

Mendocino County Homeless Services Continuum of Care



ESG and ESG-CV

Policies & Procedures

Purpose of ESG/ESG-CV Policies & Procedures

The State of California (recipient) received Emergency Solutions Grant – CARES (ESG-CV) funding and distributed it to subrecipients, such as Mendocino County Homeless Services Continuum of Care (MCHSCoC), to prevent, prepare, and respond to COVID-19 for those at-risk or currently experiencing homelessness. These ESG-CV policies and procedures serve as a supplement to the Emergency Solutions Grant policies and procedures and a guide for all ESG-CV-funded partners. This document details the waivers and alternative requirements granted by the U.S. Department of Housing and Urban Development associated with ESG-CV activities that recipients and subrecipients may use to facilitate assistance to eligible communities and households impacted by COVID-19. These measures are designed to prevent the spread of COVID-19 and to mitigate the economic impacts caused by COVID-19 for eligible households.

It should be noted that, at the time of this publication, HUD continues to update and extend waivers and alternative requirements applicable to ESG-CV allocations through CPD notices and Federal Register notices. MCHSCoC will update this guide periodically as new waivers and alternative requirements, or additional guidance is provided by HUD.

If, in any case, the policies or requirements established in this manual contradict the requirements in the CARES Act, [CPD Notice 21-08](#), and [24 CFR Part 576](#), the federal requirements take precedent and it will be the expectation that the ESG-CV Funded Partners comply with said requirements.

[Mendocino County Homeless Services Continuum of Care Contact Information](#)

Additional questions can be referred to:

Phone: (707) 468 – 7071

Email: hometeam@mendocinocounty.org

Website: <https://mendocinococ.org/>

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

Contents

Section I Purpose & Unifying Message	5
Purpose	5
Unifying Message.....	5
Section II Definitions	6
Modified Definitions in 24 CFR Part 576.2.....	6
Definitions not in 24 CFR 576.2.....	7
Section III Applicable Rules, Statutes and Alternative Requirements.....	10
Expenditures	10
ESG-CV Expenditure Deadline.....	10
Match.....	10
Financial Records	10
Procurement Standards.....	Error! Bookmark not defined.
Program Income.....	12
Procurement.....	12
VAWA Requirements	16
Environmental Reviews.....	19
Affirmative Outreach	19
Equal Access in Accordance with An Individual’s Gender Identity.....	20
Duplication of Benefits (DOB).....	20
Reporting	21
Prohibitions on Internet and Telecommunications Equipment	21
Program Components and Requirements	21
Section IV ESG-CV Program Components.....	23
Street Outreach.....	23
Emergency Shelter	24
Rapid Re-Housing Assistance	27
Additional Eligible Activities.....	28
Modifications to Existing Eligible Activities	33
Section V Rental Assistance Requirements	35
Rental Assistance Guidelines	35

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

Rent Limit and Duration.....	35
Fair Market Rent (FMR)	35
Rent Reasonableness	36
Calculating Rent	36
Housing Stability & Case Management.....	36
Rental Assistance Agreement	36
Lease	37
Tenant-based Rental Assistance	37
Project-based Rental Assistance	37
Sponsor-Based Rental Assistance	38
Conflict of Interest	40
Section VI Household Eligibility	41
Documentation of Housing Status.....	41
Eligibility Recertification	42
Documentation Requirements for Rapid Re-Housing	42
HMIS/Comparable Database Release	46
Section VII Requirements for All ESG & ESG-CV Funded Partners	47
Coordinated Entry Systems.....	47
Low Barrier.....	47
HUD’s Equal Access Rule.....	47
Equal Access Rule Definition of Family	48
Prohibition Against Involuntary Family Separation	49
HMIS.....	49
Eligible HMIS Activities.....	50
Habitability Standards.....	50
Minimum Standards for Emergency Shelter.....	51
Minimum Standards for Permanent Housing	51
Housing Inspection Requirements.....	51
Lead-based Paint Visual Assessments.....	51
Duplication of Benefits.....	52
Data Collection.....	52
Termination of Participation, Denial, and Grievance Procedures	52

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

Denial and Grievance	53
Confidentiality of Client Records	53
Monitoring	54
Section VIII Racial Equity	55
Program Design and Services.....	55
Organizational.....	56
Data and Continuous Improvement	57
Emergency Shelter:	57
Rapid Rehousing:	58
Organizational.....	60
Section IX Resources:.....	61

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

Section I Purpose & Unifying Message

Purpose

The Emergency Solutions Grant (ESG) provides federal funds from the U.S. Department of Housing and Urban Development (HUD) to support local programs in assisting individuals and families to quickly regain stability in permanent housing after experiencing a housing crisis or homelessness. ESG funds are available for four program components: street outreach, emergency shelter, and rapid re-housing assistance. ESG funds may also be used to support data collection through a local Homeless Management Information System (HMIS) and administrative activities.

This program guide serves as a supplement to the Emergency Solutions Grant Manual. It provides a listing of waivers and alternative requirements for the Emergency Solutions Grant-Coronavirus (ESG-CV) Program that have been provided under the CARES Act to help communities prevent, prepare for, and respond to coronavirus. The ESG-CV program is targeted to individuals and families who are homeless or receiving homeless assistance, and to support additional homeless assistance activities to mitigate the impacts created by coronavirus.

Unifying Message

The ESG program is a critical resource in the homeless crisis response system. People living unhoused become stably housed when the system is low-barrier, trauma-informed, culturally responsive, and Housing First oriented. People living unstably housed become stably housed when the system is oriented toward problem solving conversations and personal advocacy to help people identify practical solutions based on their own available resources.

It is expected that MCHSCoC and its funded partners, including nonprofits, are leaders in their crisis response systems, facilitating partnerships among service organizations and promoting evidence-based, anti-racist practices. We must make equity the foundation of these refined systems, embedding it in the design, implementation, performance measures, and monitoring of our work. National and state data show vast racial disparities in who experiences homelessness, and in some instances, the outcomes within the homeless systems.

We recognize that our Continuum of Care (CoC) must respond to the disproportionality in access to services, service provision and outcomes and cannot simply rely on delivering a standardization of services to address inequity. The CoC has a responsibility to examine our data to ensure all eligible persons receive equitable services, support and are served with dignity, respect, and compassion regardless of circumstance, ability, or identity.

This includes marginalized populations, Black, Native and Indigenous, Latinx, Asian, Pacific Islander, People of Color, immigrants, people with criminal records, people with disabilities, people with mental health and substance use vulnerabilities, people with limited English proficiency, people who identify as LGBTQ+, and other individuals that may not access mainstream support.

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

Section II Definitions

Modified Definitions in 24 CFR Part 576.2

For purposes of the ESG & ESG-CV allocations, the definitions at 24 CFR 576.2 apply, except that:

1. Homeless

Literally Homeless: An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

- 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;
- 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
- 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.

ESG-CV ONLY: This term has the meaning established at 24 CFR 576.2 except that the limitation in paragraph (1)(iii) that an individual who is exiting an institution where he or she resides for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution has been waived and the following requirement is established:

- An individual may qualify as homeless under paragraph (1)(iii) of the homeless definition in 24 CFR 576.2 so long as the individual is exiting an institution where the individual resided for 120 days or less and the individual resided in an emergency shelter or place meant for human habitation immediately before entering that institution.

Fleeing or Attempting to Flee Family Violence: Any individual or family who:

- (i) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;
- (ii) Has no other residence; and
- (iii) Lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, to obtain other permanent housing.

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

2. Local Government and Unit of General Purpose of Local Government

These terms mean a unit of general purpose of local government as defined in 24 CFR Part 576.2 and the Moving Ahead for Progress in the 21st Century Act (MAP-21 Act).

3. State

This term means a State as defined in 24 CFR Part 576.2 and the Moving Ahead for Progress in the 21st Century Act (MAP-21 Act).

4. Subrecipient

This term means a local government, private nonprofit organization, public housing agency, local redevelopment authority, Indian tribe or tribally designated housing entity (as such terms are defined in the Native American Housing Assistance and Self Determination Act of 1996, as amended) that receives a subaward of ESG funds as permitted under the CARES Act and CPD Notice 21-08.

5. ESG-CV Funded Partner

This term means an organization who has received ESG-CV funds from Mendocino County.

Definitions not in 24 CFR 576.2.

1. The McKinney-Vento Act

This term means the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 *et seq.*).

2. Coronavirus

This term means SARS-CoV-2 or another coronavirus with pandemic potential, as defined by section 23005 of the CARES Act.

3. ESG

This term means, unless otherwise specified, the Emergency Solutions Grants Program whether funded through annual fiscal year (FY) appropriations or CARES Act funding. For example, a program participant assisted using only FY2020 ESG funding and a program participant assisted using only ESG-CV funding are both ESG program participants.

4. ESG-CV

This term means the Emergency Solutions Grants Program as funded by the CARES Act and governed by requirements HUD established in accordance with that Act. ESG-CV funds do not include annual ESG funds (e.g., FY 2020 ESG grant funds), although annual ESG funds may be used in accordance with the requirements established for purposes of ESG-CV funds as further described in Section IV of this Notice.

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

5. Sponsor-based Rental Assistance

This term means rental assistance that is provided pursuant to a contract that (1) is between the recipient or subrecipient and a separate government agency, instrumentality, or nonprofit organization (“sponsor”) that owns or leases dwelling units; and (2) provides that rental assistance payments shall be made to sponsor and that program participants shall occupy such assisted units.

6. Recipient

This term refers to the State of California, as the grantee (recipient) of ESG-CV funds from the U.S. Department of Housing and Urban Development.

7. Prevent, Prepare for, and Respond to Coronavirus.

In accordance with CPD Notice 21-08, these terms mean the following:

- **Prevent...coronavirus** means an activity designed to prevent the initial or further spread of the virus to people experiencing homelessness, people at risk of homelessness, recipient or subrecipient staff, or other shelter or housing residents. This includes providing Personal Protective Equipment to staff and program participants, paying for non-congregate shelter options such as hotels and motels, paying for handwashing stations and portable toilets for use by people living in unsheltered situations, and providing rapid re-housing assistance to individuals and families who are homeless or at risk of homelessness (as applicable) to reduce their risk of contracting or further spreading the virus.
- **Prepare for...coronavirus** means an activity carried out by a recipient or subrecipient prior to or during a coronavirus outbreak in their jurisdiction to plan to keep people healthy and reduce the risk of exposure to coronavirus and avoid or slow the spread of disease. This includes updating written standards to prioritize people at severe risk of contracting coronavirus for shelter and housing consistent with fair housing and nondiscrimination requirements, adapting coordinated entry policies and procedures to account for social distancing measures or increased demand, developing a strategy and recruiting landlords to provide housing to people experiencing homelessness or at risk of homelessness, training homeless providers on infectious disease prevention and mitigation, and implementing a non-congregate shelter strategy to reduce the spread of coronavirus.
- **Respond to coronavirus** means an activity carried out once coronavirus has spread to people experiencing homelessness, provider staff, or once individuals and families lose or are at risk of losing their housing as a result of the economic downturn caused by coronavirus. This includes transporting individuals and families experiencing homelessness to medical appointments, paying for shelter to isolate individuals who have contracted coronavirus from other program participants and people experiencing homelessness, providing rental assistance to those who are at risk of losing their housing, have already become homeless, or continue to experience homelessness due

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

to the economic downturn caused by coronavirus, and providing hazard pay to recipient or subrecipient staff who put their own health at risk to continue to provide necessary services to individuals and families experiencing and risk of homelessness.

8. Temporary Emergency Shelter

This term means any structure or portion of a structure, which is used for a limited period of time because of a crisis, such as a natural disaster or public health emergency, to provide shelter for individuals and families displaced from their normal place of residence or sheltered or unsheltered locations. Examples of temporary emergency shelters include:

- An overnight, daytime, or 24-hour shelter in which program participants are only provided a safe place to sleep, rest, bathe, and eat;
- A shelter where one or more services are made available on-site, whether by shelter staff or contractors or through a memorandum of understanding with another subrecipient or service provider; and
- A shelter designed to facilitate the movement of homeless individuals and families into permanent housing within a fixed period of time (e.g., within 12 months) and employs or contracts with one or more case managers or service providers to provide services as specified under sections III.E.3.a.(i)(e) and III.E.3.a.(ii)(e) through (h).

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

Section III Applicable Rules, Statutes and Alternative Requirements

Unless noted below, the requirements of the MCHSCoC ESG Policies and Procedures (and 24 CFR Part 576) apply to all activities carried out with ESG-CV funds. Unless otherwise noted, it is the responsibility of the subrecipient to ensure these requirements are met.

Expenditures

Expenditures will be documented either through drawdowns in the Sage ESG-CV Quarterly Report. MCHSCoC will provide expenditure deadlines to all funded partners through the ESG-CV funded contracts.

ESG-CV Expenditure Deadline

In accordance with the CARES Act and CPD Notice 21-08, the ESG-CV subrecipient will ensure that all funds follow the progressive and overall expenditure deadlines.

- 20% of funds expended by September 30, 2021
- 80% of funds expended by March 31, 2023 (Note: HUD has indicated it will not be recapturing funds from those who do not meet the 80% expenditure deadline)
- 100% of funds expended by September 30, 2023

Match

ESG Funded Partners must make matching contributions in an amount that equals the amount of federal ESG funds awarded. ESG and ESG-CV Funded Partners must include matching contributions guidelines in its policies and procedures. ESG and ESG-CV Funded Partners are encouraged to reference the State of California, Housing and Community Development ESG Match Policy, available at <https://www.hcd.ca.gov/sites/default/files/docs/grants-and-funding/esg/cahcd-esg-match-policy.pdf>.

In accordance with the CARES Act and CPD Notice 21-08, the match requirement for all ESG-CV ONLY funds is waived.

Financial Records

ESG and ESG-CV Funded Partners are required to adhere to the following financial records requirements:

- Retain supporting documentation for all costs, including personnel costs, charged to the ESG grant that shows expenses were allowable, allocable, necessary, and reasonable.
- Keep documentation showing that ESG grant funds were spent on allowable costs in accordance with the requirements for eligible activities under “§§[576.101](#) through [576.109](#), financial management in [2 CFR 200.302](#), and the cost principles in [2 CFR part 200, subpart E](#).
- Retain records of the receipt and use of program income.

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

- Keep documentation of compliance with the expenditure limits in [§576.100](#) and the expenditure deadline in [§576.203](#).

ESG and ESG-CV Funded Partners are required to maintain adequate supporting documentation for all costs charged to the ESG-CV grant. Specific documentation standards for personnel and non-personnel costs are outlined below:

Personnel Costs

1. Timesheets:

- a. Must specify the period (date range) and align with the employee's corresponding paycheck for that pay period
- b. Must account for all hours worked during the period, regardless of funding source
- c. Must identify the number of hours worked directly on each activity, categorized by funding source
- d. Must be signed and dated by both the employee and their supervisor

2. Payroll Records:

- a. Must detail the employee's hourly rate of pay, including fringe benefits
- b. Must indicate the number of hours worked on ESG-CV activities for each employee, multiplied by their loaded hourly rate, resulting in the requested amount

3. Proof of payment

- a. Copy of the cancelled check, or
- b. Bank statement confirming the disbursement of funds for personnel costs

4. General ledger:

- a. Must verify the personnel expenditures by activity and funding source
- b. Should present a clear and concise overview, allowing for easy verification of the alignment between the documented personnel costs and the corresponding activities and funding sources.

Non-Personnel Costs

1. Procurement Records

- a. Procurement certification attesting that the goods or services were procured in accordance with 2 CFR 200 prior to purchase
- b. Contract and/or purchase order that matches with invoices and accounting records

2. Invoice or Receipt

- a. Must specify the date of purchase or the period of performance for services
- b. Must itemize the goods or services purchased, including the cost per unit, quantity, and total amount
- c. Must reflect the total cost, net applicable credits or discounts

3. Proof of payment

- a. Copy of the cancelled check, or

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

- b. Bank statement confirming the disbursement of funds for non-personnel costs

4. General ledger:

- a. Must verify the non-personnel expenditures by activity and funding source
- b. Should present a clear and concise overview, allowing for easy verification of the alignment between the documented non-personnel costs and the corresponding activities and funding sources.

Program Income

The State of California has adopted the alternative requirements for program income as set forth in CPD Notice 21-08. Program income is defined as provided by 2 CFR 200.80, except that:

- Program income includes any amount of a security or utility deposit returned to the grantee or subrecipient, as provided by 24 CFR 576.2; and
- Costs that are incidental to generating program income and not charged to the ESG-CV grant or subgrant may be deducted from gross income to determine program income, as allowed under 2 CFR 200.307(b).

MCHSCoC and ESG or ESG-CV Funded Partners are responsible for reporting all program income generated through its activities. The State of California, Housing and Community Development reserves the right to recapture program income or allow the program income to be used by the subrecipient provided that it is used in accordance with the purpose and conditions of the Standard Agreement.

Procurement

MCHSCoC and ESG or ESG-CV Funded Partners shall comply with the Procurement Standards contained in 2 CFR 200. When procuring goods with ESG or ESG-CV funds, the MCHSCoC and ESG or ESG-CV Funded Partners must provide the recipient with evidence of compliance with these requirements, as applicable.

The Federal Regulations establish standards and guidelines for the procurement of supplies, equipment, construction, and services to ensure that they are obtained as economically as possible through an open and competitive process, and that contracts are managed with good administrative practices and sound business judgment. The regulations include:

- Standards that prohibit conflicts of interest;
- Procedures for open competition with consistent technical solicitations;
- Maintenance of selection documentation; and
- Contract administration system that provides sufficient monitoring

Purchases of goods and services by local governments, Indian tribal governments, institutions of higher education, hospitals, and other eligible private nonprofit organizations are subject to the requirements found at 2 CFR Part 200.318 – 326. The guidelines on procurement are summarized as follows:

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

1. The nonfederal entity must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts.
2. The nonfederal entity must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. See also §200.213 Suspension and debarment.
3. The nonfederal entity must maintain records sufficient to detail the history of procurement. These records will include but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.
4. The nonfederal entity may use a time and materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk.
5. The nonfederal entity alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements.
6. All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.
7. The nonfederal entity must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws.
8. The nonfederal entity must have written procedures for procurement transactions. These procedures must ensure that all solicitations:
 - a. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured
 - b. Identify all the requirements which the offerors must fulfill and all other factors to be used in evaluation bids or proposals
9. The nonfederal entity must use of the following methods of procurement:
 - a. Procurement by micro purchases
 - b. Procurement by small purchase procedures
 - c. Procurement by sealed bids (formal advertising)
 - d. Procurement by competitive proposals

When buying goods and/or services with ESG-CV funds, the County and its subrecipients will follow these standards:

1. Conflict of Interest: Identify and avoid conflicts of interest in the procurement process. Officers, employees, or agents must disclose any potential conflicts and refrain from

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

participating in decisions where a conflict exists.

2. Separation of Duties: No one individual shall have authority over a financial transaction from beginning to end. In other words, one person should not have responsibility for more than one of the following functions:

a. Authorization to execute a transaction.

b. Recording of the transaction.

c. Custody of the assets involved in the transaction.

3. No Gifts: Officers, employees, or agents will neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to sub-agreements.

4. Smart Purchases: Review proposed purchases to avoid unnecessary or duplicative items. Consider combining or splitting purchases for better deals. Analyze leasing versus buying for cost-effective decisions.

5. Local Cooperation: Explore intergovernmental agreements with local entities for shared procurement or use of common goods and services.

6. Use Existing Resources: Prioritize using federal surplus property instead of buying new when feasible.

7. Cost Reduction: Encourage cost-cutting measures in construction contracts through techniques like value engineering.

8. Award to Competent Contractors: Contracts will be awarded to capable contractors with a good track record.

9. Detailed Records: Maintain detailed records of procurement history, including reasons for the chosen method, contractor selection or rejection, and contract pricing.

10. Time and Material Contracts: Use time and material contracts only when necessary, with a specified ceiling price.

11. Responsibility for Issues: Be responsible for resolving contractual and administrative issues arising from procurements.

12. Protest Procedures: Establish protest procedures to handle and resolve disputes and disclose protest information to the awarding agency. Exhaust administrative remedies before pursuing a protest with the Federal agency.

Implementation Procedures

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

To ensure full and open competition, the County and its subrecipients shall utilize one of the following procurement methods when purchasing goods and/or services with ESG-CV funds:

1. Micro-purchases: For purchases under \$10,000. To the extent practicable, the County and its subrecipients shall distribute micro-purchases equitably among qualified vendors.
2. Small purchases: For purchases under \$250,000. Must obtain a minimum of three (3) quotes from qualified vendors.
3. Sealed bids: For purchases exceeding \$250,000. Must publicly solicit bids. Must obtain a minimum of two (2) bids from responsible bidders. A firm, fixed price contract is awarded to the lowest, responsive, responsible bidder.
4. Competitive proposals: For conditions not suitable for sealed bids (i.e., professional services). Utilize this method when price is not the sole determining factor in the contract award. Additional evaluation criteria must be determined in advance and included in the solicitation for competitive proposals.

Documentation Standards:

To document compliance with the procurement requirements, the County and its subrecipients shall maintain records containing:

1. Procurement Details: Description and rationale for the procurement method.
2. Vendor Information: Qualification statements, RFPs, and proposals received.
3. Contract Type Rationale: Explanation for selecting the contract type.
4. Contractor Selection: Basis for selecting or rejecting a contractor.
5. Cost Estimate: Contractor's written cost estimate used to determine cost reasonableness.
6. Cost or Price Basis: Basis for the awarded cost or price.
7. Contract: A copy of the awarded contract.
8. Amendments: Copies and rationale for any contract amendments.
9. Notice to Proceed: Copy of the Notice to Proceed.
10. Payment Records: Records of payments and supporting documentation.

Racial Equity in Procurement

Subrecipients are encouraged to take steps to appropriately address racial inequities in the homelessness service system by redesigning the procurement process for ESG funds. Please see [Increasing Equity in the Homeless Response System through Expanding Procurement](#) for

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

recommendations and changes jurisdictions can make to procurement processes to expand and/or change the types of organizations involved in service delivery to include community-based organization, as well as organization led by people of color. The purpose of these changes will:

Reduce barriers reported by organizations to existing procurement processes, including smaller overall budgets, less access to funding, and less access to public funds;

Increase the availability of culturally relevant and appropriate services to populations experiencing homelessness and in the areas of most need;

Ensure services are delivered by organizations best equipped to meet the needs of marginalized populations, as well as communities that have experienced disinvestment.

VAWA Requirements

ESG-funded activities are required to comply with certain requirements of the Violence Against Women Act (VAWA). The ESG Program Interim Rule provides various protections for victims of domestic violence (which includes domestic violence, dating violence, sexual assault, stalking, and human trafficking)¹. These protections and their associated requirements are enumerated in this section of the Policy.

1. Prohibition on Denial or Termination of Assistance or Eviction on the Sole Basis of Domestic Violence—Housing

An ESG applicant or participant cannot be denied assistance, have their assistance terminated, or be evicted from their housing solely because they are a victim of domestic violence.

2. Prohibition on Denial of Admission or Removal on the Basis or as a Result of Domestic Violence—Emergency Shelter

An ESG applicant or participant cannot be denied admission to or removed from an emergency shelter on the basis or as a direct result of the fact that the applicant/participant is or has been a victim of domestic violence if they would otherwise qualify for admission or occupancy.

3. Prohibition on Denial of Admission or Removal on the Basis or as a Result of Domestic Violence—Emergency Shelter

An ESG applicant or participant cannot be denied admission to or removed from an emergency shelter on the basis or as a direct result of the fact that the applicant/participant is or has been a victim of domestic violence if they would otherwise qualify for admission or occupancy.

¹ <https://www.hudexchange.info/resource/1927/hearth-esg-program-and-consolidated-plan-conforming-amendments/>

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

4. Notice of Occupancy Rights under the Violence Against Women Act and Certification Form

Each entity that determines eligibility for or administers ESG rental assistance is responsible for providing the following two forms to each applicant for ESG rental assistance and each participant receiving ESG rental assistance:

- “Notice of Occupancy Rights under the Violence Against Women Act” (Form HUD-5380), available here: <https://www.hud.gov/sites/documents/5380.DOCX>
- “Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternative Documentation” (Form HUD-5382), available here: <https://www.hud.gov/sites/documents/5382.docx>

These forms must be provided at each of the following times:

- When an applicant is denied ESG rental assistance
- When an applicant’s application for a unit receiving project-based rental assistance is denied
- When a participant begins receiving ESG rental assistance
- When a participant is notified of termination of ESG rental assistance
- When a participant receives notification of eviction

5. Bifurcation

When a family receiving tenant-based rental assistance separates under the lease bifurcation clause of 24 CFR 5.2009(a), the family’s tenant-based rental assistance and utility assistance, if any, shall continue for the family member(s) who are not evicted or removed.

If a family living in a unit receiving project-based rental assistance separates under the lease bifurcation clause of 24 CFR 5.2009(a), the family member(s) who are not evicted or removed can remain in the assisted unit without interruption to the rental assistance or utility assistance provided for the unit.

6. VAWA Lease Language

Subrecipients are required to ensure that the requirements listed under 24 CFR Part 5, Subpart L, are included or incorporated into all leases and rental assistance agreements for units that receive ESG-funded short-term or medium-term rental assistance.

Leases: under most circumstances, subrecipients will need to provide and require a lease amendment including the necessary language.² Subrecipients may choose between two options for VAWA lease amendments:

² Leases that incorporate all protections listed in 24 CFR Part 5, Subpart L, are not required to have a lease amendment re-articulating those provisions. However, most leases do not include most or all applicable protections, and even if a lease includes all applicable protections, rental assistance agreements must still include those protections.

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

- Subrecipients may use the sample “Lease Addendum” (HUD-91067), provided here: <https://www.hud.gov/sites/documents/91067.doc>
- Subrecipients may create their own lease addendum, which must incorporate all protections listed in 24 CFR Part 5, Subpart L

Rental assistance agreements: subrecipients will need to incorporate the necessary language into all rental assistance agreements.

Subrecipients should define their approach to ensuring VAWA protections are included in all rental assistance agreements and leases in their project policies and procedures. For more information, including the applicability of protections under different rental/leasing models, please refer to the ESG Program interim rule, sections 576.106(e) and 576.106(g).

7. Emergency Transfer Plan

Each subrecipient that administers ESG assistance is required to develop and implement an Emergency Transfer Plan (ETP). An ETP provides the subrecipient and other CHPs in the subrecipient’s funding stream with a process that enables participants who are victims of domestic violence to transfer from their existing unit to another safe unit without losing their ESG assistance.

Participants who are victims of domestic violence qualify for an emergency transfer under an ETP if:

- They expressly request the transfer; and,
- Either of the following is true:
 - They believe there is a threat of imminent harm from further violence if they remain within their existing unit; or,
 - Only if they are a victim of sexual assault: if the sexual assault occurred on the premises of their existing unit within the 90-calendar-day period preceding the participant’s transfer request.

ETPs must:

- Meet all requirements for ETPs listed in 24 CFR 5.2005(e)
- Be modeled on HUD’s “Model Emergency Transfer Plan for Victims of Domestic Violence,” available here: <https://www.hud.gov/sites/documents/5381.docx>

Subrecipients are encouraged to customize HUD’s model ETP based on local needs and resources. Potential considerations include but are not limited to:

- VAWA provides a minimum timeframe of 90 days for reporting a sexual assault on the premises of an assisted unit; does local data suggest that assaults may be reported after that time period experiences, and if so, can the CoC support extending that time period to 180 days or more?
- What are the minimum and maximum periods of time a project has to consider an internal transfer before moving onto an external transfer?

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

- Is the subrecipient's ESG ETP substantially similar to the CoC ETP? Can they be the same (or substantially similar)? Do they contradict, and if so, how can those contradictions be resolved?
- How does the ETP ensure external transfer candidates are referred before all other participants in the Coordinated Entry system?
- During an external transfer: which agency is responsible for inspecting units to ensure they meet the relevant program's quality standards during an external inspection?
- What local non-housing resources are available and commonly needed or accessed by ETP candidates? How does the ETP streamline connecting ETP candidates to those resources?
- Can the subrecipient's approach to housing ETP candidates integrate permanent housing offerings from other providers, including but not limited to CoC Program recipients, SSVF recipients, and public housing authorities (PHAs)?

Environmental Reviews

Environmental reviews are required for all activities prior to costs being incurred or action taken that would limit the choice of reasonable activities, except for Temporary Emergency Shelters. Temporary Emergency Shelters are not subject to the environmental review requirements as set forth in 24 CFR 58.

Affirmative Outreach

MCHSCoC and ESG or ESG-CV Funded Partners must make it known that use of the facilities, assistance, and services are available to all on a nondiscriminatory basis. If it is unlikely that the procedures that the subrecipient or sub-subrecipient intends to use to make known the availability of the facilities, assistance, and services will not reach persons of any particular race, color, religion, sex, age, national origin, familial status, or disability who may qualify for those facilities and services, the subrecipient or sub-subrecipient must establish additional procedures that ensure that those persons are made aware of the facilities, assistance, and services.

MCHSCoC and ESG or ESG-CV Funded Partners must take appropriate steps to ensure effective communication with persons with disabilities including, but not limited to, adopting procedures that will make available to interested persons information concerning the location of assistance, services, and facilities that are accessible to persons with disabilities.

Consistent with Title VI and Executive Order 13166, the MCHSCoC and ESG or ESG-CV Funded Partners are also required to take reasonable steps to ensure meaningful access to programs and activities for limited English proficiency (LEP) persons. All subrecipients should refer to the HUD guidelines on LEP located at the following webpage:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/promotingfh/lep-faq

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

Equal Access in Accordance with An Individual's Gender Identity

This section applies to assistance provided under Community Planning and Development (CPD) programs, including assistance under the ESG and ESG-CV programs. The requirements of this section apply to recipients, subrecipients, sub-subrecipients, as well as to owners, operators, and managers of shelters and other buildings and facilities and providers of services funded in whole or in part by any CPD program.

The admissions, occupancy, and operating policies and procedures of recipients, subrecipients, sub-subrecipients, owners, operators, managers, and providers, including policies and procedures to protect privacy, health, safety, and security, shall be established or amended, as necessary, and administered in a nondiscriminatory manner to ensure that:

Equal access to CPD programs, shelters, other buildings and facilities, benefits, services, and accommodations is provided to an individual in accordance with the individual's gender identity, and in a manner that affords equal access to the individual's family;

An individual is placed, served, and accommodated in accordance with the gender identity of the individual;

An individual is not subjected to intrusive questioning or asked to provide anatomical information or documentary, physical, or medical evidence of the individual's gender identity; and

Eligibility determinations are made and assisted housing is made available in CPD programs as required by §5.105(a)(2).

Placement and accommodation in temporary, Emergency Shelters and other buildings and facilities with shared sleeping quarters or shared bathing facilities:

1. Placement and accommodation. Placement and accommodation of an individual in temporary, Emergency Shelters and other buildings and facilities with physical limitations or configurations that require and are permitted to have shared sleeping quarters or shared bathing facilities shall be made in accordance with the individual's gender identity.
2. Post-admission accommodations. A recipient, subrecipient, owner, operator, manager, or provider must take nondiscriminatory steps that may be necessary and appropriate to address privacy concerns raised by residents or occupants and, as needed, update its admissions, occupancy, and operating policies and procedures.

Duplication of Benefits (DOB)

In accordance with the CARES Act and the Robert T Stafford Disaster Relief and Emergency Assistance Act, as amended, the recipient and subrecipients must take action to prevent the occurrence of duplication of benefits. Duplication of Benefits occurs when federal financial assistance is provided to a person or entity through a program to address losses resulting from

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

a Federally declared emergency or disaster, and the person or entity has received (or would receive by acting reasonably) financial assistance from the same costs from any other source.

MCHSCoC and ESG or ESG-CV Funded Partners must establish Policies and Procedures to help prevent DOB from occurring, a process for evaluating assistance to individuals and entities to ensure DOB does not occur, and a process for recapturing ESG-CV assistance if it is determined that a DOB does occur.

MCHSCoC and ESG or ESG-CV Funded Partners are responsible for maintaining and adhering to its policies and procedures for DOB and maintaining documentation in all client and activity files the analysis conducted to ensure that a DOB does not occur.

Reporting

The recipient shall submit quarterly reports via the Sage HMIS Repository as well as the annual Consolidated Annual Performance and Evaluation Report.

MCHSCoC and ESG or ESG-CV Funded Partners shall be required to submit reports as set forth in the Standard Agreement.

Prohibitions on Internet and Telecommunications Equipment

As documented in the CARES Act and CPD Notice 21-08, ESG-CV funds used to maintain or establish any computer network is subject to the prohibition in Section 417 of the Transportation, Housing and Urban Development and Related Agencies Appropriations Act, 2020. Further, telecommunications and video surveillance services or equipment are subject to the limitations of 2 CFR 200.216.

Program Components and Requirements

1. Pre-Award Costs

According to the CARES Act, pre-award costs may be incurred by the recipient or subrecipient for activities undertaken to prevent, prepare for, or respond to coronavirus before the execution of the grant agreement. Subrecipients may incur pre-award costs after receiving written authorization by the recipient.

Without written State of California and HUD approval, pre-award costs may not be incurred before January 21, 2020.

Environmental reviews must still be completed (as applicable) must still be completed prior to a commitment to cover or reimburse activities with ESG-CV funds.

2. Coordinated Entry Coordination

Except for activities that occurred prior to June 30, 2020, the requirements of coordinated entry are waived for the first 60 days of the program operation. All other activities are required to participate in the coordinated entry system.

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

3. Evaluations and Re-Evaluations

When providing services to a program participant, all ESG and ESG-CV Funded Partners are required to complete the evaluation (as described in 24 CFR 576.401(a)) to determine the eligibility of a program participant and the amount and types of assistance the individual or family needs to regain stability in permanent housing. Excluding the flexibilities for activities carried out prior to June 30, 2020 as authorized under CPD Notice 21-08, such evaluations must be conducted in accordance with the coordinated entry requirements and corresponding written standards of the Continuum of Care.

In accordance with the CARES Act and CPD Notice 21-08, program participants receiving rapid re-housing assistance must be re-evaluated not less than annually.

When re-evaluating the income of a program participant for rapid re-housing, the recipient or subrecipient must verify that the participant's income does not exceed 50% area median income.

4. Housing Stability Case Management and Supportive Services

Where appropriate, the MCHSCoC encourages service providers to make case management services available to program participants. However, all requirements for housing stability case management are waived for ESG-CV funded rapid re-housing activities once the individual is determined to be eligible for such services.

While encouraged to be offered, when necessary, individuals and families experiencing homelessness must not be required to receive treatment or perform any other prerequisite activities as a condition for receiving shelter, rental assistance, or other services provided with ESG or ESG-CV funds.

5. Shelter and Housing Standards

Under the ESG & ESG-CV programs, certain flexibilities are provided for shelter and housing standards. The requirements and waivers are summarized below.

Lead-Based Paint Remediation and Disclosure Requirements

The lead-based paint remediation and disclosure requirements apply to all shelters assisted under the ESG-CV program and all housing occupied by program participants.

Temporary Emergency Shelter

Habitability requirements do not apply to activities assisted under the Temporary Emergency Shelter activity; however the activity must still comply with nondiscrimination and accessibility requirements, including the implementing requirements under Section 504 of the Rehabilitation Act, American with Disabilities Act, and the Fair Housing Act. The requirements listed in 24 CFR 576.407 also apply.

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

Section IV ESG-CV Program Components

Activities will be authorized to each subrecipient in Exhibit F of the Standard Agreement. All activities as authorized under CPD Notice 21-08 and 24 CFR 576 are eligible for MCHSCoC and ESG or ESG-CV Funded Partners to carry out.

Street Outreach

Street Outreach meets the immediate needs of households experiencing unsheltered homelessness by connecting them with emergency shelter, housing, and/or critical health services.

ESG & ESG-CV funds may be used for the costs of providing essential services necessary to reach out to unsheltered homeless households and connect them with emergency shelter, housing, or critical services. For the purposes of this section, the term “unsheltered homeless” means individuals and families who qualify as homeless under paragraph (1)(i) of the “homeless” definition under [24 CFR §576.2](#): 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.

Street Outreach activities funded with ESG-CV must be consistent with CDC guidance related to [street outreach](#) and engaging [people at increased risk](#) of severe illness when contracting coronavirus, as well as established best practices. ESG or ESG-CV Funded outreach programs should encourage (but may not require) people experiencing homelessness to get tested if they are experiencing COVID-19 symptoms.

HUD has approved the following as eligible costs under street outreach:

- Engagement: Hand sanitizer, soap, tissue packets, masks, disposable gloves, other PPE.
- Case Management: Coordinating medical care, including accessing the COVID-19 vaccine.
- Transportation: Train or bus tokens, taxi or rideshare for program participants’ travel to and from medical care.
- Expanded Staffing: Hiring additional staff to support infectious disease preparedness, providing hazard pay to staff with direct participant contact.
- Provision of handwashing stations and portable bathrooms.
- Maintaining social distancing requirements during engagement.
- COVID-19 Vaccine Incentives for persons experiencing homelessness (\$50 per person, per dose).

ESG-CV funding for street outreach to respond to COVID-19 may include providing masks, hand

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

sanitizer, and soap to households experiencing unsheltered homelessness; outfitting staff with personal protective equipment; coordinating medical care and other support services; providing transportation for program participants to travel to and from medical care, and other needed services; hazard pay; and providing reasonable incentives to volunteers (e.g. cash or gift cards) who are helping to provide necessary services during the coronavirus outbreak.

Handwashing Stations and Portable Bathrooms

ESG-CV funds may be used for costs of providing urgent, non-facility-based care to unsheltered households who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility. To this end, funds may be used for portable hygiene services and the staffing, equipment, supplies and services to clean and maintain these facilities to support households experiencing unsheltered homelessness. Examples include handwashing stations and bathrooms (e.g., porta potties) and shower trucks with soap and shampoo.

Emergency Shelter

Emergency shelter operations and services to households residing in emergency shelter are allowable activities. Households are eligible for emergency shelter assistance if they are unsheltered or residing in a temporary housing program.

Emergency shelter activities funded with ESG-CV should be in alignment with recommended guidance to [effectively manage infectious disease within the shelter](#) during COVID-19. ESG-CV funding for emergency shelter to respond to COVID-19 may include providing cleaning supplies; personal protective equipment for staff and program participants; portable hygiene services; volunteer incentives; hazard pay; furnishings such as room dividers and cots; and costs associated with providing transportation for program participants to travel to and from medical care, and other needed services. Shelters are encouraged to use funds provided through ESG-CV to purchase technology to access telehealth services provided through Advantage Health Centers (Healthcare for the Homeless) or other Federally Qualified Health Center (FQHC).

Emergency shelter renovation, rehabilitation, or conversion are eligible expenses. Funded partners should work closely with the MCHSCoC to ensure adherence to HUD requirements.

If no appropriate emergency shelter is available, funded partners may use ESG or ESG-CV funds to provide unsheltered homeless individuals with hotel/motel vouchers. Hotel/motel vouchers may be provided if shelter beds are available, but it is not safe for them to use because of the need for social distancing. Eligible costs include:

- A hotel or motel room directly or through a hotel or motel voucher
- Cleaning of hotel or motel rooms used by program participants
- Repairs for damage caused by program participants above normal wear and tear of the room.

No household shall be denied access to safe housing, which may include alternative housing or

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

a hotel room, even if they have been exposed or are symptomatic with coronavirus. Health-related questions should not determine admission, access to programs and should not be asked in order to screen people out of shelter. If shelters utilize symptom screening as a part of intake procedures, it must be reviewed and approved by the Mendocino County Department of Public Health. Adventist Health is available to conduct testing for people experiencing homelessness at multiple encampment locations and in various sites as requested. Testing is also available at locations identified at <https://www.mendocinocounty.org/community/novel-coronavirus/covid-19-testing>. ESG-CV funded shelter programs should encourage (but may not require) people experiencing homelessness to get tested if they are experiencing COVID-19 symptoms. Someone who presents at an ESG or ESG-CV-funded shelter with respiratory symptoms (e.g., cough) should not be turned away solely because of their health symptoms. Additionally, shelters cannot require participants to receive the COVID-19 vaccination to receive services.

The purpose of ESG-CV funds is to prevent, prepare for, and respond to COVID-19 in order to prevent and mitigate the spread of COVID-19 among people experiencing homelessness and the staff that provide services to these individuals. This requires that existing shelters implement public health protocols such as enforcing social distancing, establishing an isolation space (especially for residents suspected of having COVID-19, those with confirmed cases, and high-risk residents such as elderly people and people with pre-existing health conditions), using personal protective equipment (PPE), and cleaning/disinfecting shared and living spaces. If existing shelter is not available or where current shelters are not able to implement these safety protocols, additional space may need to be identified to allow people to have shelter while staying as healthy as possible. This may be space within an existing shelter (e.g., an office not being used) that could be temporarily converted into a quarantine space for someone who has tested positive or is awaiting test results, or it could be an entirely separate building. Eligible shelter spaces may include public spaces, pop up or modular structures in compliance with [HUD Guidance](#).

Shelters funded by ESG or ESG-CV may not turn away eligible program participants and must establish referral pathways to other shelter or housing if the shelter is at maximum capacity. Shelters must establish referral pathways to isolation and quarantine if a client is in need of such services. Shelters funded by ESG or ESG-CV are strongly discouraged from implementing a maximum length of stay when a discharge will result in program participants returning to unsheltered settings or situations putting them at a higher risk of COVID-19 infection.

Any ESG-CV funded shelter that is considering closing or not accepting new residents must immediately notify the Mendocino County Department of Social Services and the MCHSCoC.

Temporary Emergency Shelters

ESG-CV funds may be used to pay for temporary emergency shelters for individuals and families experiencing homelessness. Eligible costs include leasing, operations, services, property acquisition and renovation.

Temporary Emergency Shelter is defined as a structure or any portion of a structure, which is

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

used for a limited period of time because of a crisis, such as a natural disaster or public health emergency, to provide shelter for individuals and families displaced from their normal place of residence or sheltered or unsheltered locations.

Temporary Emergency Shelters are exempt from:

- Minimum standards for emergency shelters at [24 CFR 403\(b\)](#)- (lead-based paint requirements still apply)
- Environmental Review
- Minimum period of use requirements [\(24 CFR 576.102\(a\)\(xi\)\(4\)\(c\)\)](#)

Funded partners must retain documentation that the shelter met the definition of temporary emergency shelter. Acquisition and renovation costs are subject to Disposition requirements outlined in [2 CFR 200.311 – Real Property](#) which requires repayment to HUD. Subrecipients who are considering acquisition and renovation costs should work closely with City staff to ensure adherence to requirements.

Emergency Shelter Activity	Temporary Emergency Shelter	Permanent Emergency Shelter
Renovations	Allowable, repayment required	Allowable, minimum period of use required
Acquisition	Allowable, repayment required	Not allowable

Program participants cannot be required to sign leases or occupancy agreements, receive treatment, or perform any other prerequisite activities as a condition for staying in any shelter or receiving services.

Subrecipients must document that the structure/portion of the structure met the definition of Temporary Emergency Shelter.

HUD has approved the following as eligible costs under Emergency Shelter and Temporary Emergency Shelter:

SHELTER OPERATIONS	
Supplies	<ul style="list-style-type: none"> ● Cleaning supplies such as bleach, disinfectant wipes, scrubbers, and mops. ● Protective equipment such as face masks and shields, disposable gloves, and sneeze guards for staff and program participants.

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

	<ul style="list-style-type: none"> ● Bed linens, towels, hand sanitizer, soap, and tissue packets. ● Individually boxed meals and bottled water.
Furnishings	<ul style="list-style-type: none"> ● Cots and room dividers.
Equipment	<ul style="list-style-type: none"> ● Washers, dryers, portable handwashing stations, portable showers, car or van purchase for transporting participants, and ventilation systems (e.g., high-efficiency particulate air [HEPA] filters and air purifiers).
Outpatient Health services*	<ul style="list-style-type: none"> ● Medication, emergency medical services, medication and follow-up services, and coordinating or providing medical treatment. <p>*Services must be provided by licensed medical professionals and otherwise inaccessible or unavailable within the community.</p>
Transportation	<ul style="list-style-type: none"> ● Train or bus tokens, taxi or rideshare for program participant travel to and from medical care, and car or van purchase for transporting participants or staff serving program participants.

Additional information on temporary emergency shelter may be found under Additional Eligible Activities in this manual.

Rapid Re-Housing Assistance

Rapid Re-Housing Assistance includes rent assistance and housing relocation and stabilization services for households experiencing homelessness and households at-risk of homelessness based on the household’s housing status at the time of program entry.

Rapid Re-Housing assistance is available for persons who are literally homeless according to HUD's definition in Household Eligibility.

The CARES Act provides that ESG-CV funds may be used to mitigate the economic impact of COVID-19. Programs are encouraged to consider the maximum number of rental assistance months be extended/adjusted to address unemployment, loss of income, or benefits due to COVID-19. Additionally, CARES Act ESG-CV funding does not require a rental payment for households receiving financial assistance and projects are expected to serve people with zero income. Additionally, providers cannot require participants to receive the COVID-19 testing or vaccination to receive rapid re-housing services, including prioritizing assistance.

When assessing use of funds, the following document from the National Alliance to End Homelessness may be helpful: [Use ESG-CV to Help Those Currently Experiencing Homelessness First.](#)

Rapid re-housing (RRH) funded partners must use a progressive engagement model; this practice supports using the least intensive intervention to help resolve homelessness for the individual or family. Providers are to add more assistance only as necessary if the less intensive intervention is unsuccessful. There is no minimum rent requirement and tenant rent

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

contribution may be zero for households with no income. Please see [Mendocino County Homeless Services Continuum of Care's Rapid Re-housing Program Standards](#) for additional guidance.

1. Landlord Incentives

ESG-CV funds may be used to pay for landlord incentives that are reasonable and necessary to obtain housing for individuals and families experiencing homelessness and at risk of homelessness. Landlord incentives may not exceed three times the rent charged for the unit. Eligible landlord incentives include:

- Signing bonuses up to 2 months of rent.
- Security deposits equal to up to three months of rent, or the state statute.
- Costs to repair damages incurred by the program participant not covered by the security deposit or that are incurred while the program participant is still residing in the unit.
- Paying the cost of extra cleaning or maintenance of a program participant's unit or appliance.

Landlord incentives may be charged under Rapid Re-Housing budget categories. Please see [Leveraging ESG-CV Landlord Financial Incentives to Expedite Engagement](#) for additional guidance.

Funded Partners must maintain program records that document that program costs are reasonable.

Additional Eligible Activities

The following activities are authorized under the CARES Act and CPD Notice 21-08 and, if authorized via the Standard Agreement, may be carried out by the subrecipient or its funded partners.

1. Temporary Emergency Shelters

ESG-CV funds may be used to pay for temporary emergency shelters for individuals and families experiencing homelessness in order to prevent, prepare for, and respond to coronavirus. Eligible costs include:

- Leasing existing real property or temporary structures
- Acquisition of real property (not to exceed \$2.5 million)
- Renovation of real property
- Shelter operation costs
- Essential services

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

All other costs must be approved by the recipient and HUD in writing.

Temporary emergency shelters are not subject to the minimum periods of use as set forth in 24 CFR 576. When the property is determined to no longer be needed for temporary emergency shelter, the property may be converted for use as an emergency shelter without triggering the disposition requirements. If the property will not convert to an emergency shelter, the subrecipient and recipient must seek disposition guidance from HUD.

All subrecipients will be required to report conversion plans for temporary emergency shelters by January 31, 2022.

2. Conversion to Emergency Shelter

Prior to converting the temporary emergency shelter to a permanent emergency shelter, the following activities must be completed:

- The property must undergo a satisfactory environmental review and meet minimum habitability standards
- The subrecipient must notify the recipient of the planned conversion date and the recipient must notify HUD of the conversion date. The subrecipient and recipient must report at least annually on the status of the property.
- The subrecipient must maintain adequate documentation showing that the property is being used as an emergency shelter and operated in accordance with all requirements under 24 CFR 576, subpart E.
- If the property was renovated with ESG-CV funds, the property must be used as an emergency shelter for at least the period specified in 24 CFR 576.102(c)(1) beginning on the date the building is first occupied by a homeless individual or family after the renovation.
- On or before the conversion of the property to an emergency shelter as defined in 24 CFR 576.2, the recipient or subrecipient must record a lien or other notice of record to indicate that the property has been acquired and/ or improved with a Federal award and corresponding disposition requirements in 2 CFR 200 apply.

3. Training

ESG-CV funds may be used for training on infectious disease prevention and mitigation for staff working directly to prevent, prepare for, and respond to coronavirus among persons who are homeless or at risk of homeless. Such costs will not be considered administrative costs and will be considered a standalone activity.

4. Hazard Pay

ESG-CV funds may be used to pay hazard pay for staff working directly to prevent, prepare for, and respond to coronavirus. Hazard pay may be billed under Rapid Re-Housing, Emergency

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

Shelter, and Street Outreach program components. Records must be maintained showing how the staff works directly to prevent, prepare for, and respond to coronavirus. Costs for overtime or hazard pay that are incurred by MCHSCoC or its ESG-CV funded partners to prevent, prepare for, and respond to coronavirus must be established in the organization's written compensation policies to allow for these costs. These cost principles are outlined at [2 CFR 200 Sub-Part E](#). Key cost principles governing staff compensation are outlined at [2 CFR 200.430 and 200.431](#).

Costs of compensation, including overtime, hazard pay and one-time bonuses, directly related to carrying out ESG-CV activities eligible under Sections 576.101 through 576.107 are eligible costs as part of those activities and are allowable to the extent that they satisfy the specific requirements of 2 CFR 200.430, and that the total compensation for individual employees:

- (1) Is reasonable for the services rendered and conforms to the established written policy of the non-Federal entity consistently applied to both Federal and non-Federal activities;
- (2) Follows an appointment made in accordance with a non-Federal entity's laws and/or rules or written policies and meets the requirements of Federal statute, where applicable; and
- (3) Is determined and supported as provided in [paragraph \(i\)](#) of 2 CFR 200.430, when applicable.

ESG-CV funded partners should submit their written compensation policy to MCHSCoC for review to ensure compliance prior to issuing hazard pay. Funded partners are required to maintain adequate back-up documentation to support the use of hazard pay.

5. Handwashing Stations and Portable Bathrooms

Under 24 CFR 576.101(a) (Street Outreach), ESG-CV funds may be used for installing and maintaining handwashing stations and bathrooms in outdoor locations for people experiencing unsheltered homelessness.

6. Landlord Incentives

ESG-CV funds may be used under 24 CFR 576.105 (Rapid Rehousing) to add the eligible cost of paying for landlord incentives as reasonable and necessary to obtain housing for individuals and families experiencing homelessness and at-risk of homelessness. Total ESG-CV incentives may not exceed three times the rent charged for the unit.

Eligible landlord incentive costs include:

- Signing bonus of up to two months of rent
- Security deposits equal to up to three months of rent (separate from the costs of security deposits under 24 CFR 576.105(a))
- Paying the cost to repair damages incurred by the program participant not covered by the security deposit or that are incurred while the program participant is still residing in

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

the unit

- Paying the costs of extra cleaning or maintenance of a program participant's unit or appliances

The funded partner must determine and document that each landlord incentive cost is reasonable and necessary. Please refer to [Leveraging ESG-CV Landlord Financial Incentives to Expedite Engagement](#) for additional resources and recommendations for what to include in signed landlord agreements in order to release ESG-CV funds.

7. Volunteer Incentives

Under 24 CFR 576.101(a), 102(a)(1), and 105(b), ESG-CV funds may be used to provide reasonable incentives to volunteers who have been or are currently helping to provide necessary street outreach, emergency shelter, essential services and housing relocation and stabilization services during the coronavirus outbreak.

8. Cell Phones and Internet

Under 24 CFR 576.101(a), 102(a)(1), and 105(b), ESG-CV funds may be used for the costs of providing temporary cell phones for individuals and families experiencing homeless, receiving rapid re-housing assistance, or residing in permanent supportive housing funded with CoC Projects.

The cell phone and corresponding wireless service plan must be owned by the subrecipient or ESG-CV Funded Partners but may be loaned to the program participant. The phone must be used while stay-at-home or social distancing orders are in effect in the community in which the program participant resides, or while they continue to need it to participate in activities necessary to obtain and maintain housing (e.g., job interviews, healthcare, and mental health services) that remain virtual even after social distancing measures are relaxed. At which point, the phone is no longer necessary for such uses, it must be returned to the ESG-CV Funded Partner. Please include a policy outlining how cell phones will be used within the program and how attempts will be made for the item to be returned.

9. Personal Protective Equipment for Program Participants

Under the eligible activities of 24 CFR 576, PPE can be provided to program participants as an essential service under emergency shelter and street outreach. Additionally, PPE can be provided under rapid re-housing activities if required to participate in corresponding activities such as housing stabilization activities. CPD Notice 21-08 expands the allowances under rapid re-housing and PPE can be provided to any program participant being assisted under rapid re-housing activities to ensure that they limit exposure to the coronavirus.

10. Furniture and Household Furnishings

As authorized by CPD Notice 21-08, ESG-CV funds can be used to provide furniture and home furnishings to program participants in rapid re-housing activities. If a ESG-CV Funded Partner authorizes the purchase of furniture or other household furnishings, the funded partner is

Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures

responsible for ensuring that the use and disposition of the furniture and household furnishings aligns with the requirements in 2 CFR 200.313. Please see the [Disposition and Recordkeeping Requirements when using ESG-CV of ESG Funds to Purchase Furniture or Household Furnishings](#) for additional details.

11. Essential Services for Individuals and Families Receiving Rapid Re-Housing

As authorized by CPD Notice 21-08, ESG-CV funds can be used to provide the essential services listed under 24 CFR 576.102(a)(1) to program participants receiving or rapid re-housing assistance.

12. Coordinated Assessment

ESG-CV funds may be used to pay for additional costs needed to update, enhance and operate the coordinated assessment system. The recipient or subrecipient must maintain cost documentation that shows that the use of ESG-CV funds is limited to the increase of the system costs due to coronavirus and the funds are used in coordination with the CoC to ensure that ESG-CV funding is used for the most critical coordinated assessment needs to allow the CoC to quickly prioritize and refer assistance to individuals and families experiencing homelessness or are at-risk of homelessness.

13. Renters Insurance

ESG-CV funds may be used to pay for renters insurance for rapid re-housing program participants if:

- A. Renters insurance is necessary to obtain or maintain housing
- B. The renters insurance is paid directly to the insurance company on behalf of the program participant

ESG-CV funds may be used to prepay for up to one year at a time of renters insurance if the landlord requires an upfront annual payment (necessary to obtain housing) and it cannot be paid monthly (either because the landlord requires it or the insurance company doesn't provide a monthly payment option). If the program participant does not remain in the unit or does not remain an ESG program participant for the full year, no repayment is necessary.

14. Vaccine Incentives

In situations where other incentive programs are not available to individuals experiencing homelessness to receive a vaccine, ESG-CV funds can be used to pay up to \$50 per dose of an FDA-approved coronavirus vaccine. Please note, vaccine incentives may be provided to any household/family member aged 5 or older who is eligible to receive a vaccine.

15. Laundry

ESG-CV funds may be used to pay for laundry services, including by paying for laundry trucks to outdoor locations under 24 CFR 576.101(a) (street outreach) as authorized by CPD Notice 21-08.

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

16. Sponsor-based Rental Assistance

As authorized in CPD Notice 21-08, ESG-CV funds may be used to pay for sponsor-based rental assistance.

Modifications to Existing Eligible Activities

The following alternative requirements are established for existing eligible activities, as authorized under 24 CFR 576 that have been modified for ESG-CV funded activities only.

1. Emergency Shelter and Street Outreach Cap

The Emergency Shelter and Street Outreach cap is waived and not applicable to all ESG-CV activities.

2. Short-Term and Medium-Term Rental Assistance

Rental assistance activities as authorized under 24 CFR 576.106 have the following alternative requirements.

- The requirements for ensuring that unit costs are at or below fair market rent (FMR) is waived so long as the unit complies with the HUD standard of rent reasonableness and adequate documentation of rent reasonableness is maintained
- Rental assistance can only be provided for each whole or partial month an assisted unit is leased to a program participant except that if a program participant moves out of an assisted unit before the expiration of the agreement, the ESG-CV Funded Partners may use ESG-CV funds to cover up to 100% of the rent for the unit for up to 30 days from the end of the month in which the unit was vacated while the recipient or subrecipient attempts to house a new program participant. Such payments do not count against the assistance limits for the new program participant.
- The requirement limiting the total number of months a program participant may receive rental assistance to 24 months in a 3-year period is waived
- ESG-CV funded partners must ensure that units meet minimum habitability standards prior to providing rental assistance but are able to use either the standards established at 24 CFR 576.403(c) or Housing Quality Standards (HQS) established under 24 CFR 982.401.

3. Housing Relocation and Stabilization Services

The requirement limiting the total number of months a program participant may receive the services authorized under 24 CFR 576.105(b) to 24 months in a 3-year period is waived. Further, the limit on providing housing stability case management (24 CFR 576.105(b)(2) of 30 days while the program participant seeks housing is extended to up to 60 days of such case management services.

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

If services are limited to the eligible housing relocation and stabilization service activities (24 CFR 576.105), minimum habitability standards or HQS inspections do not need to be conducted.

4. Hotel and Motel Costs

Hotel and motel costs are generally eligible expenses for emergency shelter where no appropriate emergency shelter exists. For ESG-CV funds, the use of hotel or motel costs is expanded to be used for participants residing in emergency shelter, receiving rapid re-housing assistance, or those residing in permanent supportive housing. In these cases, hotel or motel costs would be eligible when a program participant needs to isolate or quarantine to keep from spreading coronavirus to other shelter occupants or household members.

Additionally, ESG-CV funds may be used to pay for the cleaning of rooms as well as to repair damage above normal wear and tear.

5. HMIS Lead Costs

HMIS leads may pay for costs beyond being related to collecting data on ESG and ESG-CV program participants and activities to the extent they are necessary to help the geographic area prevent, prepare for, and respond to coronavirus.

6. Legal Services

Legal services authorized under 24 CFR 576.102(a)(1)(vi) and 24 CFR 576.105(b)(24) are limited to those services necessary to help program participants obtain housing or keep a program participant from losing housing where they currently reside.

7. Sublease

If a program participant holds a legally valid sublease, they may seek assistance under 24 CFR 576.105 and 24 CFR 576.106. In such instances, where the regulations state “owner” or “housing owner” the term is replaced with “primary leaseholder” and the term “lease” will be understood to refer to the sublease.

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

Section V Rental Assistance Requirements

Rental Assistance Guidelines

Projects may provide participants with up to 24 months of rental assistance during any 3-year period. This assistance may be short-term rental assistance, medium-term rental assistance, payment of rental arrears, or any combination thereof. Short-term rental assistance is assistance for up to 3 months of rent. Medium-term rental assistance is assistance for more than 3 months but not more than 24 months of rent.

The following rules, requirements, and standards apply when rental assistance is provided:

- a. Discretion to set caps and conditions. Within the boundaries of the project subrecipient's ESG Written Standards, the project may set a maximum amount or percentage of rental assistance that a participant may receive, a maximum number of months that a participant may receive rental assistance, a maximum number of times that a participant may receive rental assistance, and whether and to what extent participants are required to share in the costs of rent.
 - i. CA HCD expects all ESG-RRH projects to provide rental assistance in a manner consistent with the progressive engagement framework, which tailors assistance to each household's needs. Any established caps on assistance must allow for provision of sufficient rental assistance based on needs and barriers identified for each household.
- b. Use with other subsidies. Except for a one-time payment of rental arrears on the tenant's portion of the rental payment, rental assistance cannot be provided to a participant who is receiving tenant-based rental assistance or living in a housing unit receiving project-based rental assistance or operating assistance through other public sources. Rental assistance may not be provided to a participant who has been provided with replacement housing payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended ("the URA") during the period of time covered by the URA payments.

Rent Limit and Duration

ESG or ESG-CV Funded Partners must use a rent limit policy that is used consistently for all units receiving a rent subsidy, including arrears, and must be completed before the rent subsidy is paid. Payment of rental arrears consists of a one-time payment for up to 6 months of rent in arrears, including any late fees on those arrears. The rent limit is the maximum rent subsidy that can be paid for a unit of a given size. ESG-CV funded partners are encouraged to extend/adjust the rent limit to address unemployment, loss of income, or benefits due to coronavirus.

Fair Market Rent (FMR)

ESG Funded Partners are prohibited from providing any rental assistance for units with rent amounts that exceed the current Fair Market Rent (FMR) limits, which are available at <https://www.huduser.gov/portal/datasets/fmr.html>.

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

The FMR requirement is waived for ESG-CV as long as the rent complies with HUD standards of rent reasonableness.

Rent Reasonableness

The rental assistance paid cannot exceed the actual rental cost, which must be in compliance with HUD's standard of rent reasonableness.

Rent reasonableness means that the total rent charged for a unit must be reasonable in relation to the rents being charged during the same time period for comparable units in the private unassisted market and must not be in excess of rents being charged by the owner during the same time period for comparable non-luxury unassisted units.

To make this determination, the ESG or ESG-CV Funded Partner should consider (a) the location, quality, size, type, and age of the unit; and (b) any amenities, housing services, maintenance and utilities to be provided by the owner. Comparable rents can be checked by using a market study, by reviewing comparable units advertised for rent, or with a note from the property owner verifying the comparability of charged rents to other units owned (for example, the landlord would document the rents paid in other units). For more information, see HUD's worksheet on rent reasonableness at:

<https://www.hudexchange.info/resource/2098/home-rent-reasonableness-checklist-and-certification/>

A funded partner must determine and document rent reasonableness for all units for which ESG or ESG-CV rental assistance (including arrears) and/or security deposit assistance is being provided.

Calculating Rent

Rent shall equal the sum of the total monthly rent for the unit, any fees required for occupancy under the lease other than late fees and pet fees, and, if the tenant pays separately for any utilities, the monthly allowance for those utilities (excluding telephone and internet) as established by the public housing authority (PHA) for the area in which the housing is located.

Housing Stability & Case Management

Program participants receiving rapid re-housing assistance should be provided housing stability case management as is safe and feasible. Housing case management cannot be a requirement for assistance, but ESG and ESG-CV funded partners should make housing stability and other appropriate services available and accessible.

Rental Assistance Agreement

Rent assistance agreements are required between the ESG or ESG-CV Funded Partner and the property owner in order to provide rent assistance. The agreement must set forth the terms under which rental assistance will be provided, including the requirements that apply under 24 CFR §576.106 (e). The rental assistance agreement must provide that, during the term of the

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

agreement, the landlord must give ESG-CV Funded Partner a copy of any notice to the program participant to vacate the housing unit, or any complaint used under state or local law to commence an eviction action against the program participant.

The ESG or ESG-CV Funded partner must make timely payments in accordance with the rental assistance agreement. The rental assistance agreement must contain the same payment due date, grace period, and late payment penalty requirements as the program participant's lease. The ESG or ESG-CV funded partner is solely responsible for paying late payment penalties that it incurs with non ESG or ESG-CV funds.

Lease

Households who are receiving rental assistance must have a legally binding, written lease between the owner and the program participant for the rental unit, unless the assistance is solely for rental arrears. Where the assistance is solely for rental arrears, an oral agreement may be accepted in place of a written lease, if the agreement gives the program participant an enforceable leasehold interest under state law and the agreement and rent owed are sufficiently documented by the landlord's financial records, rent ledgers, or canceled checks. For program participants living in housing with project-based rental assistance (described below) the lease must have an initial term of one year.

Tenant-based Rental Assistance

A program participant who receives tenant-based rental assistance may select a housing unit in which to live and may move to another unit or building and continue to receive rental assistance, as long as the program participant continues to meet the program requirements.

The rental assistance agreement must be terminated if the program participant moves out of the housing unit for which the program participant has a lease; the lease terminates and is not renewed; or the program participant becomes ineligible to receive ESG or ESG-CV rental assistance.

Project-based Rental Assistance

If the ESG or ESG-CV funded provider identifies a permanent housing unit that meets ESG or ESG-CV requirements and becomes available before a program participant is identified to lease the unit, the provider may enter into a rental assistance agreement with the owner to reserve the unit and subsidize its rent in accordance with the following requirements:

1. The rental assistance agreement may cover one or more permanent housing units in the same building. Each unit covered by the rental assistance agreement ("assisted unit") may only be occupied by program participants, except as provided under paragraph (4) of this section.
2. The ESG or ESG-CV Funded Partner may pay up to 100 percent (100%) of the first month's rent, provided that a program participant signs a lease and moves into the unit before the end of the month for which the first month's rent is paid. The rent paid before a program

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

participant moves into the unit must not exceed the rent to be charged under the program participant's lease and must be included when determining that program participant's total rental assistance.

3. The ESG or ESG-CV Funded Partner may make monthly rental assistance payments only for each whole or partial month an assisted unit is leased to a program participant. When a program participant moves out of an assisted unit, the subrecipient may pay the next month's rent, i.e., the first month's rent for a new program participant, as provided in paragraph (2) of this section.
4. The program participant's lease must not condition the term of occupancy to the provision of rental assistance payments. If the program participant is determined ineligible or reaches the maximum number of months over which rental assistance can be provided, the subrecipient must suspend or terminate the rental assistance payments for the unit. If the payments are suspended, the individual or family may remain in the assisted unit as permitted under the lease, and the subrecipients may resume payments if the individual or family again becomes eligible and needs further rental assistance. If the payments are terminated, the rental assistance may be transferred to another available unit in the same building, provided that the other unit meets all ESG or ESG-CV requirements.
5. The rental assistance agreement should have an initial term of one year. When a new program participant moves into an assisted unit, the term of the rental assistance agreement may be extended to cover the initial term of the program participant's lease. If the program participant's lease is renewed, the rental assistance agreement may be renewed or extended, as needed, up to the maximum number of months for which the program participant remains eligible. However, under no circumstances may the subrecipient commit ESG or ESG-CV funds to be expended beyond the expenditure deadline or commit funds for a future ESG or ESG-CV grant before the grant is awarded.

Sponsor-Based Rental Assistance

As an alternative to tenant-based rental assistance and project-based rental assistance, sponsor-based rental assistance may be funded as provided below when necessary to use rapid re-housing assistance to re-house program participants quickly in permanent housing where landlords might not otherwise be willing to rent to them. Adding this flexibility is critical to limiting the spread of coronavirus among individuals and families experienced or at risk of homelessness and helping them obtain housing in tight rental markets during the economic downturn caused by coronavirus. Accordingly, the following waivers and alternative requirements are established for the provision of sponsor-based rental assistance with ESG-CV funds:

1. The limitation of rental assistance to tenant-based rental assistance and project-based rental assistance in 24 CFR 576.106(a)(4) is waived, and 24 CFR 576.106(h) and (i) will not apply.
2. The recipient or subrecipient must execute a sponsor-based rental assistance agreement

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

with a separate government agency, instrumentality, or nonprofit organization (“sponsor”) to subsidize the rent of program participants who are referred to be housed in units owned or leased by the sponsor. The rental assistance agreement may cover one or more permanent housing units owned or leased by the sponsor. Each unit covered by the rental assistance agreement (“sponsored unit”) may only be occupied by program participants, except as provided under paragraph (iii) below. Under no circumstances may the rental assistance agreement commit ESG funding to be expended or provide assistance beyond the applicable period of performance for the funding.

3. The recipient or subrecipient may pay up to 100 percent of the rent for the first month that the sponsored unit becomes available for rent to a new program participant, provided that a program participant signs a lease and moves into the unit before the end of the month for which that first month's rent is paid. This payment must not exceed the rent to be charged under the new program participant's lease, and unless the program participant moves in during the last half of the month that is paid, this payment must be included when determining that program participant's total rental assistance. This payment may be at the beginning of the agreement or after the payment permitted under paragraph (iv) below, as long as payments are made for different months.
4. The recipient or subrecipient may make monthly rental assistance payments only for each whole or partial month a sponsored unit is leased to a program participant, except that if a program participant moves out of a sponsored unit before expiration of the rental assistance agreement, the recipient or subrecipient may use ESG-CV funds to cover up to 100 percent of 24 the rent for the unit for up to 30 days from the end of the month in which the unit was vacated, while recipient or subrecipient work together with the sponsor to house another eligible program participant in that unit. This payment will not count toward the total rental assistance provided to the next program participant housed in the unit, unless the program participant moves in during the first half of the month that is paid using this flexibility. The limitations on eligible activities in section 415(a) of the McKinney-Vento Act are waived to the extent they would prohibit these payments.
5. The initial requirement in 24 CFR 576.404(a), which prohibits conditioning any type or amount of ESG assistance on an individual's or family's acceptance or occupancy of emergency shelter or housing owned by the recipient, the subrecipient, or a parent or subsidiary of the subrecipient, is waived to the extent necessary to require that the program participant rent a unit owned by the sponsor to benefit from this form of rental assistance. However, in no case may a recipient or subrecipient execute a sponsor-based rental assistance agreement with itself or its parent or subsidiary organization.
6. In all other respects, sponsor-based rental assistance must be administered in accordance with the same requirements that apply to tenant-based and project-based rental assistance under 24 CFR part 576, the waivers and alternative requirements in this Notice, and other applicable ESG waivers; except that the references to “owner” and “Housing owner” will be understood to refer to the “sponsor,” when those terms appear in 24 CFR 576.105, 576.106, 576.406, and 576.500(h); the references to “lease” in 24 CFR 576.105, 576.106, 576.406,

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

and 576.500(h) will be understood to refer to the lease or sublease (as applicable) between the program participant and the sponsor for the “sponsored unit” in which the program participant will reside; and the references to “project-based rental assistance” in 24 CFR 576.409 will be understood to refer to “sponsor-based rental assistance.”

Conflict of Interest

The payment of any type or amount of ESG or ESG-CV assistance may not be conditioned on a household’s acceptance or occupancy of housing owned by the ESG or ESG-CV funded provider or a parent or subsidiary of the provider. No ESG or ESG-CV funded partner may, with respect to households occupying housing owned by the funded partner, or any parent or subsidiary of the ESG-CV Funded Partner, carry out the initial consultation and eligibility determination or administer homelessness prevention assistance.

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

Section VI Household Eligibility

ESG and ESG-CV assistance is available for persons who are homeless according to the HUD definition of homeless:

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; OR
 - 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 120 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 is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;
 - i. has no other safe residence; and
 - ii. lacks the resources to obtain other safe permanent housing.

Documentation of Housing Status

1. Documentation of Housing Status Eligibility

ESG and ESG-CV Funded Partners must verify, describe, and document eligible housing status prior to program entry. ESG or ESG-CV Funded partners must maintain and follow written intake procedures to ensure compliance with the homeless definition in § 576.2. The procedures must require documentation at intake of the evidence relied upon to establish and verify homeless status. The procedures must establish the order of priority for obtaining evidence as third-party documentation first, intake worker observations second, and certification from the person seeking assistance third.

Lack of third-party documentation must not prevent an individual or family from being immediately admitted to ES, receiving SO services, or being immediately admitted to shelter or receiving services provided by a victim service provider.

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

Records contained in an HMIS or comparable database used by victim service or legal service providers are acceptable evidence of third-party documentation and intake worker observations if the HMIS retains an auditable history of all entries, including the person who entered the data, the date of entry, and the change made; and if the HMIS prevents overrides or changes of the dates on which entries are made.

See required ESG Household Eligibility- Prevention and ESG-CV Household Eligibility- Rapid Re-housing forms for documentation requirements. All ESG forms can be found at <https://mendocinococ.org/>.

2. Documentation of Income Eligibility

Documentation of income eligibility is not required until eligibility recertification for households served with Rapid Re-housing.

Income is money that is paid to, or on behalf of, the head of household or spouse (even if temporarily absent) or to any other household member 18 years or older. (Persons fleeing domestic violence do not have to report the abuser's income.) Income also includes all amounts which are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date. When determining the annual income of an individual or family, the ESG or ESG-CV Funded Partner must use the standard for calculating annual income under [24 CFR §5.609](#).

Income inclusions and exclusions are listed in the Electronic Code of Federal Regulations, www.ecfr.gov, Title 24 – Housing and Urban Development: Subtitle A 0-99: Part 5: Subpart F: Section [5.609 Annual Income](#). Questions pertaining to how to calculate CARES Act income can be found here: <https://www.hud.gov/sites/dfiles/PIH/documents/Round6FAQsfinal.pdf>

Eligibility Recertification

Household eligibility and the types and amounts of assistance the household needs must be re-evaluated and documented not less than once annually for households receiving rapid re-housing assistance. At a minimum, each re-evaluation of eligibility must establish that:

The household does not have an annual income that exceeds 50% of Area Median Income for homeless households and 50% of Area Median Income for households at-risk of homelessness;
AND

The household lacks sufficient resources and support networks necessary to retain housing without ESG or ESG-CV assistance.

Documentation Requirements for Rapid Re-Housing

Projects are required to follow the documentation standards in 24 CFR 576.500, "Recordkeeping and Reporting Requirements." Households receiving Rapid Re-Housing assistance must have the following clearly noted and documented in the household's case file:

- 1. Initial Consultation & Eligibility Determination:**

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

The household must receive an initial consultation and eligibility assessment to determine income and housing status eligibility and the appropriate type of assistance needed to regain stability in permanent housing.

2. Assistance in obtaining mainstream and other resources:

The household must receive appropriate supportive services and referrals essential to achieving independent living through other federal, state, local, and private assistance.

3. Housing stability plan to include:

- a. Needs assessment to include specific housing and self-sufficiency goals; and
- b. Action steps to retain permanent housing after ESG or ESG-CV assistance ends;

Households receiving assistance from a victim service provider are exempted from the case management requirement.

4. The following is a list of required documentation needed for all ESG and ESG-CV participant files:

- a. **HMIS ESG Intake Form;**
- b. **HMIS Release of Information or equivalent form**, unless the organization has opted into the Homeless Adult and Family Multidisciplinary Personnel Teams, Convened Pursuant to Welfare and Institutions Code Section 18999.8 (i.e., AB 210);
- c. **Verification of Homelessness Status** in preferred order (see Section VII Eligibility);
 - i. Written third-party statement, OR
 - ii. Written certification by program intake staff of ORAL third-party verification, OR
 - iii. Written Self-Certification

The following is a list of required documentation needed for ESG and ESG-CV RRH participant files:

a. Evaluation of Program Participant Eligibility & Needs

- i. ESG and ESG-CV funded partners must conduct an initial evaluation to determine the eligibility of each individual or family's eligibility for ESG assistance and the amount and types of assistance the individual or family needs to regain stability in permanent housing. These evaluations must be conducted in accordance with the CES requirements set forth under CFR 24 576.400(d) and the written standards established under CFR 24 576.400(e).

Re-Evaluations for Homelessness Prevention and Rapid Re-Housing Assistance

- i. The subrecipient or its sub-subrecipient must re-evaluate the program participant's eligibility and the types and amounts of assistance the program participant needs not less than once every 3 months for program participants

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

receiving HP assistance, and not less than once annually for program participants receiving RRH assistance. At a minimum, each re-evaluation of eligibility must establish that:

- a. The program participant does not have an annual income that exceeds 30 percent of median family income for the area, as determined by HUD; and
 - b. The program participant lacks sufficient resources and support networks necessary to retain housing without ESG assistance.
- b. Duplication of Benefits Analysis and Certificate;**
 - c. Housing Stability Plan;**
 - d. Related Case Management Documentation;**
 - e. Evidence that Rapid Exit Services were provided;**
 - f. Other Relevant Service Documentation & Amounts** (except as already documented in this section’s Rental Assistance Agreement sub-section above; Payments sub-section below; and Financial Assistance in Financial Assistance Section)
 - g. Income evaluation form**
 - i. For RRH no income verification is needed for initial assistance under Rapid Re-Housing – determination is for rent calculation and annual re-evaluation. Participant must have an annual income below 50% Area Median Income (AMI) limit to continue to receive RRH.
 - h. Housing Habitability Standards OR Housing Quality Standards (HQS) Inspection**
 - i. Lead-Based Paint Documentation**

The process and form must be completed whether a household is remaining in an existing unit or moving to a new unit. Program staff should use formal public records, such as tax assessment records, to establish the age of a unit. Print out a copy of the age of the unit for the case file.

 - i. Landlord/tenant lead-based paint disclosure required to be given to all clients for all units constructed prior to 1978 (HUD LBP Acknowledgement Form)
 - ii. Pamphlet: “Protect Your Family From Lead in Your Home” given to clients for all units constructed prior to 1978 
 - iii. Lead-based paint visual assessment certification form*

*Visual assessment is required for pre-1978 housing where children under age 6 or pregnant women reside, unless the housing meets one of five exemptions listed on the worksheet. The visual assessment must be completed prior to ESG assistance being provided.
 - j. Residential Lease Agreement** between participant and landlord (or allowable and legal sublease agreement)

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

- k. Evidence of Payments made** on behalf of the participant
 - i. Proof of rental assistance payments made to owners made on behalf of participant(s)
 - ii. Dates/term payments covered
 - iii. Dates of occupancy by program participants
 - iv. Other supporting documentation (leases, rental assistance agreements)

24 CFR §576.500(h) requires documentation of payments made to owners for the provision of rental assistance and supporting documentation for these payments, including dates of occupancy by program participants

- l. Rental Assistance Agreement**

- i. Signed and dated by landlord and agency
- ii. Includes requirements outlined in 24 CFR 576.106(e)
- iii. Consistency with lease: same payment due date, grace period, and late payment requirements
- iv. Amounts: agreement clarifies amount to be paid by program participant and amount to be paid by program
- v. Executed before rental assistance payments made to owner

- m. Rent Reasonableness Certification:** File must document rent reasonableness, including dates of comparisons.

- n. VAWA Documentation**

- i. VAWA Lease Amendment must be an addendum to the residential lease agreement
- ii. VAWA Notice of Occupancy Rights (HUD 5380) at required times outlined in 24 CFR 576.409(c)
- iii. VAWA Victim Certification Form (HUD 5382) (if applicable)
- iv. VAWA Emergency Transfer Request (HUD 5383) (if applicable)

- o. Landlord Incentive Agreement**

- i. Landlord W-9 (may need for processing payments to landlord)
- ii. Complies with existing landlord incentive policy
- iii. Maximum: 2 months' rent

- p. Financial Assistance Tracking**

Ensure documentation in file shows the type(s) and amount(s) of financial assistance provided, to whom it was provided, and sufficient detail to describe the service costs the assistance covered, including:

- i. Moving and/or relocation costs
- ii. Exact language from lease/rental assistance agreement and related documentation, including (as applicable) info on rental housing application fees, security deposits, and last month's rent.
- iii. Landlord Incentives
- iv. Utility account information, including name of account holder/proof of responsibility info, utility type(s), service dates, and arrears and current payment

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

amounts.

24 CFR §576.105(a) requires eligible Financial Assistance costs to be paid directly to a housing owner, utility company, or other third party (i.e., not directly to the program participant)

- q. **Termination of Assistance** requires compliance with the termination of assistance requirement in § 576.402. Documentation of compliance should include written policies and procedures. Other documentation may include written participant rights handout, and other evidence.
 - i. Written Notification of Termination of ESG Services
 - ii. Program participant’s appeal (if applicable)
 - iii. Prompt written notice of final decision to the program participant
 - iv. Other Supporting Documentation of Compliance with Termination and Appeals Policies and Procedures

HMIS/Comparable Database Release

In compliance with [24 CFR 576.400](#) (f), all data on all persons served under ESG-CV must be entered into HMIS or a comparable database (if a ESG-CV Funded Partner is a Domestic Violence services agency). If data is entered into an HMIS or comparable database where data is shared between providers (also known as an open system), there must be a signed consent to input information into the database.

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

Section VII Requirements for All ESG & ESG-CV Funded Partners

Coordinated Entry Systems

Coordinated Entry is a centralized and streamlined system for accessing housing and support services to end homelessness in a community. Coordinated Entry is required by the U.S. Department of Housing and Urban Development (HUD) for all Continuums of Care (CoCs) as stated in [24 CFR 578.7 \(a\)\(8\)](#) of the CoC Program Interim Rule. MCHSCoC's Coordinated Entry aims to work with households to understand their strengths and needs, complete a common assessment, and connect households with housing and homeless assistance (based on information gathered and on availability). ESG-funded Homeless Service programs are required to use the CoC's coordinated entry system, ESG-funded programs must work with the CoC to ensure that the CoC's coordinated entry system procedures and prioritization policies are consistent with the programs' written standards for providing ESG assistance (see Written Standards Requirements section below).

The details of these expectations are outlined within the County's ESG Policies and Procedures.

Low Barrier

Low-barrier is a term used to describe a service or provider that makes help as easily accessible and user friendly as possible. A low-barrier approach is one that tries to minimize barriers such as paperwork, waiting lists, eligibility requirements, as well as physical and staff related characteristics that can stand in the way of people getting their needs met. It is an entry point for a variety of services and approaches. A low-barrier approach is required for all ESG and ESG-CV funded projects.

HUD's Equal Access Rule

ESG and ESG-CV Funding Partners are required to establish, amend, or maintain program admissions, occupancy, and operating policies and procedures (including policies and procedures to protect individuals' privacy and security), so that equal access is provided to individuals based on their gender identity. This requirement includes tenant selection and admission preferences.

Other provisions and changes to the rule include:

- (a) Eliminates the prohibition on inquiries related to sexual orientation or gender identity so service providers can ensure compliance with this rule. The removal of the prohibition on inquiries related to sexual orientation or gender identity does not alter the requirement to make housing assisted by HUD and housing insured by the Federal Housing Administration available without regard to actual or perceived sexual orientation or gender identity.
- (b) Amends HUD's definition of "gender identity" to reflect the difference more clearly between actual and perceived gender identity.
- (c) Makes a technical amendment to the definition of "sexual orientation," which was

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

adopted from the Office of Personal Management's (OPM) definition of the term in 2012 to conform to OPM's current definition.

Equal Access Rule Definition of Family

The Equal Access Rule defines family as follows:

Family includes, but is not limited to, regardless of marital status, actual or perceived sexual orientation, or gender identity, the following:

A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or,

A group of persons residing together, and such group includes, but is not limited to:

A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);

An elderly family;

A near-elderly family;

A disabled family;

A displaced family; and,

The remaining member of a tenant family

In general, this definition of "family" applies to the federal ESG Program rules. However, the McKinney-Vento Act, as amended by the HEARTH Act, distinguishes individuals from families. Therefore, paragraph (1) of the definition of family under the Equal Access Rule is considered an individual under the ESG program and the definition of family for this program is defined as follows:

Family includes, but is not limited to, regardless of marital status, actual or perceived sexual orientation, or gender identity, any group of persons presenting for assistance together with or without children and irrespective of age, relationship, or whether or not a member of the household has a disability. A child who is temporarily away from the home because of placement in foster care is considered a member of the family.

What this means is that any group of people that present together for assistance and identify themselves as a family, regardless of age or relationship or other factors, are considered to be a family and must be served together as such. Further, an ESG subrecipient cannot discriminate against a group of people presenting as a family based on the composition of the family (e.g., adults and children or just adults), the age of any member's family, the disability status of any members of the family, marital status, actual or perceived sexual orientation, or gender identity.

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

Here is an example of how this might apply:

An ES that serves households with children. While it is acceptable for a shelter to limit assistance to households with children, it may not limit assistance to only women with children. Such a shelter must also serve the following family types, should they present, in order to be in compliance with the Equal Access rule:

Single male head of household with minor child(ren); and

Any household made up of two or more adults, regardless of sexual orientation, marital status, or gender identity, presenting with minor child(ren).

In this example, the ES program would not be required to serve families composed of only adult members and could deny access to these types of families provided that all adult-only families are treated equally, regardless of sexual orientation, marital status, or gender identity.

HUD's mission is to create inclusive communities and quality affordable housing for all. Excluding any eligible person from ESG-funded ES, buildings, or facilities because of that person's gender identity or nonconformance with gender stereotypes would contravene this responsibility.

Prohibition Against Involuntary Family Separation

The age of a child under age 18 must not be used as a basis for denying any family's admission to an ES that uses ESG funding or services and provides shelter to families with children under age 18 per [24 CFR § 576.102\(b\)](#).

HMIS

All projects funded with MCHSCoC ESG-CV, except those that are specifically for survivors of domestic violence, must participate in the Homeless Management Information System (HMIS). An HMIS is a locally managed database covering all HUD-funded homeless-serving programs within the ESG/Continuum of Care geography. Often other programs use HMIS as well. HMIS is administered by Mendocino County. Data from the HMIS is necessary to meet several federal reporting requirements, including the production of the Consolidated Annual Performance and Evaluation Reports (CAPER) and Annual Performance Report (APR) for each program as well as system-wide reporting such as the Housing Inventory Count (HIC), Longitudinal Systems Analysis (LSA), the Point-in-Time (PIT) count, System Performance Measures (SPMs) and other reports. All programs are expected to abide by the MCHSCoC HMIS Policies and Procedures which are published on <https://www.mendocinocounty.org/government/social-services/adult-aging-services/mendocino-county-homeless-services-continuum-of-care>.

For additional guidance on HMIS see the [HUD exchange](#) resource page or contact the local HMIS Lead at hometeam@mendocinocounty.org.

Please note that domestic violence agencies are exempted and prohibited from entering data into HMIS. Domestic violence agencies must maintain a comparable database that collects

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

similar information in order to provide aggregate data or reporting purposes. Additionally, some legal service providers may determine that entering client data into HMIS violates the attorney/client privilege of their clients. These providers may decide to use a comparable database for records to maintain attorney/client privilege.

Eligible HMIS Activities

ESG & ESG-CV Funded Partners may use ESG-CV funds to pay for costs related to contributing data to the HMIS system. ESG-CV Funded Partners using these funds must fully comply with HUD's HMIS standards on participation, data collection, and reporting.

The ESG & ESG-CV Funded Partners may use ESG-CV funds to:

- Purchase or lease computer hardware
- Purchase software or software licenses
- Purchase or lease equipment, including telephones, fax machines, and furniture
- Obtain technical support
- Lease office space
- Pay charges for electricity, gas, water, phone service, and high-speed data transmission necessary to operate or contribute data to the HMIS
- Pay salaries for HMIS operating activities, including:
 - Completing data entry
 - Monitoring and reviewing data quality
 - Completing data analysis
 - Reporting to the HMIS Lead
 - Training staff on use of the HMIS or a comparable database
 - Implementing and complying with HMIS requirements
- Pay costs of staff to travel to and attend HUD-sponsored and HUD-approved training on HMIS and programs authorized by Title IV of the McKinney-Vento Homeless Assistance Act
- Pay staff travel costs to conduct intake
- Pay participation fees charged by the HMIS Lead, if the recipient or ESG/ESG-CV Funded Partner is not the HMIS Lead.

Habitability Standards

Local jurisdictions do not exempt units or shelters from having to be compliant with local

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

housing codes. Therefore, if there are requirements that are in both the local housing code and the Habitability Standards, ESG and ESG-CV Funded Partners must comply with the more stringent of the two.

Minimum Standards for Emergency Shelter

If ESG or ESG-CV funds are used for renovation or shelter operations, the building must meet the minimum standards for safety, sanitation, and privacy provided in the [MCHSCoC Emergency Shelter Written Standards](#).

The funded partners must maintain documentation of compliance with the minimum standards for Emergency Shelter activities.

Habitability and environmental reviews are not required for temporary emergency shelters.

Minimum Standards for Permanent Housing

ESG and ESG-CV funds may not be used to assist a household in remaining in or moving into housing that does not meet the minimum habitability standards provided in the [MCHSCoC Rapid Rehousing Written Standards](#). This restriction applies to all activities under the Rapid Rehousing component, including rental assistance and housing relocation and stabilization services.

Housing Inspection Requirements

ESG and ESG-CV Funded Partners cannot use ESG or ESG-CV funds to help a program participant remain in or move into housing that does not meet certain standards. Housing inspections may be done through video in order to adhere to COVID-19 safety recommendations.

Lead-based Paint Visual Assessments

The lead-based paint visual assessment requirement exists to protect vulnerable families from potential health hazards. To prevent lead poisoning in young children, ESG and ESG-CV Funded Partners must comply with the Lead-based Paint Hazard Reduction Act of 1992 and its applicable regulations found at 25 CFR 34, subparts A, B, H, J, K, M, and R.

A lead-based paint visual assessment must be completed for all units and shelters that meet the three following conditions:

1. The household moving into or remaining in their current unit is receiving ESG-CV financial assistance; **AND**
2. The unit was constructed prior to 1978; **AND**
3. A child under the age of six or a pregnant woman is, or will be, living in the unit.

A visual assessment must be conducted prior to providing ESG or ESG-CV financial assistance to the unit and on an annual basis thereafter (as long as assistance is provided). Visual

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

assessments must be conducted by a HUD-Certified Visual Assessor and must be documented on the HQS or HSS and maintained in the client file.

Exceptions to the Lead-based Paint Visual Assessment Requirement

Visual assessments are not required under the following circumstances:

- ✓ Zero-bedroom or SRO-sized units;
- ✓ X-ray or laboratory testing of all painted surfaces by certified personnel has been conducted in accordance with HUD regulations and the unit is officially certified to not contain lead-based paint;
- ✓ The property has had all lead-based paint identified and removed in accordance with HUD regulations;
- ✓ The unit has already undergone a visual assessment within the past 12 months – obtained documentation that a visual assessment has been conducted; or
- ✓ It meets any of the other exemptions described in [24 CFR §35.115\(a\)](#).

If any of the circumstance outlined above are met, the ESG-CV Funded Partner must include the information in the client file.

Duplication of Benefits

“Duplication of benefits” occurs when an individual or household receives financial assistance for the same service from multiple funding sources. ESG and ESG-CV Funded Partners must determine and document if the household is receiving assistance from other sources (e.g. philanthropy, faith-based, CDBG CV, CHG, etc.) to avoid duplication of benefits as well as verify that the other form of assistance does not disqualify the eligibility of the individual or household. ([Section 312 \(42 U.S.C. 5155\)](#)).

Data Collection

Federal rules require each ESG or ESG-CV Funded Partner to enter client data into a Homeless Management Information System (HMIS) per and the Agency Partner HMIS Agreement.

Each ESG-CV Funded Partner must follow all state and federal laws governing HMIS, including collecting informed written consent from program participants, not denying service based solely on program participant refusal to provide data to an HMIS, protecting program participant confidentiality, not collecting personally identifying information from program participants that are victims of domestic violence, and other requirements defined in VAWA Reauthorization Section 605.

Termination of Participation, Denial, and Grievance Procedures

ESG and ESG-CV funded partners must have written termination, denial, and grievance policies and/or procedures. The policies and/or procedures should be readily available to households

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

either in written information or by posting the policy in a public place. It is important to effectively communicate these policies and/or procedures to households and ensure that they are fully understood.

Causes for termination may include, but are not limited to, failure to abide by any agreed upon requirements and fraud. A grievance procedure must include:

1. Written notice to the household containing a clear statement of the reasons for termination;
2. A review of the decision, in which the household is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision. This may include the household's right to question or confront staff involved; and
3. Prompt written notice of the final decision.

Denial and Grievance

Causes of denial of assistance include, but are not limited to, the household's ineligibility or failure to provide verifiable evidence of eligibility, etc. Established procedures should describe:

1. Circumstance in which a household may not qualify or would be denied;
2. Notification of denial; and
3. A household's right to review an ESG or ESG-CV Funded Partner's decision.

Confidentiality of Client Records

ESG and ESG-CV Funded Partners must have policies and procedures established in writing to ensure that the privacy and confidentiality of all ESG-funded program participants is protected. The ESG interim rule specifically requires that the written procedures ensure the following:

- All records containing personally identifying information (as defined in HUD's standards for participation, data collection, and reporting in a local HMIS) of any individual or family who applies for and/or receives ESG assistance will be kept secure and confidential.
- The address or general location of a domestic violence, dating violence, sexual assault, or stalking shelter funded through ESG will not be made public, except with written authorization of the person responsible for the operation of the shelter.
- The address and location of any housing of a program participant will not be made public, except as provided under a pre-existing privacy policy of the recipient or ESG/ESG-CV Funded Partner and consistent with state and local laws regarding privacy and obligations of confidentiality.

ESG and ESG-CV Funded Partners must also ensure that confidentiality and privacy policies

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

meet the specific confidentiality and security requirements for HMIS data which are described in the [HMIS Data and Technical Standards](#).

Monitoring

Monitoring of all ESG and ESG-CV Funded Projects for compliance with the Emergency Solutions Grants (ESG) Program regulations at 24 CFR part 576. MCHSCoC has adopted Chapter 28 of the CPD Monitoring Handbook (6509.2) as its Monitoring Plan.

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

Section VIII Racial Equity

The COVID-19 pandemic has demonstrated the need to center racial equity in our homeless response system. In addition to experiencing homelessness at higher rates, Black Indigenous, Latinx, and people of color are contracting and dying from COVID-19 at disproportionately higher rates than non-Hispanic white people. CoC and subrecipients are strongly encouraged to evaluate policies and procedures affecting access and interventions for different subpopulations based on need. Communities are always encouraged to evaluate and adjust their prioritization policies based on evolving information and circumstances, including new or improved data, changing needs and priorities, and available resources. These priorities should be reflected of the populations most at-risk for contracting COVID-19. Additionally, please see [Advancing Racial Equity through Assessments and Prioritization](#) for additional guidance on strategies to advance racial equity and dismantle embedded racism in coordinated entry assessment and prioritization processes.

MCHSCoC may use the [CoC Racial Equity Analysis Tool](#) to gain deeper insight related to which racial and ethnic groups are experiencing homelessness and identify steps to create equitable systems. Additionally, MCHSCoC may use [Stella P](#) to analyze HMIS data for demographics and system performance to identify how people are served in the local system and whether different groups experience issues with access, system use, or housing outcomes. While reviewing quantitative data, it is important to include a diverse group in analyzing the data to determine the impacts and potential qualitative information, such as the historical and continued racial discrimination through human trafficking and bondage of people of African descent, Jim Crow laws, redlining, segregation, and punitive policing. Subrecipients are encouraged to have a data analysis review group with representation reflecting the population being served, including people with lived expertise, using the information as a roadmap to create goals and strategies that drive towards equity.

This data may inform future resource allocation, performance targets, and system health and equity analyses to address disparities.

All homeless services should be centered in racial equity. Homeless service programs should consider the following design and implementation for COVID-19 response (adapted from The Framework for and Equitable COVID-19 Homelessness Response and other resources):

Program Design and Services

- 1) Engage people with lived expertise of unsheltered homelessness, representative of all subpopulations and reflective of the demographics of people experiencing homelessness, in the development of outreach plans and processes, including to help ensure that efforts are reaching unsheltered people who may be less visible within the community. Be sure to include partners beyond information gathering, but create the opportunities for individuals and families to have decision-making power and access to resources needed to support their engagement (e.g., childcare, transportation, compensation for time, etc.)
- 2) Expand efforts to connect unsheltered people to safe shelter and housing options and

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

ensure outreach and referral processes are providing equitable access for people who are unsheltered. Examine data and consult with people with lived expertise to determine if there are other disparities to be addressed, such as by race, age, ethnicity, disability, gender identity, family composition, etc.

- 3) Implement approaches to referring and safely transporting people to appropriate and safe shelter, housing options, and/or services that people with lived experience of homelessness value and trust.
- 4) Take individualized, trauma-informed steps to assist any remaining unsheltered people, across all subpopulations, into shelter or housing that addresses their needs and preferences and that is culturally responsive, and sustain efforts so that any experience of unsheltered homelessness can be immediately ended.
- 5) Enact policies and procedures that ensure the personal space, time, and property of persons in unsheltered situations are respected during all interactions, including respect for the rest and comfort of individuals encountered during outreach and other interactions.
- 6) Seek out community organizations that have trusted relationships with underserved groups and can provide expertise on reaching and engaging them, including broadening your partnerships to contract with them for services.
- 7) Ensure that nothing is done to criminalize, sanction, or penalize people for engaging in essential activities of life while experiencing unsheltered homelessness. Outreach and engagement to those unsheltered should be primarily led by non-law enforcement outreach specialist focused on making connections to housing and services.
- 8) Continuously adapt outreach and engagement strategies, and provide access to essential technologies to link people to permanent housing options, medical and behavioral health care services, health coverage, employment and educational opportunities, and other trauma-informed services as needed. Create plans to ensure that people are rehoused quickly out of shelter settings and that no one in shelters exits to the street, but rather exits to permanent housing, within efforts to provide equitable access to housing options for everyone.
- 9) Develop more comprehensive understanding of the housing and services needs of all those who remain unsheltered, differentiated by subpopulations and disaggregated by race and ethnicity, based upon direct consultation with people with lived expertise and based upon analysis of data, including analyzing deficiencies and biases within existing data to inform equity-based decisions.

Organizational

Across all positions, hire a diverse staff that is representative of the people being served—this includes hiring people with lived experience of homelessness. Be mindful that hiring one or two members of a large staff does not point to equity, instead be intentional about assessing hiring practices, performance evaluation criteria, etc.

Train staff on racial equity, cultural humility, trauma-informed care, and Housing First, while offering support and supervision to implement lessons learned.

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

Implement a transparent accountability structure that include publicly sharing progress on equity outcomes.

Continuously review the procurement process to create opportunities to engage a diverse array of community-based organizations.

Data and Continuous Improvement

- 1) Examine and assess your street outreach quantitative data and disaggregate by demographic data to see if there are disparities and ensure a diverse group is examining the data and acting on it
 - (a) Who is being referred shelter or services and who is not?
 - (b) How long is it taking different groups to move to shelter or housing?
 - (c) Which groups are more likely to exit back into homelessness?
- 2) Through direct consultation with unsheltered people, assess reasons why people remain unsheltered, such as whether it is because of lack of emergency beds available or because the assistance being offered has not adequately addressed their needs and preferences, and adapt strategies and options in response
- 3) Create an annual anonymous survey to get feedback from staff and clients on the culture and climate of your services and system with regard to race, ethnicity, and equity.
- 4) Convene a group of staff members, program participants, and community stakeholders to review policy and procedure for any barriers that might cause a specific racial group to avoid or be barred from crisis housing (e.g., culturally biased dress codes, racial balance of program staff, rules on previous behavior or residence, etc.).

Emergency Shelter:

Annual ESG Emergency Shelter funding is intended to provide temporary shelter for the homeless in general or for specific populations of the homeless. ESG funding may be used to provide essential services for individuals and families who are in an emergency shelter, renovating buildings to be used as ES for homeless families and individuals, and for shelter operations. Where no appropriate emergency shelter is available for a homeless family or individual, eligible costs may also include a hotel or motel voucher for that family or individual.

State ESG funds shall not be used for renovation, conversion, or major rehabilitation activities pursuant to 24 CFR 576.102. However, minor, or routine repairs⁷ to an ESG-funded ES that do not qualify as renovation, conversion, or major rehabilitation are an eligible use of State ESG funds, 25 CCR 8408(d).

ESG and ESG-CV Funded Emergency Shelter Projects must:

- Create plans to ensure that people are rehoused quickly out of temporary non-congregate settings and that no one in non-congregate settings or decompressed congregate shelters exits to the street or congregate shelter, but rather exits to permanent housing, within efforts to provide equitable access to housing options for

Emergency Solutions Grants- CARES Act (ESG-CV) Program MCHSCoC Policies & Procedures

everyone.

- Assess and strengthen efforts to ensure people staying at new and existing shelter options are provided with access to health coverage, assessments, and connections to health care services and supports, onsite and via telemedicine.
- Assess whether equitable access to new and existing shelter facilities is being provided to people of color, especially Black, Latinx, and Indigenous populations most impacted by COVID-19 and the recession. Also use data and consultation with people with lived expertise to determine if there are disparities related to age, ethnicity, disability, gender identity, sexual orientation, family composition, etc.
- Seek out community organizations that have trusted relationships with underserved groups and can provide expertise on reaching and engaging them, including broadening your partnerships to contract with them for essential services.
- As a part of your exit process, provide anonymous ways for people to give feedback on racial and cultural treatment while engaging with your program.
- Examine and assess your shelter quantitative data and disaggregate by demographic data to see if there are disparities and ensure a diverse group is examining the data and acting on it
 - Who is entering shelter and who is not?
 - How long is it taking different groups to move to housing?
 - Which groups are more likely to exit back into homelessness?
- ESG-CV funded Emergency Shelters must implement COVID-19 screening and testing protocols to assess needs and to identify and prioritize people of all ages who face the greatest risks.
- ESG-CV funded Emergency Shelters must implement protocols to ensure that no one is purposefully exited from any existing or new sheltering facilities into congregate shelters or unsheltered homelessness and provide individual units for those who exit quarantine or isolation shelters and cannot return to their original locations.

Rapid Rehousing:

- Engage in consultation and qualitative data with people with lived expertise to determine if there are disparities related to age, ethnicity, disability, gender identity, sexual orientation, family composition, etc.
- Recognize that the supportive services needed to achieve housing stability may need to be increased due to the impact of COVID-19. Build in the programmatic flexibility to regularly assess housing stability needs for each household.

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

- Continue to house as many people as possible, across all subpopulations, through existing resources and through a full range of culturally responsive options aligned with people’s needs and preferences, including rapid rehousing, permanent supportive housing, family reconnection, shared housing, and other permanent housing options.
- Mitigate for housing barriers like criminal justice involvement and poor/no credit which disproportionately impact Black, brown and Indigenous communities
 - Consider using project-based and sponsor-based RRH models to better assist households with higher barriers such as criminal histories or credit challenges.
 - Use Landlord incentives to negotiate with landlords to waive or soften their screening criteria
- Mobilize scaled-up investments into permanent housing options to exit people from sheltered and unsheltered homelessness, and from other congregate and institutional settings, with consideration for the accessibility needs of people with disabilities and focus on the most greatly impacted populations.
- Scale landlord engagement activities and strengthen partnerships with public housing agencies to ensure that people are housed quickly, and that tenant-based rental assistance is being mobilized efficiently.
- Monitor data to ensure that exits to housing are equitable and that returns to homelessness are not racially or otherwise disproportionate.
- Examine and assess your rapid rehousing quantitative data and disaggregate by demographic data to see if there are disparities and ensure a diverse group is examining the data and acting on it.
 1. Determine your housing placement rates. Which populations are/are not getting housed during a determined period (e.g., 90-days)?
 2. How long is it taking different groups to stabilize in housing? Be sure to track how long it takes the groups with the greatest disparities to be rehoused as compared to other populations groups.
 3. Which groups are more likely to exit into homelessness? Analyze the characteristics of the people who return to homelessness and determine whether the results of structural racism (e.g., family configuration, criminal records, undiagnosed disabilities, etc.) are contributing towards housing instability.
 4. Assess patterns of disparate placement in communities of higher/lower poverty, opportunity, transportation, jobs, schools, churches, family support, health care, etc. to see if the race of the consumer is a factor.

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

Organizational

- Across all positions, hire a diverse staff that is representative of the people being served— this includes hiring people with lived experience of homelessness. Be mindful that hiring one or two members of a large staff does not point to equity, instead be intentional about assessing hiring practices, performance evaluation criteria, etc.
- Train staff on racial equity, cultural humility, trauma-informed care, and Housing First, while offering support and supervision to implement lessons learned.
- Train staff and landlords on Fair Housing practices. Get connected with government and non-profit agencies working on fair housing locally to partner on and amplify your landlord outreach and education efforts.
- Set up team and supervision structures to support open dialogue about housing choice and housing discrimination and a culture of working together towards solutions.
- Implement transparent accountability structures that include publicly sharing progress on equity outcomes.
- Continuously review the procurement process to create opportunities to engage a diverse array of community based organizations.

**Emergency Solutions Grants- CARES Act (ESG-CV) Program
MCHSCoC Policies & Procedures**

Section IX Resources:

[ESG Regulations](#) - (update published April 2017)

[ESG-CV Notice](#)

General ESG Information

- [HUD ESG Landing Page](#)
- [ESG Program Overview](#)
- [ESG Program HMIS Manual](#)
- [ESG Minimum Habitability Standards ES and Permanent Housing](#)

[ESG-CV Notice Summary](#)

[Flexibilities/Waivers Granted by the CARES Act + Mega Waiver and Guidance - applicable Waivers on pages 11-14](#)

[Disease Risks and Homelessness](#) - landing page for resources on a wide range of topics

[Strategies to Design and Implement a Successful ESG-CV Program](#)

[Racial Equity](#)

[ESG Client File Checklist – Emergency Shelter Form \(PDF\)](#)

[ESG-CV Client File Checklist – Emergency Shelter Form \(PDF\)](#)

[ESG Client File Checklist – Rapid Rehousing Form \(PDF\)](#)

[ESG-CV Client file Checklist – Rapid Rehousing Form \(PDF\)](#)

[ESG Client File Checklist – Street Outreach Form \(PDF\)](#)

[ESG-CV Client File Checklist – Street Outreach Form \(PDF\)](#)

Standing Up Infection Control Measures:

- [Alternative Approaches to Sheltering](#)
- [Shelter Preparedness Checklist](#)
- [Creative Staffing Solutions \(See Appendix 1\)](#)
- [COVID Informational Flyers](#)
- [Vaccine Messaging Toolkit](#)
- [Eligible ESG Program Costs for Infectious Disease Preparedness](#)



Mendocino County Homeless Services Continuum of Care

ADDENDUM 1: EMERGENCY SOLUTIONS GRANT (ESG) RENTAL ASSISTANCE AGREEMENT

An ESG grant from the U. S. Department of Housing and Urban Development was provided to the California Department of Housing and Community Development and sub-awarded to the following service agency:

_____ (“Agency”). Through this agreement, tenant-based rental assistance is being provided to _____ (“Owner”) on behalf of the following individual(s): Name of participant(s): _____ (“Tenant(s)”)

For the following address: _____

Name of apartment complex, as applicable: _____

Monthly rent for this unit is \$. Agency shall make payment to Owner (Owner name must match the name on W-9) by the _____ day of the month every month. Payments received after the _____ day of the month will be penalized with a late fee in the amount of \$ _____. (Note: the due date, any grace period, and late payment penalty must be consistent with the terms of the participant’s lease [24 CFR 576.106(f)].

Any late payment penalties are the sole responsibility of the Agency or Tenant to pay using non-ESG funds [24 CFR 576.106(b)].

Terms of Agreement:

This agreement shall automatically terminate and no further rental assistance payments under this agreement may be made if: (i) Tenant moves out of the housing unit for which the program participant has a lease; (ii) The lease terminates and is not renewed; or (iii) Tenant becomes ineligible to receive ESG rental assistance. [24 CFR 576.106(h)(3).]

During the term of the agreement, Owner must give Agency a copy of any notice to Tenant to vacate the housing unit, or any complaint used under state or local law to commence an eviction action against Tenant. [24 CFR 576.106(e).]

VAWA Protections. Owner agrees to abide by the following requirements:

- a. Owner shall **not**:
 - i. Evict or otherwise deny assistance to Tenant on the basis or as a direct result of the fact that Tenant is a victim of domestic violence, dating violence, sexual assault or stalking.



Mendocino County

Homeless Services Continuum of Care

Exception: Owner may evict upon showing that an actual and imminent threat³ to other tenants or those employed at or providing service to the property would be present if Tenant is not evicted. Owner must document or otherwise be able to prove the actual and imminent threat would occur within an immediate time frame based on words, gestures, actions, or other indicators that could result in death or serious bodily harm to others. Owner may only use eviction in this situation when there are no other actions that could be taken to reduce or eliminate the threat, including, but not limited to, transferring Tenant to a different unit, barring the perpetrator from the property, contacting law enforcement to increase police presence or develop other plans to keep the property safe, or seeking other legal remedies to prevent the perpetrator from acting on a threat. Restrictions predicated on public safety cannot be based on stereotypes but must be tailored to particularized concerns about individual residents.

- ii. Deny tenancy or occupancy rights solely based on criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking if: (1) the criminal activity is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant and (2) the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault or stalking.
- iii. Construe an incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking as:
 - (1) a serious or repeated violation of the lease by the victim or threatened victim of such incident or
 - (2) good cause for terminating the assistance, tenancy or occupancy rights of the victim or threatened victim of such incident.
- b. When providing notification of eviction to Tenant, Owner shall provide HUD's notice of occupancy rights under VAWA and certification form to Tenant in the appropriate language consistent with Owner's duty to provide meaningful access to services for limited English proficient persons.
- c. This addendum shall not limit Owner in complying with a court order regarding (i) the rights or access or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault or stalking or (ii) the distribution or possession of property among members of a household.
- d. If Tenant requests VAWA protections, Owner may only request documentation in accordance with 24 CFR 5.2007. Owner may request in writing that the victim certify that the person is a victim of abuse and that HUD's certification form or other documentation as noted on the certification form be completed and submitted within 14 business days, or an agreed upon extension date, to receive VAWA protections. Failure to provide the certification or other supporting documentation may result in eviction.
- e. Any information submitted to Owner by Tenant, including the fact that Tenant is a victim of domestic violence, dating violence, sexual assault or stalking shall be maintained in strict confidence. Owner

³ Actual and imminent threat is a physical danger that is real, would occur within an immediate time frame, and could result in death or serious bodily harm. In determining whether an individual would pose an actual and imminent threat, the factors to be considered include: The duration of the risk, the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the length of time before the potential harm would occur.



Mendocino County

Homeless Services Continuum of Care

shall not allow any individuals in their employ or under contract to have access to confidential information unless explicitly authorized by Owner for reasons that specifically call for these individuals to have access under applicable Federal, State or local law. Owner shall not disclose such information to any other entity or person unless

- i.* requested or consented to by Tenant in a time-limited release,
- ii.* required for use in an eviction proceeding or hearing regarding termination of rental assistance, or
- iii.* otherwise required by applicable law.

f. Consistent with _____ [name of agency providing rental assistance]’s Emergency Transfer Plan, Tenant may request an emergency transfer if (i) Tenant reasonably believes there is a threat of imminent harm from further violence if the tenant remains within the same dwelling unit or (ii) Tenant was a victim of sexual assault that occurred on the premises within 90 days prior to requesting a transfer.

Owner may bifurcate its lease with the participant in accordance with 24 CFR 576.409(e).

Owner shall include all VAWA protections and requirements in its lease with the participant unless payment under this Agreement consists only of rental arrears.

If assistance consists of the payment of rental arrears only:

The total amount of \$ _____ will be paid by Agency to Owner for a total of _____ months of rental arrears. Other terms and conditions of this agreement include (attach additional documentation as necessary):

Please note: The rental assistance agreement does not take the place of the lease, or vice versa.

Printed Name of Owner:	_____
Owner Signature:	_____
Date:	_____
Printed Name of Agency Representative:	_____
Representative Signature:	_____
Date:	_____

Programs: Rapid Re-Housing (RRH) and Homelessness Prevention (HP) Projects

Purpose: Per the Mendocino County Homeless Services Continuum of Care (MCHSCoC) Emergency Solutions Grants (ESG/ESG-CV) Policies and Procedures, Agencies must enter into a Rental Assistance Agreement with the Landlord/Owner of the unit before any rental assistance may be provided.

Policy: Agency will complete the Rental Assistance Agreement with the Landlord/Owner of a rental unit prior to providing any rental assistance. Agency may use its own Rental Assistance Agreement form but must ensure it includes all requirements of 24 CFR 576.106.

Procedures for completing the Rental Assistance Agreement (RAA) MCHSCoC sample form for RRH or HP project:

- a. RRH/HP staff will ensure the lease and RAA form are completed with the Owner of the rental unit (or authorized property manager).
- b. RRH/HP staff will complete the RAA form by entering the following as shown on the lease agreement:
 - i. Name of staff members agency,
 - ii. Name of the Owner,
 - iii. Name of the Tenant(s),
 - iv. Rental Unit address,
 - v. Apartment complex name if applicable,
 - vi. Monthly rental amount,
 - vii. Due date of rent each month,
 - viii. Date rent payment is considered late,
 - ix. Late fee amount,
 - x. Term of agreement – dates rental assistance is estimated to occur
 - xi. RRH/HP staff will review VAWA regulations and terms with the Owner.
 - (1) Program Participant Sharing in Rent: RRH/HP programs may require the program participant to pay a portion of the monthly rental cost. In such cases, the program must have written policies and procedures for determining the program participant's portion, and the rental assistance agreement should specify the amount of rent to be paid by the program and the amount to be paid by the program participant, as indicated in 24 CFR 576.106(b).
 - (2) Terms of agreement can be modified based on RRH/HP staff assessment of participant needs. If changes occur documentation must be kept in the participant file documenting the reason for assistance changes and a new RAA will be entered into with the Owner of the rental unit.
 - xii. Owner will sign and date the RAA.
 - xiii. RRH/HP staff will sign and date the RAA.
 - (1) Rental assistance may not be provided prior to the RAA being completed.
 - xiv. If RRH/HP projects are assisting with rental arrears, RHH/HP staff will complete the:
 - (1) Total amount of assistance to be provided,
 - (2) Total number of months of arrears being paid,
 - (3) Any other information/documentation needed.
 - xv. If assistance is solely for rental arrears, Owner does not need to comply with VAWA regulations.



Mendocino County

Homeless Services Continuum of Care

Forms: Rental Assistance Agreement Form
Lease or lease terms between the Owner and Participant(s)

Additional Resources:

<https://www.hudexchange.info/news/snaps-shots-requirements-for-rental-assistance-agreements-and-leases-under-the-emergency-solutions-grants-esg-program/>

<https://www.govinfo.gov/content/pkg/CFR-2018-title24-vol3/xml/CFR-2018-title24-vol3-part576.xml#seqnum576.409>

