the owner did not fulfill the owner responsibilities under the HAP contract or the owner is refusing to offer the family the opportunity to enter a new lease after the initial lease term, as opposed to the family choosing to terminate the tenancy in order to move to another unit), or a family has to move due to domestic violence, dating violence, sexual assault, or stalking, for example.

B. **Tenant-readiness services.** The PHA may use the services fee funding to help create customized plans to address or mitigate barriers that individual families may face in renting a unit with an EHV, such as negative credit, lack of credit, negative rental or utility history, or to connect the family to other community resources (including COVID-related resources) that can assist with rental arrears.

C. **Essential household items.** The PHA may use the services fee funding to assist the family with some or all of the costs of acquiring essential household items as defined by the PHA (e.g., tableware, bedding, etc.).

D. **Renter’s insurance if required by the lease.** The PHA may use the services fee funding to assist the family with some or all of the cost of renter’s insurance, but only in cases where the purchase of renter’s insurance is a condition of the lease.

7. **Housing Assistance Payments (HAP) Funding**

ARP funding obligated to the PHA as HAP funding may only be used for eligible EHV HAP expenses (i.e., rental assistance payments). EHV HAP funding may not be used for EHV administrative expenses or for the eligible uses under the EHV services fee.

EHV HAP funding amounts will be calculated as follows:

a. **Initial funding allocation**

Upon the PHA’s acceptance of the EHV allocation in accordance with section 5 above and the requirements of the allocation notification, HUD will amend the PHA’s CACC to reflect the obligation of the EHV funding and the associated units for the initial funding term of those vouchers.

The initial funding term will expire on December 31, 2022.

The initial funding increment for the EHV allocation will be based on the PHA’s per unit cost (PUC) for the PHA’s HCV program, adjusted for inflation and taking into consideration that the initial term is longer than 12 months. However, if during the initial term a PHA can demonstrate based on actual leasing and costs that the HAP funding will
be insufficient to cover its actual HAP costs for the EHV for the initial term, the PHA may request that HUD adjust the initial funding increment amount for the EHV during the initial funding term. If the PHA has demonstrated the need to do so, HUD will adjust the initial funding amount based on the actual costs incurred upon request by the PHA to ensure the PHA has sufficient funding during the initial funding term to lease all of its EHV and pay its EHV HAP costs through December 31, 2022. If the PHA believes that it needs an adjustment, it should contact its financial analyst in HUD’s Office of Housing Voucher Programs Financial Management Center (FMC).

b. Renewal funding process

HUD will provide renewal funding to the PHA for the EHV on a calendar year basis commencing with CY 2023. The renewal funding allocation will be based on the PHA’s actual EHV HAP costs and leasing, similar in many respects to the renewal process for the regular HCV program. However, renewal funding for the EHV is not part of the annual HCV renewal funding formula nor are the funds for EHV renewals appropriated in HUD’s annual appropriation Acts. EHV is renewed separately from the regular HCV program (similar to Mainstream vouchers). All renewal funding for the duration of the EHV program has already been appropriated as part of the $5 billion provided by the ARP. No additional EHV HAP renewal appropriations are anticipated at this time.

The process for determining the PHA’s EHV renewal funding for CY 2023 and subsequent calendar years is described below. Note that PHAs may receive an estimated renewal amount for the first few months of the calendar year until their final renewal eligibility is determined for the calendar year.

(1) The HAP funding baseline is established based on the PHA’s actual EHV leasing and cost data for the previous calendar year.

(2) The Renewal Funding Inflation Factor (RFIF) used in the HCV program, adjusted for localities, will be applied to the PHA’s EHV HAP funding baseline described above. The RFIFs are published by HUD’s Office of Policy, Development and Research (PD&I) and can be found at https://www.huduser.gov/portal/datasets/rfif/rfif.html.

(3) HUD will review the PHA’s EHV Restricted Net Position (RNP), including amounts held by HUD, for the PHA’s EHV. HUD may adjust the CY renewal allocation based on the calculated year-end EHV RNP and HUD Held Reserves. Starting with the CY 2024 renewal allocations, HUD will also take into consideration the number of EHV that have turned over and cannot be reissued because of statutory prohibition on reissuance of turnover vouchers after September 30, 2023. HUD will further adjust the renewal allocation based on the number of vouchers that are being reallocated to other PHAs due to the PHA’s failure to lease its authorized vouchers as described in section 14 below.

HUD will consider the number of vouchers that have not yet been leased and if the number of EHV leased increased throughout the baseline CY. If the renewal
allocation and the PHA’s EHV RNP and HUD Held Reserves are insufficient to account for the increased leasing or expected increased leasing, HUD will adjust the renewal funding allocation accordingly.

(4) Adjustments to the PHA’s EHV renewal allocation may also be made during the HCV renewal funding calendar year. Subject to availability of the remaining funds, HUD will adjust renewal allocations upon request by the PHA for (1) EHV per-unit cost increases for unforeseen circumstances that occurred within or after the benchmarking period which the PHA could not reasonably have anticipated and were out of the PHA’s control, and (2) a PHA that would otherwise be required to terminate participating EHV families from the program due to insufficient funds, despite taking reasonable cost savings measures as determined by HUD.

(5) When the remaining EHV HAP renewal funding is no longer sufficient to fully fund all PHAs’ EHV renewal funding eligibility, HUD will prorate EHV renewal funding allocations. To determine the proration factor for the EHV renewal allocation, HUD will calculate the total HAP renewal funding eligibility for all PHAs still administering EHV’s and compare that amount to the remaining available EHV HAP renewal funds. This proration factor is then applied to each PHA’s EHV HAP renewal eligibility to determine the EHV renewal allocations.

HUD will provide the PHA with detailed information on its EHV renewal calculations and the process by which PHAs may request renewal funding allocation adjustments during the covered renewal period.

8. Individual and Family Eligibility under the Qualifying Categories

In order to be eligible for an EHV, an individual or family must meet one of four eligibility categories:

- Homeless
- At risk of homelessness
- Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking
- Recently homeless and for whom providing rental assistance will prevent the family’s homelessness or having high risk of housing instability.

In general, the verification that the individual or family meets one of these four eligibility categories is conducted by the CoC or another partnering agency that makes direct referrals to the PHA. The CoC or other direct referral partner must provide supporting documentation to the PHA of the referring agency’s verification that the family meets one of the four eligible categories for EHV assistance.

The following definitions always apply with respect to EHV eligibility, regardless of whether the PHA may have established another definition for any of these terms in its PHA administrative plan.
a. **Individuals and families who are homeless**

The meaning of “homeless” is as such term is defined in section 103(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a)), which is codified in HUD’s Continuum of Care Program regulations at 24 CFR 578.3 and reads as follows:

*Homeless* means:

(1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

   (i) 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;

   (ii) 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

   (iii) 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.

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

   (i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;

   (ii) No subsequent residence has been identified; and

   (iii) The individual or family lacks the resources or support networks, *e.g.*, family, friends, faith-based or other social networks, needed to obtain other permanent housing.

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

U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);

(ii) 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;

(iii) 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

(iv) 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.

b. Individuals or families who are at-risk of homelessness

The meaning of “at-risk of homelessness” is as such term is defined in section 401(1) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(1)), which is codified in HUD’s Continuum of Care Program regulations at 24 CFR 578.3 and reads as follows:

At risk of homelessness. (1) An individual or family who:

(i) Has an annual income below 30 percent of median family income for the area, as determined by HUD;

(ii) Does not have sufficient resources or support networks, e.g., family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the “Homeless” definition above; and

(iii) Meets one of the following conditions:

(A) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;

(B) Is living in the home of another because of economic hardship;

(C) Has been notified in writing that their right to occupy their
current housing or living situation will be terminated within 21 days of 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 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 the recipient's approved consolidated plan.

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

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

c.Individuals or families who are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking

This category is composed of any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking. This includes cases where a HUD-assisted tenant reasonably believes that there is a threat of imminent harm from further violence if they remain within the same dwelling unit, or in the case of sexual assault, the HUD-assisted tenant reasonably believes there is a threat of imminent harm from further violence if they remain within the same dwelling unit that they are currently occupying, or the sexual assault occurred on the premise during the 90-day period preceding the date of the request for transfer.
**Domestic violence** includes felony or misdemeanor crimes of violence committed by:

a. a current or former spouse or intimate partner of the victim (the term “spouse or intimate partner of the victim” includes a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship),

b. a person with whom the victim shares a child in common,

c. a person who is cohabiting with or has cohabited with the victim as a spouse or intimate partner,

d. a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or

e. any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Dating violence** means violence committed by a person:

a. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and

b. Where the existence of such a relationship shall be determined based on a consideration of the following factors:

1. The length of the relationship;
2. The type of relationship; and
3. The frequency of interaction between the persons involved in the relationship.

**Sexual assault** means any nonconsensual sexual act proscribed by Federal, Tribal, or State law, including when the victim lacks capacity to consent.

**Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

(1) Fear for the person’s individual safety or the safety of others; or
(2) Suffer substantial emotional distress.

**Human trafficking** includes both sex and labor trafficking, as outlined in the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. § 7102). These are defined as:

*Sex trafficking* means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age;
age; (and)

*Labor trafficking* means the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

d. **Individuals or families who are recently homeless**

This category is composed of individuals and families determined by the CoC or its designee to meet the following definition.

*Recently homeless* is defined as individuals and families who have previously been classified by a member agency of the CoC as homeless but are not currently homeless as a result of homeless assistance (financial assistance or services), temporary rental assistance or some type of other assistance, and where the CoC or its designee determines that the loss of such assistance would result in a return to homelessness or the family having a high risk of housing instability. Examples of households that may be defined as recently homeless by the CoC include, but are not limited to, participants in rapid rehousing, and permanent supportive housing.

Individuals and families classified as recently homeless must be referred by the CoC or its designee.

9. **Waivers and Alternative Requirements.**

The Secretary may waive or specify alternative requirements for any provision of the United States Housing Act of 1937 or regulation applicable to such statute other than requirements related to fair housing, nondiscrimination, labor standards, and the environment, upon a finding that the waiver or alternative requirement is necessary to expedite or facilitate the use of EHV funding.

EHVs are tenant-based vouchers under Section 8(o) of the United States Housing Act of 1937. Unless expressly waived below, all statutory and regulatory requirements and HUD directives regarding the HCV program are applicable to EHV, including the use of all HUD-required contracts and other forms. The administrative policies adopted in the PHA’s written administrative plan apply to the EHV unless such local policy conflicts with the requirements of the ARP, the requirements of this notice, or the waivers and alternative requirements outlined below.

These waivers and alternative requirements have been determined by the Secretary to be necessary to expedite and facilitate the use of the EHV funding. These waivers or alternative requirements are exceptions to the normal HCV requirements, which otherwise apply to the administration of the EHV.
HUD may waive and/or establish alternative requirements for additional statutory and regulatory provisions by subsequent notice. A PHA may request additional good cause regulatory waivers in connection with the use of the EHV s, which HUD will consider and assess upon the request of the PHA.

a. **COVID-19 waivers (waivers authorized for the regular HCV program under the CARES Act)**

The Coronavirus Aid, Relief and Economic Security (CARES) Act (Public Law 116-136) provides HUD with broad authority to waive or establish alternative requirements for numerous statutory and regulatory requirements for the HCV program. However, the CARES Act waiver authority does not cover EHV funding appropriated by the ARP.

HUD recognizes that the challenges the COVID-19 pandemic has created for the regular HCV program will likewise apply to the administration of the EHV s. Consequently, HUD is exercising its waiver authority under the ARP to provide some of the same menu of HCV-applicable CARES Act waivers to PHAs for administration of the EHV assistance. The use of these COVID-19-related EHV waivers is at the discretion of the individual PHA. A PHA may choose to apply all, some, or none of the waivers to the EHV assistance.

Unlike the other ARP waivers provided through this notice, these EHV COVID-19 waivers have limited periods of availability that currently match the same periods of availability for the CARES Act waivers. The period of availability for these EHV COVID-19 waivers/alternative requirements, collectively or individually, may be further extended by PIH notice should HUD determine that such similar extension is necessary for the CARES Act waivers, or if HUD otherwise determines it necessary to further extend these waivers for the EHV s. PHAs that implement these waivers are not required to keep the waiver/alternative requirement in-place for the full period of availability (including any extension) but may at any time choose to revert to regular program requirements and operations.

Attachment 1 of this notice provides the list of COVID-19 related waivers that the PHA may apply to the EHV. PHAs should refer to Notice PIH 2021-14 or its successor notice(s) for detailed information on the individual waivers listed in Attachment 1.

b. **Required partnerships with the CoC and other organizations for direct referrals and services**

EHVs are one of several resources that communities can use to house individuals and families who are experiencing homelessness or have unstable housing. To ensure that the EHV s assist families who are most in need, PHAs are required to work with community partners to determine the best use and targeting for the vouchers along with other resources available in the community.
HUD’s CoC program is authorized by subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381-11389). The program is designed to promote communitywide commitment to the goal of ending homelessness; provide funding for efforts by nonprofit providers, States, and local governments to quickly rehouse homeless individuals (including unaccompanied youth) and families, while minimizing the trauma and dislocation caused to homeless individuals, families, and communities by homelessness; promote access to and effective utilization of mainstream programs by homeless individuals and families; and optimize self-sufficiency among individuals and families experiencing homelessness.

The CoC is organized to carry out the responsibilities required under the program and is composed of representatives of organizations, including nonprofit homeless providers, victim service providers, faith-based organizations, governments, businesses, advocates, public housing agencies, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing developers, law enforcement, organizations that serve homeless and formerly homeless veterans, and homeless and formerly homeless persons to the extent these groups are represented within the geographic area and are available to participate.

Provisions in the CoC Program Interim Rule at 24 CFR § 578.7(a)(8) require that CoCs establish a Coordinated Entry (CE) System. The CE System is a centralized or coordinated process designed to coordinate program participant intake assessment and provision of referrals. A centralized or coordinated assessment system covers the geographic area of the CoC, is easily accessed by individuals and families seeking housing or services, is well advertised, and includes a comprehensive and standardized assessment tool.

HUD is establishing an alternative requirement under which the PHA must enter into a Memorandum of Understanding (MOU) with the CoC to establish a partnership for the administration of the EHV program. The primary responsibility of the CoC under the MOU is to make direct referrals of qualifying individuals and families to the PHA (see section 9.c below). Partner CoCs are responsible for determining whether the family qualifies under one of the four eligibility categories for EHV. Additionally, CoCs are encouraged to offer or make connections to supportive services for families that are referred to the PHA, including, but not limited to, short- or long-term case management, collecting necessary verifications to support referrals, housing counseling, housing search assistance and utility deposit assistance. HUD recommends CoCs and PHAs seek a diverse range of supportive services by partnering with organizations trusted by people experiencing homelessness. The specific services that the CoCs will provide to individuals or families referred for the EHV program must be outlined in the MOU with the CoC.

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11PHAs may use services fee funding for housing search assistance and utility deposit services, but if such services are already available through the CoC, the services fee funding should be directed to other uses that are not available through the CoC. It is important that the PHA collaborate with the CoC and any other partnering agencies in designing its menu of uses for the services fee funding.
PHAs that agree to accept an allocation must enter into an MOU with a partnering CoC within 30 days of the effective date of the ACC funding increment for the EHV.

The MOU is a complete statement of the responsibilities of the parties and evidence of a commitment of resources to the EHV program. The MOU may be subsequently amended to add or change the services that the CoC may provide but must always retain the direct referral responsibility of the CoC. A sample MOU template is included in Attachment 2 of this notice.

The MOU must include at a minimum:

1. The PHA’s and CoC’s commitment to administering the EHV in partnership.
2. The goals and standards of success in administering the EHV.
3. The staff position for each organization that will serve as the lead EHV liaison.
4. A statement that all parties agree to cooperate with any program evaluation efforts undertaken by HUD, or a HUD-approved contractor, including compliance with HUD evaluation protocols and data sharing requests.
5. The specific population eligible for the EHV assistance that will be referred to the PHA by the CoC or other partnering referral agency.
6. The services, including financial assistance, that will be provided to assist EHV applicants and participants and who will provide them.
7. The roles and responsibilities of the PHA and CoC, including but not limited to the CoC making direct referrals of families to the PHA through the CE system.

A PHA that experiences difficulty in identifying a CoC partner, or where the CoC may be unwilling or reluctant to enter the MOU due to capacity issues or other concerns, or where the PHA is worried about its ability to fulfill this requirement within the required deadline despite a good-faith effort, is encouraged to contact HUD as promptly as possible for assistance. HUD or its Technical Assistance (TA) provider will work with the PHA to help facilitate a partnership, which may include using a partnering referral agency other than the CoC. In rare circumstances HUD may waive the partnership/direct referral requirement for the PHA for an interim period if such a step is necessary while building capacity at the CoC or other potential partnering referral agency. Information on EHV technical assistance and how to request it will be provided by HUD during the EHV webinar to be conducted after issuance of this notice.

c. Admissions process - Direct referrals from the CoC and other partnering organizations

PHAs must accept referrals for EHV directly from the CE System. Accepting direct referrals from the CE System will help ensure families are able to get assistance quickly and eliminate the administrative burden on the PHA regarding the determination as to whether the family meets the definition of a qualifying individual or family for EHV assistance. CoC partners may also support applicants through the application process and attend meetings with applicants and PHAs to aid individuals and families through the admissions process. Direct referrals for EHV are not added to the PHA’s regular HCV
waiting list.

In general, EHV families are issued EHV as the result of either:

   (1) the direct referral process from the CoC CE System and/or other partnering organizations, or

   (2) a situation where the PHA makes an EHV available in order to facilitate an emergency transfer in accordance with the Violence Against Women Act (VAWA) as outlined in the PHA’s Emergency Transfer Plan. (PHAs are strongly encouraged to utilize EHV as a resource to effectuate emergency transfers for a victim of domestic violence, dating violence, sexual assault, or stalking, as part of their Violence Against Women Act (VAWA) Emergency Transfer Plan.)

The PHA must also take direct referrals from outside the CoC CE system if:

   (1) the CE system does not have a sufficient number of eligible families to refer to the PHA, or

   (2) the CE system does not identify families that may be eligible for EHV assistance because they are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking.

In those instances the PHA must enter into a partnership to receive direct referrals from another entity (a Victim Services provider or anti-trafficking service provider, for example, if the CE system is not referring victims fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking) or another homeless services provider (if there are not enough direct referrals coming through the CE system), assuming there are such additional organizations that can certify that an individual or family is homeless or at risk of homelessness, formerly homeless, is an individual or family is fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking. (Applicants under the “Recently homeless” category must by definition (see section 8.d above) always be referred by the CoC or its designee.) The PHA must enter an MOU with partnering referral agency as described above in section 9.b. Alternatively, the partnering referral agency may be added to the MOU between the PHA and CoC.

The referring agency must provide documentation to the PHA of the referring agency’s verification that the family meets one of the four eligible categories for EHV assistance. The PHA must retain this documentation as part of the family’s file. HUD has attached to this notice two examples of certifications that could be used to document the referring agency’s verification. (See Attachments 3 and 4).

Other than cases where a family is requesting an emergency transfer in accordance with VAWA as outlined in the PHA’s Emergency Transfer Plan, the PHA must refer a family
that is seeking EHV assistance directly from the PHA to the CoC or other referring agency partner for initial intake, assessment, and possible referral for EHV assistance.

If at any time the PHA is not receiving enough referrals or is not receiving referrals in a timely manner from the CoC CE system or other partner referral agencies (or the PHA and CoC cannot identify any such alternative referral partner agencies), the PHA should contact HUD for assistance. HUD may permit the PHA on a temporary or permanent basis to take EHV applications directly from applicants and admit eligible families to the EHV program in lieu of or in addition to direct referrals in those circumstances.

PHAs must inform families on the HCV waiting list of the availability of EHV by, at a minimum, either by posting the information to their website or providing public notice in their respective communities. The PHA notice must describe the eligible populations to which the EHV are limited and clearly state that the availability of these EHV is managed through a direct referral process. The PHA notice must advise the family to contact the CoC (or any other PHA referral partner, if applicable) if the family believes they may be eligible for EHV assistance. In providing this notice, PHAs must ensure effective communication with persons with disabilities, including those with vision, hearing, and other communication-related disabilities. PHAs must also take reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP). (See Section 11 – Nondiscrimination and Equal Opportunity Requirements - for more information.)

If the PHA has a preference for victims of domestic violence, dating violence, sexual assault, stalking, or human trafficking for the regular HCV program, the PHA must refer any applicant on the waiting list that indicated they qualified for this preference to the CoC or the applicable partnering referral agency. The CoC or partnering referral agency will determine if the family is eligible (based on the qualifying definition for EHV assistance for those fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking or another eligible category as applicable) for an EHV.

If the PHA has a homeless preference for the regular HCV program, the PHA must refer any applicant on the waiting list that indicated they qualified for the homeless preference to the CoC. The CoC will determine whether the family is eligible for an EHV (based on the qualifying definition for EHV assistance for homelessness or another eligible category as applicable). The CoC will also determine if the family is eligible for other homeless assistance through the CE system.

With the exception of special admissions, the HCV regulations require that the PHA admit an applicant as a waiting list admission. In order to implement the above alternative requirements, HUD is waiving § 982.204(a), which requires that except for special admissions, participants must be selected from the PHA waiting list and that the PHA must select participants from the waiting list in accordance with admission policies

12 A special admission (24 CFR § 982.203) is a non-waiting list admission that is only applicable if HUD awards a PHA program funding that is targeted for families living in specified units.
in the PHA administrative plan.

d. **Required housing search assistance**

Housing search assistance can help EHV participants successfully move to areas of higher opportunity, as well as broaden the pool of landlords participating in the EHV program, including culturally or racially diverse landlords and landlords with smaller numbers of units. HUD has established as an alternative requirement that the PHA must ensure housing search assistance is made available to EHV families during their initial housing search. The housing search assistance may be provided directly by the PHA or through the CoC or another partnering agency or entity.

Housing search assistance is a broad term which can include many activities, but with respect to this requirement it must at a minimum (1) help individual families identify potentially available units during their housing search, including physically accessible units with features for family members with disabilities, as well as units in low-poverty neighborhoods, (2) provide transportation assistance and directions to potential units, (3) conduct owner outreach, (4) assist with the completion of rental applications and PHA forms, and (5) help expedite the EHV leasing process for the family. Other recommended, but not required, housing search activities include helping individual families identify barriers to leasing (e.g., low credit score, evictions history) and strategies to address these barriers, workshops on how to conduct an effective housing search, enhanced support for portability processing, regular proactive check-ins for families searching with a voucher, regular reminders to the family of their voucher expiration date and extension policies, and a dedicated landlord liaison for EHV voucher families. The PHA may use any of the EHV administrative fees (including the services fees) described in section 6 for EHV housing search assistance.

e. **Separate waiting list for EHV**

The HCV program regulations at § 982.204(f) provide that a PHA must use a single waiting list for admission to its HCV program.

It is possible that the number of applicants referred by partnering agencies at a given time may exceed the EHV available for the PHA to issue to families. HUD recognizes that requiring PHAs to utilize its existing HCV waiting list to manage EHV referrals will create unnecessary administrative burden, complications, and delays.

HUD is therefore waiving § 982.204(f) to establish an alternative requirement under which the PHA shall maintain a separate waiting list for EHV referrals/applicants to help expedite the leasing process, both at initial leasing and for any turnover vouchers that may be issued prior to the September 30, 2023 turnover voucher cut-off date.

Because the EHV waiting list is based on direct referrals or requests through the PHA’s VAWA emergency transfer plan and not applications from the general public, HUD is also waiving § 982.206, which requires the PHA to give public notice when opening and
closing the waiting list. Under this alternative requirement, the PHA will work directly with its CoC and other referral agency partners to manage the number of referrals and the size of the EHV waiting list.

f. Local Preferences

Under the HCV program, the PHA may establish a system of local preferences for the selection of families. The PHA may have an existing set of local preferences for its HCV program that understandably does not align with the specific targeted purpose of the EHV. Furthermore, the PHA, in conjunction with the CoC and other referral partners, may wish to establish preferences specifically designed for EHV admissions that the PHA would not want to apply to its regular HCV waiting list. Excluding EHVs from the PHA’s normally applicable local preference system will simplify EHV administration and ensure that EHVs are not being prioritized based on preferences designed for the broad universe of HCV eligible applicants rather than the subset of EHV qualifying families.

HUD is waiving § 982.207(a) and establishing an alternative requirement that the local preferences established by the PHA for HCV admissions do not apply to EHVs. The PHA may choose, in coordination with the CoC and other referral partners, to establish separate local preferences for EHVs, or may simply choose to not establish any local preferences for the EHV waiting list.

In establishing any local preferences for the EHV waiting list, the preference may not prohibit EHV admissions from any of the four qualifying categories of eligibility. The preference system prioritizes the order in which families on the EHV waiting list are assisted but does not allow the PHA to refuse to accept a referred family that meets one of the four EHV eligibility categories, or otherwise delay issuance of an available voucher to that eligible family in order to “hold” the voucher for a future referral of a preference holder. In cases where the PHA and the referral agency partners are contemplating local preferences for the EHV waiting list, HUD strongly encourages PHAs and their partners to consider designing preferences that take into consideration the comparative health risks that COVID-19 poses to the subgroup of families eligible for EHVs (e.g., individuals or families living in environments where practicing social distancing or taking other preventive measures may be particularly challenging). The PHA must ensure any local preferences did not discriminate on the basis of any federally protected classes and cannot utilize criteria or methods of administration which would result in discrimination. See Section 11 – Nondiscrimination and Equal Opportunity Requirements for more information on applicable federal civil rights requirements.

The HCV program regulations at § 982.207(b) allows a PHA to adopt and implement a residency preference in accordance with the non-discrimination and equal opportunity requirements listed at § 5.105(a). Given the emergency nature of these vouchers, the fact that many individuals and families in the targeted populations may not necessarily qualify as a “resident” due to their housing circumstances, and the direct referral /coordinated
entry aspect of EHV administration, it is not appropriate to apply residency preferences for EHV admission. Consequently, HUD is waiving § 982.207(b) and establishing an alternative requirement under which a PHA may not apply any residency preference to EHV applicants.

g. Restrictions on PHA denial of assistance to an EHV applicant

The HCV program regulations at § 982.552 and § 982.553 cover the grounds under which a PHA may deny an applicant admission to the program and in certain cases is required to do so. These grounds include the following:

- If any member of the family has been evicted from federally assisted housing in the last five years.
- If a PHA has ever terminated assistance under the program for any member of the family.
- If any member of the family has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program.
- If the family currently owes rent or other amounts to the PHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.
- If the family has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease.
- If the family breached an agreement with the PHA to pay amounts owed to a PHA, or amounts paid to an owner by a PHA.
- If the family engaged in or threatened abusive or violent behavior toward PHA personnel.
- If the family has been engaged in criminal activity or alcohol abuse as described in § 982.553.

HUD is waiving §982.552 and § 982.553 in part and establishing an alternative requirement with respect to mandatory and permissive prohibitions of admissions for EHV applicants. The EHV alternative requirement is as follows:

Mandatory Prohibitions.

(1) The PHA must apply the standards it established under § 982.553(a)(1)(ii)(C) that prohibit admission if any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing to EHV applicants.

(2) The PHA must apply the standards it established under § 982.553(a)(2)(i) that prohibit admission to the program if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program to EHV applicants.

Permissive Prohibitions.
The PHA may prohibit admission of a family for the grounds stated below. The PHA may choose not to prohibit admission for these grounds or may establish a more permissive policy than the PHA’s policy for admission to the regular HCV program. The PHA may not establish a permissive prohibition policy for EHV applicants that is more prohibitive than the policy established for admissions to the regular HCV program. The PHA policy on EHV permissive prohibitions must be described in the PHA’s administrative plan.

If the PHA intends to establish permissive prohibition policies for EHV applicants, the PHA must consult with its CoC partner to understand the impact that the proposed prohibitions may have on referrals and must take the CoC’s recommendations into consideration. The PHA policy on EHV permissive prohibitions must be described in the PHA’s administrative plan. Determinations must be made based on an individualized assessment of relevant mitigating information. The permissive prohibitions are:

(1) If the PHA determines that any household member is currently engaged in, or has engaged in within the previous 12 months:
   a. Violent criminal activity.
   b. Other criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity.

(2) If any member of the family has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program within the previous 12 months.

(3) If the family engaged in or threatened abusive or violent behavior toward PHA personnel within the previous 12 months.

Unlike regular HCV admissions, PHAs may not deny an EHV applicant admission regardless of whether:

13 See Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions (April 4, 2016), available at https://www.hud.gov/sites/documents/HUD_OGCGUIDAPPFHASTANDCR.PDF at 7 (“individualized assessment of relevant mitigating information beyond that contained in an individual’s criminal record is likely to have a less discriminatory effect than categorical exclusions that do not take such additional information into account. Relevant individualized evidence might include: the facts or circumstances surrounding the criminal conduct . . . evidence that the individual has maintained a good tenant history before and/or after the . . . conduct; and evidence of rehabilitation efforts.”)

14 Please see PIH Notice 2015-19. The purpose of PIH 2015-19 is to inform PHAs and owners of other federally-assisted housing that arrest records may not be the basis for denying admission, terminating assistance or evicting tenants, to remind PHAs and owners that HUD does not require their adoption of “One Strike” policies, and to remind them of their obligation to safeguard the due process rights of applicants and tenants. See also Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions (April 4, 2016), available at https://www.hud.gov/sites/documents/HUD_OGCGUIDAPPFHASTANDCR.PDF (overviewing how applying criminal records screening too broadly may implicate fair housing liability for housing providers).
Any member of the family has been evicted from federally assisted housing in the
§A PHA has ever terminated assistance under the program for any member of the
family. 
The family currently owes rent or other amounts to the PHA or to another PHA in
connection with Section 8 or public housing assistance under the 1937 Act.
The family has not reimbursed any PHA for amounts paid to an owner under a HAP
contract for rent, damages to the unit, or other amounts owed by the family under the
lease.
The family breached an agreement with the PHA to pay amounts owed to a PHA, or
amounts paid to an owner by a PHA.
The family would otherwise be prohibited admission under alcohol abuse standards
established by the PHA in accordance with §982.553(a)(3).
The PHA determines that any household member is currently engaged in or has
engaged in during a reasonable time before the admission, drug-related criminal
activity.

Similar to the HUD-Veterans Affairs Supportive Housing (HUD-VASH) program, HUD
is eliminating the PHA’s permissive prohibitions for EHV admissions for drug-related
criminal activity. The eligible populations of homeless and at-risk of homelessness
individuals and families may include individuals struggling with drug addiction, and that
addiction may be one of the root causes of their homelessness. As demonstrated by the
“Housing First’ model, providing the individual with safe housing may be a critical first
step in helping the individual recover from addiction. Consequently, prohibitions based
on criminal activity for the eligible EHV populations regarding drug possession should be
considered apart from criminal activity against persons (i.e., violent criminal activity).
Further, the Department remains concerned about the potential discriminatory effect that
reliance on drug-related criminal activity history as grounds for denial of admission may
pose for the EHV program. For further information on the use of criminal histories and
the Fair Housing Act, please see HUD’s Office of General Counsel Guidance on the
Application of Fair Housing Act Standards to the Use of Criminal Records by Providers
of Housing and Real Estate-Related Transactions, issued on April 4, 2016.15

The PHA must still deny admission to the program if any member of the family fails to
sign and submit consent forms for obtaining information in accordance with 24 CFR part
5 as required by § 982.552(b)(3), but should notify the family of the limited EHV
grounds for denial of admission first.

When adding a family member after the family has been placed under a HAP contract
with EHV assistance, the regulations at § 982.551(h)(2) apply. Other than the birth,

15 Available at https://www.hud.gov/sites/documents/HUD_OGCGUIDAPPFHASTANDCR.PDF. This Guidance
cautions against the screening of applicants for tenancy using criminal records where such screening may
disproportionately impact protected classes, and where the housing provider cannot prove such a policy is necessary
to achieve a substantial, legitimate, nondiscriminatory interest.
adoption or court-awarded custody of a child, the PHA must approve additional family members and may apply its regular screening criteria in doing so.

h. Income Verification at Admissions

Under the HCV program, PHAs must determine whether an applicant family’s income exceeds the applicable income limit as established by HUD in the jurisdiction where the family wishes to lease a unit. While the verification hierarchy described in Notice PIH 2018-18 applies to income determinations for applicants, the Enterprise Income Verification (EIV) system generally is not available for verifying income of applicants.

The program regulations under § 982.201(e) requires that the PHA must receive information verifying that an applicant is eligible within the 60-day period before the PHA issues a voucher to the applicant. For verification purposes, Notice PIH 2018-18 states that third-party generated documents be dated within 60 days of the PHA’s request.

For homeless families and other EHV eligible families, documentation may not be readily on-hand and may be difficult to obtain quickly. Accepting self-certifications and allowing for the delay of receipt of documentation and/or third-party verification will allow the CoC/partnering agency to assist the family in obtaining the necessary documentation without unduly delaying the family’s housing assistance.

HUD is waiving the third-party income verification requirements for EHV applicants and, alternatively, allowing PHAs to consider self-certification as the highest form of income verification at admission. Applicants must submit an affidavit attesting to reported income, assets, expenses and other factors which would affect an income eligibility determination. Additionally, applicants may provide third-party documentation which represents the applicant’s income within the 60-day period prior to admission or voucher issuance but is not dated within 60 days of the PHA’s request. For example, a Supplemental Security Income (SSI) benefit letter that was issued in November 2020 to represent the applicant’s benefit amount for 2021 and was provided to the PHA in September 2021 would be an acceptable form of income verification. As a reminder, the PHA may also use the SSI benefit letter as proof of disability.

Once HUD makes the EIV data available to PHAs under this waiver and alternative requirement, the PHA must: review the EIV Income and Income Validation Tool (IVT) Reports to confirm/validate family-reported income within 90 days of the PIC-NG (see Section 15 of this notice below) submission date; print and maintain copies of the EIV Income and IVT Reports in the tenant file; and resolve any income discrepancy with the family within 60 days of the EIV Income or IVT Report dates.

Prior to admission, PHAs must continue to use HUD’s EIV system to search for all household members using the Existing Tenant Search. The PHA may be required to deny assistance to household members already receiving assistance from another program.
PHAs are encouraged to incorporate additional procedures to remind families of the obligation to provide true and complete information. PHAs that conduct eligibility determinations under this waiver/alternative requirement will be responsible for addressing any material discrepancies (i.e., unreported income or a substantial difference in reported income) that may arise later and must take necessary enforcement actions if the tenant was never eligible due to their income, as well as initiate HUD-compliant payment plans for those whose unreported income was unintentional and do not make the tenant ineligible for the program accordingly.

The adoption of this waiver does not authorize any ineligible family to receive assistance under these programs. If a PHA later determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

i. Eligibility Determination: Social Security Number and Citizenship Verification

HCV applicants must disclose and document and PHAs must verify the social security numbers (SSN) of each applicant. Applicant documentation may include a valid SSN card issued by the Social Security Administration; an original document issued by a federal or state government agency which contains the individual’s name, SSN and other identifying information; or other evidence of the SSN as prescribed by HUD. Generally, a PHA may not admit an applicant until the required documentation is provided to verify the SSN of each household member.

PHAs also must verify evidence of U.S. citizenship or eligible immigration status for noncitizens claiming eligibility for assistance. Each eligible household member must sign a declaration of their status and eligible noncitizens must also provide supporting documentation, which must be submitted by the time of the eligibility determination. Documentation verifying U.S. citizenship may also be requested. Since eligibility for assistance is limited to U.S. citizens and noncitizens who have eligible immigration status, families in which not all members are U.S. citizens or have eligible immigration status are only eligible to receive pro-rated housing assistance based on the percentage of family members who qualify for assistance.

Additionally, PHAs must verify each family member’s date of birth to verify identity and determine age and disability status per 24 CFR § 5.403, if claimed. These family characteristics impact the income and tenant rent calculations.

This documentation may not be readily on hand and may be difficult to obtain for individuals and families experiencing homelessness. Accepting self-certifications and delaying the receipt of documentation and/or third-party verification will allow PHAs to assist EHV families more quickly and provide time for the family (with assistance from the CoC or other partnering agencies) to obtain the necessary documentation.

HUD is consequently waiving the requirement to obtain and verify SSN documentation and documentation evidencing eligible noncitizen status before admitting the family to the EHV program. PHAs may adopt policies to admit EHV applicants who are unable to
provide the required SSN or citizenship documentation during the initial eligibility determination. As an alternative requirement, such individuals must provide the required documentation within 180 days of admission to be eligible for continued assistance, pending verification, unless the PHA provides an extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation. If a family member appeals secondary verification of immigration documents, PHAs are reminded that assistance may not be delayed, denied, reduced or terminated on the basis of immigration status pending the completion of the appeal as described in § 5.514(e).

Additionally, PHAs may accept self-certification of date of birth and disability status if a higher level of verification is not immediately available. If self-certification is used, the PHA must obtain a higher level of verification within 90 days of admission or verify the information in EIV.

PHAs are encouraged to incorporate additional procedures to remind families of the obligation to provide true and complete information. PHAs that conduct eligibility determinations under this waiver/alternative requirement will be responsible for addressing any material discrepancies (i.e., erroneous SSNs) that may arise later and must take necessary enforcement actions accordingly. The adoption of this waiver does not authorize any ineligible family to receive assistance under these programs. If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

j. Inapplicability of Income Targeting Requirements

The PHA must determine income eligibility for EHV families in accordance with § 982.201. However, the income targeting requirements of section 16(b) of the United States Housing Act of 1937 and § 982.201(b)(2) are waived and do not apply for EHV families so that participating PHAs can effectively serve individuals and families in all the eligibility categories under the ARP who may be at a variety of income levels, including low-income families. The PHA may still choose to include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted. In conformance with normal program rules, PHAs may not deny admission to a family with zero income and must consider hardship circumstances before charging a minimum rent in accordance with § 5.630(b).

k. Use of recently conducted initial income determinations and verifications at admission

Some families who were recently homeless but are now currently residing in rapid rehousing or are receiving other time-limited housing assistance may have had their income recently verified under that housing assistance program. Furthermore, families who are eligible for EHV assistance as victims of domestic violence, dating violence, sexual assault, stalking, or human trafficking may be currently assisted through other subsidized housing programs such as public housing. PHAs may accept income
calculations and verifications from third-party providers or from an examination that the PHA conducted on behalf of the family for another subsidized housing program in lieu of conducting an initial examination of income as long as the income was (1) calculated in accordance with rules outlined at 24 CFR Part 5 and within the last six months and (2) the family certifies there has been no change in income or family composition in the interim. At the time of the family’s annual reexamination the PHA must conduct the annual reexamination of income as outlined at 24 CFR § 982.516.

For each new admission under this waiver and alternative requirement, the PHA must: review the EIV Income and IVT Reports to confirm/validate family-reported income within 90 days of the PIC-NG (see Section 15 of this notice) submission date; print and maintain copies of the EIV Income and IVT Reports in the tenant file; and resolve any income discrepancy with the family within 60 days of the EIV Income or IVT Report dates.

1. **Pre-inspection of HQS units**

To expedite the leasing process, PHAs may pre-inspect available units that EHV families may be interested in leasing in order to maintain a pool of eligible units. If an EHV family selects a unit that passed a HQS inspection (without intervening occupancy) within 45 days of the date of the Request for Tenancy Approval (form HUD-52517), the unit may be approved as long as it meets all other conditions under § 982.305. However, the family must be free to select their unit and cannot be required to accept a pre-screened unit.

**m. Initial Search Term**

While the EHV program provides the PHA with funding designed to help increase the success rate of EHV families in obtaining housing (such as security deposit assistance, landlord incentives, and housing search assistance), these families may still face significant challenges with their housing search. An initial search term of 60 days may be inadequate for EHV families. Consequently, HUD is waiving § 982.303(a), which provides that the initial search term must be at least 60 days and is establishing an alternative requirement that the initial term for an EHV must be at least 120 days. Any extensions, suspensions, and progress reports will remain under the policies in the PHA’s administrative plan but will apply after the minimum 120-day initial search term.

As a reminder, a PHA must grant reasonable accommodation requests to extend the housing search term that may be necessary for individuals with disabilities to find a unit that meets their disability-related needs. For example, it may be challenging to find a unit that includes specific accessibility features, is close to accessible transportation, or close to supportive services or medical facilities.

**n. Initial lease term**
Under the HCV program, the family must enter into an initial lease with the owner for at least one year, unless a shorter term would improve housing opportunities for the tenant and the shorter term is a prevailing market practice. To provide a greater range of housing opportunities for EHV families, HUD is waiving Section 8(o)(7)(A) of the United States Housing Act of 1937 and § 982.309(a)(2)(ii). The initial lease term for an EHV family may be less than 12 months regardless of whether the shorter term is a prevailing market practice.

o. **Portability**

The normal HCV portability procedures and requirements generally apply to EHV families with the following exceptions.

i. **No prohibition on portability for non-resident applicants**

Under the HCV program, if neither the household head nor spouse of an assisted family already had a “domicile” (legal residence) in the jurisdiction of the PHA at the time the family first submitted an application for participation in the program, the family does not have any right to portability during the 12-month period from when the family is admitted to the program. Such a family is a “non-resident applicant.” The initial PHA may choose to allow portability during this period but is not required to do so.

In order to provide maximum housing choice for the targeted populations, HUD is removing this restriction for EHV nonresident applicants to allow all EHV families to immediately move under portability. Accordingly, HUD is waiving section 8(r)(1)(B)(i) of the United States Housing Act of 1937 and § 982.353(c). The PHA may not restrict an EHV family from exercising portability because they are a non-resident applicant.

ii. **Portability billing and absorption**

A receiving PHA cannot refuse to assist an incoming EHV family, regardless of whether the PHA does or does not currently administer EHV under its own ACC.

If the EHV family moves under portability to another PHA that administers EHV under its own ACC:

- The receiving PHA may only absorb the incoming EHV family with an EHV (assuming it has an EHV voucher available to do). If the PHA does not have an EHV available to absorb the family, it must bill the initial PHA. The receiving PHA must allow the family to lease the unit with EHV assistance and may not absorb the family with a regular HCV when the family leases the unit.

- Regardless of whether the receiving PHA absorbs or bills the initial PHA for the family’s EHV assistance, the EHV administration of the voucher is in accordance with the receiving PHA’s EHV policies, although neighboring
PHAs and PHAs in the same metro area or region are strongly encouraged to work collaboratively with one another to align EHV policies and help facilitate EHV portability moves between their jurisdictions.

If the EHV family moves under portability to another PHA that does not administer EHV under its own ACC, the receiving PHA may absorb the family into its regular HCV program or may bill the initial PHA.

iii. Family briefing/initial PHA and receiving PHA coordination on services

In addition to the applicable family briefing requirements at § 982.301(a)(2) as to how portability works and how portability may affect the family’s assistance, the initial PHA must inform the family how portability may impact the special EHV services and assistance that may be available to the family.

The initial PHA is required to help facilitate the family’s portability move to the receiving PHA and inform the family of this requirement in writing taking reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP). If the portability move is in connection with the EHV family’s initial lease-up, the receiving PHA and the initial PHA must consult and coordinate on the EHV services and assistance that will be made available to the family. The primary purpose of this communication is to ensure there is no duplication of EHV services and assistance provided to the family and that the receiving PHA is aware of the maximum amount of services fee funding that the initial PHA may provide to the receiving PHA on behalf of the family. (Further information on this subject is provided in subsection iv below.)

iv. EHV portability – HAP and EHV administrative fees

A. HAP and ongoing fees

The requirements at 982.355(e) apply to portability billing arrangements on behalf of an EHV family:

- The initial PHA must promptly reimburse the receiving PHA for the full amount of the housing assistance payments made by the receiving PHA for the family.
- The initial PHA must promptly reimburse the receiving PHA for the lesser of 80 percent of the initial PHA’s EHV ongoing administrative fee or 100 percent of the receiving PHA's ongoing administrative fee (or the receiving PHA’s EHV ongoing administrative fee if the receiving PHA administers the EHV program). If both PHAs agree, the PHAs may negotiate a different amount of reimbursement.

B. Services Fee Funding:

If the receiving PHA, in consultation and coordination with the initial PHA, will provide eligible services or assistance to the incoming EHV family, the receiving
PHA may be compensated for those costs by the initial PHA. This is the case regardless of whether the receiving PHA bills the initial PHA or absorbs the family into its own program at initial lease-up.

If the receiving PHA administers EHV's under its CACC, the receiving PHA may use its own services fee and may be reimbursed by the initial PHA, or the initial PHA may provide the services funding upfront to the receiving PHA for those fees and assistance. If the receiving PHA does not administer EHV's under its CACC, the initial PHA must provide the services funding upfront to the receiving PHA. Any amounts provided to the receiving the PHA that are not used for services or assistance on behalf of the EHV family must promptly be returned by the receiving PHA to the initial PHA.

The amount of the service fee provided by the initial PHA may not exceed the lesser of the actual cost of the services and assistance provided to the family by the receiving PHA or $1750, unless the initial PHA and receiving PHA mutually agree to change the $1750 cap.

C. Placement fee/issuance reporting fee:

If the portability lease-up qualifies for the placement fee/issuance reporting fee, the receiving PHA receives the full amount of the placement component of the placement/issuing reporting fee. The receiving PHA is eligible for the placement fee regardless of whether the receiving PHA bills the initial PHA or absorbs the family into its own program at initial lease-up. The initial PHA qualifies for the issuance reporting component of the placement fee, as applicable.

Note that the entire preliminary fee is always paid to and retained by the initial PHA and is not impacted by an EHV portability move.

p. Payment standard amounts

The HCV regulations at 24 CFR § 982.503(a)(3) provide that the PHA voucher payment standard schedule shall establish a single payment standard amount for each unit size, and that for each unit size, the PHA may establish a single payment standard amount for the whole Fair Market Rent (FMR) area, or may establish a separate payment standard amount for each designated part of the FMR area.

Many rental markets with a high need for the EHV's are very competitive with a shortage of affordable rental units. EHV recipients who are homeless or at risk of homelessness may have relatively lower incomes than regular HCV recipients, limiting their ability to rent units with rents above the payment standard. In addition, landlords may be more reluctant to rent to homeless individuals who may have limited or poor credit history, a limited established rental history, or other issues.
Due to those factors and the emergency nature of these vouchers, HUD is waiving § 982.503(a)(3) and establishing an alternative requirement permitting PHAs to establish separate higher payment standards for the EHV units in order to increase the potential pool of available units for EHV families. The separate EHV payment standard must comply with all other HCV requirements under § 983.503 with the exception of the waivers of § 982.503(b)(i) and § 982.503(b)(iii) discussed below.

Establishing a separate EHV payment standard is at the discretion of the PHA and the PHA is not required to do so. PHAs are not permitted to establish a separate payment standard for the EHV units that is lower than the regular HCV payment standard. If the PHA is increasing the regular HCV payment standard, the PHA must also increase the EHV payment standard if it would be otherwise lower than the new regular HCV payment standard.

In addition, HUD is waiving § 982.503(b)(1)(i) and establishing an alternative requirement to allow the PHA to establish a payment standard amount for a unit size at any level between 90 percent and 120 percent (as opposed to 110 percent) of the published FMR for that unit size. HUD approval is not required to establish an EHV payment standard within that range.

Furthermore, HUD is waiving § 982.503(b)(1)(iii) and establishing an alternative requirement to provide that a PHA that is not in a designated Small Area FMR area or has not opted to voluntarily implement Small Area FMRs under 24 CFR 888.113(c)(3) may establish exception payment standards for a ZIP code area above the basic range for the metropolitan FMR based on the HUD published Small Area FMRs. The PHA may establish an exception payment standard up to 120 percent (as opposed to 110 percent) of the HUD published Small Area FMR for that ZIP code area. As is the case for the regular HCV program, the PHA must notify HUD if it establishes an EHV exception payment standard based on the Small Area FMR. The exception payment standard must apply to the entire ZIP code area.

PHAs may also still request approval for exception EHV payment standards above 120% of the applicable FMR/SAFMR from HUD in accordance with § 982.503(b)(1)(iv) or § 982.503(c) if needed.

All rent reasonableness requirements at § 982.507 continue to apply to EHV units, regardless of whether the PHA has established an alternative or exception EHV payment standard. As discussed in section 6 above, PHAs may provide EHV owner incentive payments to recruit and retain owners, but the rent charged for the unit must be a reasonable rent in comparison to rent for other comparable units.

q. **Increase in Payment Standard During HAP Contract Term**

The HCV regulations at 24 CFR § 982.505(c)(4) require that if the payment standard amount is increased during the term of the HAP contract, the increased payment standard amount shall be used to calculate the monthly housing assistance payment for the family.
beginning at the effective date of the family’s first regular reexamination on or after the effective date of the increase in the payment standard amount.

HUD is waiving this requirement and as an alternative requirement providing a PHA with the discretion to establish a policy in the PHA administrative plan on when to apply the increased payment standard (e.g., interim reexamination, owner rent increase) after the effective date of the increase in the payment standard amount, provided the increased payment standard is used to calculate the HAP no later than the effective date of the family’s first regular reexamination following the change.

10. **Moving-to-Work (MTW) Agencies**

MTW agencies that administer EHV s are bound by the terms and conditions of this notice. As discussed above in section 9, all HCV statutory and regulatory requirements and HUD directives are applicable to EHV s unless waived by this notice. However, MTW agencies may request approval from HUD’s Office of Housing Voucher Programs to administer EHV s in accordance with the HCV programmatic flexibilities approved under PHA’s Annual MTW Plan or MTW Supplement to the PHA Plan, as permitted by its MTW Agreement or the MTW Operations Notice. The Office of Housing Voucher Programs may approve the MTW PHA’s request provided it determines the requested MTW flexibility is not in direct conflict with an EHV waiver or alternative requirement and its application would not have a detrimental impact on EHV families. MTW PHAs must submit such requests with supporting justification through their local Field Office.

EHV funding is not eligible for MTW fungibility but must only be used for EHV eligibility activities and to assist EHV eligible families. This applies to EHV HAP funding and to all forms of EHV administrative fees.

11. **Nondiscrimination and Equal Opportunity Requirements**

PHAs are reminded in administering the EHV program to follow all applicable nondiscrimination and equal opportunity requirements at 24 CFR 5.105(a) and 24 CFR 982.53, including but not limited to the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, the Age Discrimination Act, HUD’s Equal Access Rule, and Title II of the Americans with Disabilities Act of 1990. These requirements prohibit discrimination on the basis of race, color, religion, sex, familial status, national origin, disability, age, sexual orientation, gender identity, and marital status. PHAs should also comply with Title III of the Americans with Disabilities Act of 1990 (see 28 CFR 35.160 and 28 CFR 36.303).

When an EHV household is or includes a person with disabilities, reasonable accommodations may be necessary. A reasonable accommodation is a change, exception or adjustment to rules, policies, practices or services that may be necessary in order to enable an applicant or resident with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common areas, or to participate in or access programs and activities. This extends to various aspects of EHV program implementation including for
example, denial or termination of assistance, initial search term of the EHV, initial lease term, and informal reviews and hearings, as well as reasonable accommodations that may be necessary during one’s tenancy. Under Section 504, reasonable accommodations may also include a structural change to a unit.

In addition, the PHA must also provide effective communication to persons with disabilities, including those with vision, hearing, and other communication related disabilities, which includes ensuring that information is provided in appropriate accessible formats as needed, e.g., Braille, audio, large type, assistive listening devices, and sign language interpreters, accessible website and other accessible electronic communications. See 24 CFR 8.6. The PHA must also take reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP). LEP guidance and LEP information is available here: https://www.federalregister.gov/documents/2007/01/22/07-217/final-guidance-to-federalfinancial-assistance-recipients-regarding-title-vi-prohibition-against

12. **Inapplicability of Project-based Voucher Assistance**

Section 3202(b)(1) of the ARP provides that the EHV's "shall be tenant-based assistance under section 8(o) of the United States Housing Act of 1937." In addition to the requirement that EHV's must be tenant-based voucher assistance, several provisions of section 3202 are not compatible with project-based voucher assistance. In particular, the requirement with respect to the termination of vouchers upon turnover discussed below in Section 13 is clearly compatible with tenant-based voucher assistance, but it is not compatible with multi-year PBV contracts where assistance is tied to the project. Furthermore, tenant-based assistance, when coupled with the funding for other eligible expenses designed to facilitate the leasing of the emergency vouchers (notably the security deposit assistance and other costs related to the retention and support of owners specifically included in the Act), offers the most expeditious approach to assisting families as quickly as possible with these emergency housing vouchers.

Consequently, PHAs may not project-base EHV's but must administer these vouchers exclusively as tenant-based assistance.

13. **Termination of Vouchers upon Turnover after September 30, 2023**

The ARP provides that after September 30, 2023, a PHA may not reissue the EHV when assistance for an assisted family ends. This means that when an EHV participant (a family that is receiving rental assistance under a HAP contract) leaves the program for any reason, the PHA may not reissue that EHV to another family unless it does so no later than September 30, 2023.

For example, if an EHV participant leaves the program and their HAP contract terminates on August 31, 2023, that EHV must be reissued to another family no later than September 30, 2023. If the PHA does not reissue the EHV to another family by September 30, 2023, the EHV may not be reissued and effectively sunsets. Provided the EHV re-issuance date is no later than September 30, 2023, the term of the EHV may extend beyond September 30, 2023.
However, if the family that was issued the EHV is ultimately unsuccessful in finding a unit and that EHV expires after September 30, 2023, the EHV may not be reissued to another family. All EHV s under lease on or after October 1, 2023, may not under any circumstances be reissued to another family when the participant leaves the program for any reason.

An EHV that has never been issued to a family may be initially issued and leased after September 30, 2023, since this prohibition only applies to EHV s that are being reissued upon turnover after assistance to a family has ended. However, HUD may direct PHAs administering EHV s to cease leasing any unleased EHV s if such action is determined necessary by HUD to ensure there will be sufficient funding available to continue to cover the HAP needs of currently assisted EHV families. (While HUD anticipates most EHV s under the initial allocation would be leased by September 30, 2023, PHAs may have subsequently received a new allocation of EHV s as part of the recapture/reallocation process described in section 14 below.)

HUD will remove any turnover EHV that cannot be reissued from the PHA’s CACC as part of the next funding renewal process.

14. **HUD authority to revoke and reallocate vouchers for PHA failure to use vouchers promptly**

The ARP provides that if a PHA fails to lease its authorized EHV s within a reasonable period of time, HUD may revoke and redistribute any unleased vouchers and associated funds to other public housing agencies. This would include recapturing any funds previously obligated to the PHA that are associated with those revoked vouchers, as described further below.

HUD will be closely monitoring EHV leasing and will evaluate the PHA’s leasing progress for purposes of EHV reallocation by assessing the PHA’s EHV performance. This evaluation will occur no sooner than the one-year anniversary of the effective date of the PHA’s EHV funding increment. A PHA that has a substandard EHV leasing performance may be subject to having some or all of its unissued vouchers revoked and reallocated. However, under no circumstances will PHAs that have leased at least 95 percent of their EHV s have any of their unissued vouchers recaptured and reallocated.

HUD will refresh the formula allocation data when determining the number of vouchers for which a PHA qualifies under the reallocation. PHAs that have reduced their leasing potential by increasing voucher utilization during the intervening months, for example, may benefit from that improved performance when the allocation formula is run again to reallocate the recaptured vouchers.

In a situation where EHV s are being revoked, the number of EHV s under that PHA’s CACC will be reduced to reflect that some or all of the PHA’s EHV s have been revoked. The “associated funds” subject to recapture along with the unleased vouchers are the following:

- HAP funding HUD obligated to the PHA that is attributable to the unleased voucher in
the initial funding allocation (and/or subsequent renewal allocations if applicable),
unless the excess HAP funding has already been accounted for through HUD’s renewal
process.

- Ongoing administrative fees that were advanced to the PHA unless the advanced
  ongoing administrative fees have already been accounted for through HUD’s
  reconciliation process.
- An amount equivalent to 50 percent of the services fee for each EHV that is being
  revoked, not to exceed the total amount of unexpended services fees available to the
  PHA.
- Preliminary fee. The preliminary fee is provided to the PHA for planning and other
  implementation efforts and it is not expected to be available for recapture and
  reallocation. However, any unused preliminary fee amounts remaining at the time of
  recapture and reallocation will be subject to recapture and reallocation.
- Placement/issuance reporting fee. The placement/issuance reporting fee is provided to
  the PHA to enable the PHA to fulfill lease-up responsibilities. It is not expected that any
  amounts from this fee will remain at the time of recapture and reallocation. However,
  any unused placement fee amounts remaining at the time of recapture and reallocation
  will be subject to recapture and reallocation.

HUD will issue a separate notice that details the process by which vouchers may be revoked
and reallocated at least four months before the PHA’s leasing performance will be evaluated.
PHAs that experience difficulties in leasing EHVs should contact HUD for technical
assistance (see section 17 below).

15. Use of funds, reporting, and financial records

EHV funds allocated to the PHA for HAP (both funding for the initial allocation and HAP
renewal funding) may only be used for eligible EHV HAP purposes. EHV HAP funding
obligated to the PHA may not be used for EHV administrative expenses or the other EHV
eligible expenses under this notice. Likewise, EHV administrative fees and funding
obligated to the PHA are to be used for those purposes and must not be used for HAP. See
section 7 above for instructions if the PHA needs an adjustment to its initial HAP funding
allocation or its HAP renewal funding to fully lease its EHVs or meet its EHV HAP costs.

The appropriated funds for EHVs are separate from the regular HCV program. Similar to the
Mainstream program, these funds may not be used for the regular HCV program but may
only be expended for EHV eligible purposes. EHV HAP funds may not roll into the regular
HCV restricted net position (RNP) and must be tracked and accounted for separately as EHV
RNP. EHV administrative fees and funding for other eligible expenses permitted by this
notice may only be used in support of the EHVs and cannot be used for regular HCVs. EHV
funding may not be used for the repayment of debts or any amounts owed to HUD by HUD
program participants including, but not limited to, those resulting from Office of Inspector
General (OIG), Quality Assurance Division (QAD) or other monitoring review findings.
HUD will update the Voucher Management System (VMS) to collect aggregate data from participating PHAs on a monthly basis consistent with other programs under Section 8(o) of the United States Housing Act of 1937. This data will initially be used to track leasing and cost data and to reconcile funds advanced to participating PHAs against actual expenditures reported.

HUD plans to leverage PIC-NG, the new information technology platform developed for the MTW Demonstration program’s expansion, to collect EHV tenant information as opposed to using the existing legacy IMS/PIC system. HUD expects to issue a streamlined Form 50058 in the near future that will allow HUD to pay monthly HAP and administrative fee disbursements based on that information. Once the new application and processes are implemented, HUD plans to reduce or eliminate VMS reporting requirements for the program. Additional information will be forthcoming on PIC-NG rollout and implementation requirements including expedited timelines for tenant characteristics reporting. PHAs do not report into IMS/PIC for EHV families.

In the meantime, in order to account for and track the use of the EHV funding, PHAs must comply with the following reporting and financing record requirements.

a. Voucher Management System reporting:

Because EHV$s are funded from a separate appropriation than the regular HCV$s, HUD will modify VMS to track the following data points for EHV$s from participating PHAs:

- Emergency Housing Vouchers– Leasing
- Emergency Housing Vouchers - HAP Expenses
- Emergency Housing Vouchers – Preliminary Fee Expenses
- Emergency Housing Vouchers—Placement/Issuance Reporting Fee Expenses
- Emergency Housing Vouchers—Ongoing Administrative Fee Expenses
- Emergency Housing Vouchers – Services Fee – Housing Search Assistance Expenses
- Emergency Housing Vouchers- Services Fee – Security/Utility Deposit/Rental Application/Holding Fee Expenses
- Emergency Housing Vouchers -Services Fee -Owner Incentive Expenses
- Emergency Housing Vouchers – Services Fee – Other Expenses
- Emergency Housing Vouchers - Number of New Vouchers Issued but Not Under HAP Contract as of the Last Day of the Month
- Emergency Housing Vouchers - HAP Expenses After the First of the Month
- Emergency Housing - FSS Escrow Deposits
- Emergency Housing Vouchers - FSS Escrow Forfeitures This Month
- Emergency Housing Vouchers - Fraud Recovery Total Collected This Month
- Emergency Housing Vouchers - Unrestricted Net Position Funds (UNP) as of the Last Day of the Month
- Emergency Housing Vouchers - Restricted Net Position Funds (RNP) as of the Last Day of the Month
- Emergency Housing Vouchers - Cash/Investment as of the Last Day of the Month
The PHA must enter the data on a monthly basis into VMS. These reporting requirements also apply to MTW agencies.

b. Financial Data Schedule (FDS) Reporting for EHV Program:

HUD’s Uniform Financial Reporting Standards (UFRS) Rule (24 CFR § 5.801) requires PHAs that administer the Section 8 programs to submit annual financial data to HUD. Specifically, UFRS requires that the financial data is: 1) prepared in accordance with Generally Accepted Accounting Principles (GAAP) as further defined by HUD in supplementary guidance; 2) submitted electronically to HUD through the internet; and 3) submitted in such form and substance as prescribed by HUD.

To meet the goals of the UFRS rule, PHAs are required to submit their financial information to HUD’s Financial Assessment Sub-system for Public Housing (FASS-PH). PHAs are required to submit this financial information in a prescribed format, the Financial Data Schedule (FDS) (also referred to as Public Housing Financial Management template). Financial information collected in the FASS-PH system includes the reporting of the receipts, uses, and balances of all PHA funds regardless of the funding source (i.e., entity-wide reporting). This financial information is reported at the funding source level.

As a separate funding source, the ARP supplemental funding for the EHV’s must be reported separately on the FDS. The default reporting level is at the Catalog of Federal Domestic Assistance (CFDA) level. However, when a CFDA number does not exist or is not applicable, HUD will provide a program number under which the PHA should report its financial information.

Due to the likely one-time appropriation of the supplemental funds provided under ARP, CFDA numbers for these EHV funds will not be issued. However, HUD must still meet its monitoring responsibilities and provide transparency in the PHAs’ receipts and uses of EHV supplemental funding. Thus, HUD recommends that PHAs establish a separate general ledger for the program or at the very least provide subsidiary details under the existing HCV program sufficient to provide the necessary information in the FDS.

Rather than have PHAs report under the generic Federal Program columns that are already established in the FASS-PH system (e.g., Federal Program 1, Federal Program 2), the Real Estate Assessment Center (REAC) has established a new column on the FDS for reporting EHV supplemental funds. REAC will publish specific guidance on revenue recognition in a future notice.

The PHA must maintain complete and accurate accounts and other records for the program and provide HUD and the Comptroller General of the United States full and free access to all accounts and records that are pertinent the administration of the EHV’s in accordance with the HCV program requirements at § 982.158.
16. **Reconciliation and recapture of unexpended EHV funds at program end**

As noted above, the appropriated funds for EHV s are separate from the regular HCV program and may only be used for EHV purposes. If any of these funds are not expended on eligible EHV expenses before the end of the EHV program, the remaining unexpended EHV funds must be recaptured by HUD.

Currently, the EHV program end date for each individual PHA is unknown and additional guidance regarding program wrap-up and closeout will be issued in the future. However, outer boundaries are known. For example, when a PHA no longer has any EHV families under lease and is not permitted to reissue any of its remaining EHV s due to the statutory September 30, 2023 reissuance prohibition, the PHA’s program will have effectively ended and all associated unexpended funds must be remitted to HUD. Likewise, the funds appropriated for the EHV program are available for obligation by HUD only until September 30, 2030 and will be cancelled as a matter of law on September 30, 2035.

HUD will conduct a final reconciliation of the PHA’s EHV funding and expenses when each PHA’s EHV program ends. Accounting and remittance guidance on HAP and administrative fee funding will be forthcoming under separate notice.

17. **Technical Assistance**

The ARP makes resources available to HUD to provide technical assistance to the PHAs administering EHV assistance. Information regarding technical assistance for these EHV s will be made available to PHAs in the near future.

18. **Further Information.**

Question concerning this notice should be submitted by email to the following HUD mailbox: ehv@hud.gov.
19. **Paperwork Reduction Act.**

The information collection requirements contained in this notice have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C 3501-3520). In accordance with the PRA, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a currently valid OMB control number. The following active information collections contained in this notice have been approved under the PRA-OMB Control Numbers 2577-0169 and 2577-0083.

________________________________________
/s/
Dominique Blom
General Deputy Assistant Secretary
for Public and Indian Housing
COVID-19 waivers and alternative requirements the PHA may choose to apply to its EHVs for a limited period of availability. Details on the individual waivers and alternative requirements are found in Notice PIH 2021-14.

This chart summarizes the COVID-19 waivers/alternative requirements the PHA may choose to apply to its EHVs and the periods of availability. PHAs must keep written documentation on the waivers applied by the PHA as well as the effective dates.

<table>
<thead>
<tr>
<th>Waiver Code in Notice PIH 2021-14 (see for details)</th>
<th>Statutory and regulatory waivers</th>
<th>Summary of alternative requirements</th>
<th>Availability Period Ends</th>
</tr>
</thead>
</table>
| PH and HCV-4 Family Income and Composition: Interim Examinations | **Statutory Authority** Section 3(a)(1)  
**Regulatory Authority** §§ 5.233(a)(2), 982.516(c)(2), 960.257(a), (b) and (d), 960.259(c)  
**Sub-regulatory Guidance** Notice PIH 2018-18 | • Waives the requirement to use the income verification requirements, including the use of EIV, for interim reexaminations | 12/31/21 |
| PH and HCV-5 Enterprise Income Verification (EIV) Monitoring | **Regulatory Authority** § 5.233  
**Sub-regulatory Guidance** Notice PIH 2018-18 | • Waives the mandatory EIV monitoring requirements | 12/31/21 |
| HQS-1 Initial Inspection Requirements | **Statutory Authority** Section 8(o)(8)(A)(i), Section 8(o)(8)(C)  
**Regulatory Authority** §§ 982.305(a), 982.305(b), 982.405 | • Changes initial inspection requirements, allowing for owner certification that there are no life-threatening deficiencies  
• Where self-certification was used, PHA must inspect as soon as reasonably possible but no later than 6/30/22. | 12/31/21  
6/30/22 |
COVID-19 waivers and alternative requirements the PHA may choose to apply to its EHV for a limited period of availability. Details on the individual waivers and alternative requirements are found in Notice PIH 2021-14.

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<td>HQS-3 Initial Inspection: Non-Life-Threatening Deficiencies (NLT) Option</td>
<td>Statutory Authority Section 8(o)(8)(A)(ii) Sub-regulatory Guidance HOTMA HCV Federal Register Notice January 18, 2017</td>
<td>• HQS waiver does not include a waiver of 24 CFR 35.15, visual assessment for deteriorated paint • Allows for extension of up to 30 days for owner repairs of non-life threatening conditions</td>
<td>12/31/21</td>
</tr>
<tr>
<td>HQS-4 HQS Initial Inspection Requirement: Alternative Inspection Option</td>
<td>Statutory Authority Section 8(o)(8)(A)(iii) Sub-regulatory Guidance HOTMA HCV Federal Register Notice January 18, 2017</td>
<td>• Under Initial HQS Alternative Inspection Option - allows for commencement of assistance payments based on owner certification there are no life-threatening deficiencies • Where self-certification was used, PHA must inspect the unit as soon as reasonably possible but no later than 6/30/22.</td>
<td>12/31/21 6/30/22</td>
</tr>
<tr>
<td>HQS-6 HQS Interim Inspections</td>
<td>Statutory Authority Section 8(o)(8)(F) Regulatory Authority §§ 982.405(g), 983.103(e)</td>
<td>• Waives the requirement for the PHA to conduct interim inspection and requires alternative method • Allows for repairs to be verified by alternative methods</td>
<td>12/31/21</td>
</tr>
<tr>
<td>HQS-9 HQS Quality Control Inspections</td>
<td>Regulatory Authority §§ 982.405(b), 983.103(e)(3)</td>
<td>• Provides for a suspension of the requirement for QC sampling inspections</td>
<td>12/31/21</td>
</tr>
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COVID-19 waivers and alternative requirements the PHA may choose to apply to its EHV for a limited period of availability. Details on the individual waivers and alternative requirements are found in Notice PIH 2021-14.

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<td>HQS-10 Housing Quality Standards: Space and Security</td>
<td>Regulatory Authority § 982.401(d)</td>
<td>• Waives the requirement that each dwelling unit have at least 1 bedroom or living/sleeping room for each 2 persons.</td>
<td>Remains in effect one year from beginning of lease term</td>
</tr>
<tr>
<td>HCV-1 Administrative Plan</td>
<td>Regulatory Authority § 982.54(a)</td>
<td>• Establishes an alternative requirement that policies may be adopted without board approval until 9/30/21 • Any provisions adopted informally must be adopted formally by 12/31/21</td>
<td>9/30/21, 12/31/21</td>
</tr>
<tr>
<td>HCV-2 Information When Family is Selected: PHA Oral Briefing</td>
<td>Regulatory Authority §§ 982.301(a)(1), 983.252(a)</td>
<td>• Waives the requirement for an oral briefing • Provides for alternative methods to conduct required voucher briefing</td>
<td>12/31/21</td>
</tr>
<tr>
<td>HCV-3 Term of Voucher: Extensions of Term</td>
<td>Regulatory Authority § 982.303(b)(1)</td>
<td>• Allows PHAs to provide voucher extensions regardless of current PHA policy • Note that the initial term of the EHV must be a minimum of 120 days (see section 9.m of this notice)</td>
<td>12/31/21</td>
</tr>
<tr>
<td>HCV-4 PHA Approval of Assisted Tenancy: When HAP Contract is Executed</td>
<td>Regulatory Authority § 982.305(c)</td>
<td>• Provides for HAP payments for contracts not executed within 60 days • PHA must not pay HAP to owner until HAP contract is executed</td>
<td>12/31/21</td>
</tr>
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</table>
| HCV-5 Absence from Unit                              | Regulatory Authority § 982.312  | • Allows for PHA discretion on absences from units longer than 180 days  
• PHAs must not make HAP payments beyond 12/31/20 for units vacant more than 180 consecutive days | 12/31/21 |
| HCV-6 Automatic Termination of HAP Contract         | Regulatory Authority § 982.455  | • Allows PHA to extend the period of time after the last HAP payment is made before the HAP contract terminates automatically | • 12/31/21 |
Memorandum of Understanding

[** This sample document demonstrates the Memorandum of Understanding requirements for the administration Emergency Housing Voucher. Unless otherwise noted, all elements are required. **]

This Memorandum of Understanding (MOU) has been created and entered into on [** Insert execution date. **].

[PHA Name and Address]

[CoC Name and Address]

I. Introduction and Goals (the following elements, listed in a. – c., are required elements of the MOU):

a. PHA and CoC’s commitment to administering the EHV s in accordance with all program requirements.

b. PHA goals and standards of success in administering the program.

c. Identification of staff position at the PHA and CoC who will serve as the lead EHV liaisons.
   Lead HCV Liaison:

   [Name and title of PHA staff position]
   Responsibilities of the PHA EHV liaison [**Optional**].

   [Name and title of CoC staff position]
   Responsibilities of the CoC EHV liaison [**Optional**].

II. Define the populations eligible for EHV assistance to be referred by CoC.
III. Services to be provided to eligible EHV families

1. List the services to be provided to assist individuals and families have success in the program and who will provide them.

[**The following services are listed for example purposes. **]

1. Partnering service providers will support individuals and families in completing applications and obtaining necessary supporting documentation to support referrals and applications for assistance; while aiding households in addressing barriers.

2. Partnering service providers will support PHAs in ensuring appointment notifications to eligible individuals and families and will assist eligible households in getting to meetings with the PHA.

3. PHAs will establish windows of time for EHV applicants to complete intake interviews for EHV.

4. Partnering service providers will provide housing search assistance for eligible individuals and families.

5. Partnering service providers will provide counseling on compliance with rental lease requirements.

6. Partnering service providers will assess individuals and families who may require referrals for assistance on security deposits, utility hook-up fees, and utility deposits.

7. Partnering service providers will assess and refer individuals and families to benefits and supportive services, where applicable.

IV. PHA Roles and Responsibilities

[**The following responsibilities are listed for example purposes. **]

1. Coordinate and consult with the CoC in developing the services and assistance to be offered under the EHV services fee.

2. Accept direct referrals for eligible individuals and families through the CoC Coordinated Entry System.

3. Commit a sufficient number of staff and necessary resources to ensure that the application, certification, and voucher issuance processes are completed in a timely manner.

4. Commit a sufficient number of staff and resources to ensure that inspections of units are completed in a timely manner.

5. Designate a staff to serve as the lead EHV liaison.
6. Comply with the provisions of this MOU.

V. CoC Roles and Responsibilities

[**The following responsibilities are listed for example purposes. **]

1. Designate and maintain a lead EHV liaison to communicate with the PHA.

2. Refer eligible individuals and families to PHA using the community’s coordinated entry system.

3. Support eligible individuals and households in completing and applying for supportive documentation to accompany admissions application to the PHA (i.e. self-certifications, birth certificate, social security card, etc.).

4. Attend EHV participant briefings when needed.

5. Assess all households referred for EHV for mainstream benefits and supportive services available to support eligible individuals and families through their transition.

6. Identify and provide supportive services to EHV families. (While EHV participants are not required to participate in services, the CoC should assure that services are available and accessible.)

7. Comply with the provisions of this MOU.

VI. Third Party Entity Roles Responsibilities

[**The following responsibilities are listed for example purposes. **]

1. Describe how the State, local, philanthropic, faith-based organizations, Victim Service Providers or CoC recipients it designates will fulfill each of the following responsibilities:

   a. Outline resource and/or service being provided in support of the community’s EHV Program. Commit a sufficient number of staff and necessary resources to ensure that the application, certification and voucher issuance processes are completed in a timely manner.

   b. Comply with the provisions of this MOU.

VII. Program Evaluation

The PHA, and CoC or designated CoC recipient agree to cooperate with HUD, provide requested data to HUD or HUD-approved contractor delegated the responsibility of program evaluation protocols established by HUD or HUD-approved contractor, including possible random
assignment procedures.

[Signed and dated by the official representatives of the PHA, CoC, CoC Contractor organization (if applicable), and third-party entities (if applicable.)]

Signed by

________________________________________    ___________________
Executive Director, PHA                              Date

________________________________________    ___________________
CoC Executive Director                              Date
Attachment 3   -   Example of a Homeless Provider’s Certification

Emergency Housing Voucher (EHV)

HOMELESS CERTIFICATION

EHV Applicant Name: ______________________________________________

☐ Household without dependent children (complete one form for each adult in the household)

☐ Household with dependent children (complete one form for household)

Number of persons in the household: _________

This is to certify that the above named individual or household meets the following criteria based on the check mark, other indicated information, and signature indicating their current living situation-

Check only one box and complete only that section

Living Situation: place not meant for human habitation (e.g., cars, parks, abandoned buildings, streets/sidewalks)

☐ The person(s) named above is/are currently living in (or, if currently in hospital or other institution, was living in immediately prior to hospital/institution admission) 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 station, airport, or camp ground.

Description of current living situation:

_____________________________________________________________________________________

_____________________________________________________________________________________

_____________________________________________________________________________________

Homeless Street Outreach Program

Name: _______________________________________________________________________________

This certifying agency must be recognized by the local Continuum of Care (CoC) as an agency that has a program designed to serve persons living on the street or other places not meant for human habitation. Examples may be street outreach workers, day shelters, soup kitchens, Health Care for the Homeless sites, etc.

Authorized Agency Representative Signature: ____________________________________________

Date: ______________________
Living Situation: Emergency Shelter

☐ The person(s) named above is/are currently living in (or, if currently in hospital or other institution, was living in immediately prior to hospital/institution admission) a supervised publicly or privately operated shelter as follows:

Emergency Shelter Program Name:
____________________________________________________________

This emergency shelter must appear on the CoC’s Housing Inventory Chart submitted as part of the most recent CoC Homeless Assistance application to HUD or otherwise be recognized by the CoC as part of the CoC inventory (e.g., newly established Emergency Shelter).

Authorized Agency Representative Signature:  _________________________________________
Date: ______________________

Living Situation: Recently Homeless

☐ The person(s) named above is/are currently receiving financial and supportive services for persons who are homeless. Loss of such assistance would result in a return to homelessness (ex. Households in Rapid Rehousing Programs, residents of Permanent Supportive Housing Programs participating in Moving On, etc.)

Authorized Agency Representative Signature:
____________________________________________________________

This referring agency must appear on the CoC’s Housing Inventory Chart submitted as part of the most recent CoC Homeless Assistance application to HUD or otherwise be recognized by the CoC as part of the CoC inventory.

Immediately prior to entering the household’s current living situation, the person(s) named above was/were residing in:

☐ emergency shelter  OR  ☐ a place unfit for human habitation

Authorized Agency Representative Signature:  _________________________________________
Date: ______________________
Sample Human Trafficking Certification

Purpose of Form:
The Victims of Trafficking and Violence Protection Act of 2000 provides assistance to victims of trafficking making housing, educational health care, job training and other Federally-funded social service programs available to assist victims in rebuilding their lives.

Use of This Optional Form:
In response to this request, the service provider may complete this form and submit it to the Public Housing Agency (PHA) to certify eligibility for EHV assistance.

Confidentiality: All information provided to the service provider concerning the incident(s) of human trafficking shall be kept confidential and such details shall not be entered into any shared database. Employees of the PHA will not have access to these details, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

TO BE COMPLETED ON BEHALF OF HUMAN TRAFFICKING SURVIVOR

EHV Applicant Name: ______________________________________________

This is to certify that the above named individual or household meets the definition for persons who are fleeing or attempting to flee human trafficking under section 107(b) of the Trafficking Victims Protection Act of 2000.

Immediately prior to entering the household’s current living situation, the person(s) named above was/were residing in:
______________________________________________________________________
______________________________________________________________________
This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual(s) named above is/has been a victim of human trafficking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Authorized Agency Representative Signature: ___________________ Date: _________________