

HOMELESSNESS PREVENTION

[written standards]

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[Introduction]

In accordance with Title 24 of the Code of Federal Regulations (24 CFR) Part 576, the City of Pasadena (City) and the Pasadena Partnership to End Homelessness (Pasadena CoC) have developed the following written standards for Homelessness Prevention (HP) Programs. These standards will apply to all projects that receive Pasadena Emergency Solutions Grants (ESG) funding for Homelessness Prevention. In addition, HP projects that do not receive ESG funding that are located in the City of Pasadena are encouraged to apply these standards to their projects.

The goal of these standards is to synthesize key elements of the HUD regulations with the processes and priorities of the Pasadena CoC to ensure that HP projects are administered fairly and methodically. The City and the Pasadena CoC will continue to build upon and refine this document.

[Program Overview]

Homelessness Prevention (HP) assistance includes housing relocation and stabilization services and/or short- and/or medium-term rental assistance necessary to prevent an individual or family from moving into an emergency shelter or another place described in paragraph (1) of the homeless definition in 24 CFR 576. The costs of homelessness prevention are only eligible to the extent that the assistance is necessary to help the program participant regain stability in the program participant's current permanent housing or move into other permanent housing and achieve stability in that housing.

ELIGIBLE PARTICIPANTS

Individuals or families who meet the HUD criteria for the following definitions, are eligible for Homelessness Prevention assistance:

- **At risk of Homelessness**
- **Homeless Category 2:** Imminently at-risk of homelessness
- **Homeless Category 3:** Homeless under other federal statute
- **Homeless Category 4:** Feeling/attempting to flee DV (as long as the individual or family fleeing or attempting to flee DV are not also homeless. If the individual or family is literally homeless, they would qualify for Rapid Re-Housing (RRH) instead.

Additionally, individuals or families must have a total household income below 30 percent of the median family income for the area, as determined by HUD. Clients must provide documentation of household income, including documentation of unemployment or no income.

CONTINUED ELIGIBILITY

At a minimum, subrecipients should re-evaluate program participant's eligibility and the types and amounts of assistance the program participant needs not less than every three months. To continue to receive assistance, a program participant's re-evaluation must demonstrate eligibility based on:

- **Lack of Resources and Support Networks.** The program participant's household must continue to lack sufficient resources and support networks to retain housing without HP assistance as evidenced by the attached Intake and Assessment Forms (Appendix B).
- **Income.** In addition, re-evaluation must demonstrate that the program participant household's annual income is less than or equal to 30 percent of the Area Median Income (AMI) as evidenced by the ESG Income Worksheet and relevant verification/declaration form (Appendix B).

Subrecipients may also require program participants to notify them regarding changes in their income or other circumstances that affect their need for assistance (e.g. changes in household composition, stability, or support). When notified of any change, subrecipients must re-evaluate eligibility and the amounts and types of assistance the participant needs.

PRIORITIZATION

Homeless prevention programs should target households at greatest risk of homelessness and assist participants to increase household incomes during enrollment.

Short-Term Rental Assistance

Short-term rental assistance (up to 3 months) programs target families with low to moderate barriers to securing and retaining permanent housing. These families require minimal service intervention and limited financial assistance to secure and stabilize in permanent housing.

Medium-Term Rental Assistance

Medium-term rental assistance (4-24 months) is targeted towards families who experience moderate to high barriers to securing and retaining housing. These families have multiple barriers to housing that require longer periods of time to resolve and may require more intensive service interventions.

CASE MANAGEMENT

Homelessness Prevention program participants must meet with a case manager not less than once per month to assist the program participant in ensuring long-term housing stability. Additional case management will be provided on a case-by-case basis based on demonstrated need. Case managers should help to develop a plan to assist the program participant in retaining permanent housing after the assistance ends, taking into account all relevant considerations, such as the program participant's current or expected income and expenses, other public or private assistance for which the program participant will be eligible and likely to receive, and the relative affordability of available housing in the Pasadena area.

Case management assistance may not exceed 30 days during the period in which the program participant is seeking permanent housing and may not exceed 24 months during the period in which the program participant is living in permanent housing.

RENTAL ASSISTANCE

Subrecipients may provide program participants with up to 24 months of tenant-based or project-based rental assistance during any 3-year period. Assistance may include any combination of short-term rental assistance (up to 3 months) and medium-term rental assistance (more than 3 months but less than 24 months). Applicants can return for rental assistance if they have received less than 24 months of rent during any 3-year period on a case-by-case basis as a result of extenuating circumstances (e.g. illness, death, divorce). In addition, program participants may receive funds for security deposits in an amount not to exceed two (2) months of rent.

Program participants receiving rental assistance may move to another unit or building and continue to receive rental assistance, as long as (s)he continues to meet the program requirements. Rental assistance cannot be provided to a program participant who is already receiving rental assistance, or living in a housing unit receiving rental assistance or operating assistance through other Federal, State, or local sources.

Program participants who have complied with all program requirements during their residence and who have been a victim of domestic violence, dating violence, sexual assault, or stalking, and who reasonably believe they are imminently threatened by harm from further domestic violence, dating violence, sexual

assault, or stalking (which would include threats from a third party, such as a friend or family member of the perpetrator of the violence), if they remain in the assisted unit, and are able to document the violence and basis for their belief, may retain the rental assistance and move to a different Continuum of Care geographic area if they move out of the assisted unit to protect their health and safety. See recordkeeping requirements to ensure proper documentation of imminent threat of harm.

Amount of Rental Assistance

It is expected that the level of assistance will be based on the goal of providing only what is necessary for each household to achieve housing stability in the long-term. As such, Case Managers will determine the amount of rental assistance, which should not exceed the following guidelines:

- Subrecipients may provide up to 100% of the cost of rent to program participants
- The maximum share of rent a program participant may pay is 100%

Gradual Declining Subsidy

Subrecipients will institute tapering or “stepped-down” rental assistance structure so families will be confident that they can assume full responsibility of the monthly contracted rent, monthly utility costs, and other essential household costs at the end of the rental assistance period. The maximum subsidy for this graduated rate will be as follows:

MONTHS 1-3 100% of the contracted rent	MONTHS 4-9 75% of the contracted rent	MONTHS 10-24 50% of the contracted rent
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Participants can receive a maximum of 24 months rental assistance in a three-year period.

Maximum Participant Portion of Rent

The key to rental assistance is ensuring long-term housing stability for the client, both for the duration of the program and upon exit. Thus, the purpose is to place participants into housing that will be sustainable in the long-term. As such, Pasadena ESG program participants may pay no more than 60% of their income towards rent. In addition, case managers are expected to work with clients to review family budgets and ensure families can maintain their housing upon completion of the program.

Fair Market Rent

Household rent for participants receiving ESG-funded rental assistance must not exceed the Fair Market Rent established by HUD. Current FMR and guidelines for calculating rent are provided in Appendix C (Property Related Forms: Los Angeles County Fair Market Rent Guidelines).

FMR requirements do not apply when a program participant receives only financial assistance or services under HUD’s Housing Stabilization and Relocation Services. This includes rental application fees, security deposits, an initial payment of “last month’s rent,” utility payments/deposits, and/or moving costs, housing search and placement, housing stability case management, landlord-tenant mediation, legal services, and credit repair.

Rent Reasonableness

For participants receiving rental assistance, household rent must comply with HUD's standard of rent reasonableness meaning that the rent charged for a unit must be reasonable in relation to rents currently being charged for comparable units in the private unassisted market and must not be in excess of rents currently being charged by the owner for comparable unassisted units. These rent restrictions are intended to help ensure that program participants can remain in their housing after their assistance ends. The Rent Reasonableness Checklist and Certification form in Appendix C (property related forms) may be used to ensure this guideline has been met.

As with FMR, rent reasonableness requirements do not apply when a program participant receives only financial assistance or services under HUD's ESG Housing Stabilization and Relocation Services.

Habitability Standards

Housing for all ESG program participants receiving rental assistance must meet HUD minimum habitability standards for permanent housing. Subrecipients must document compliance with this standard by signing and completing a Habitability Standards Checklist before the participant signs the lease and before the subrecipient provides any ESG rental assistance or services specific to the unit (checklist provided in Appendix C: Property Related Forms). In addition, subrecipients must inspect all units at least annually to ensure that the units continue to meet habitability standards.

Lead-Based Paint Requirements

All HUD-funded programs with housing programs occupied by program participants are required to incorporate lead-based paint remediation and disclosure requirements. Generally, these provisions require the recipient to screen for, disclose the existence of, and take reasonable precautions regarding the presence of lead-based paint in leased or assisted units constructed prior to 1978.

ESG-funded programs are required to incorporate the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821-4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851-4846), and 24 CFR part 35, subparts A, B, H, J, K, M, and R in the unit. To assist with meeting this guideline, several worksheets and forms have been included in Appendix C (Property Related Forms).

Lease Agreement

Each program participant receiving rental assistance must have a legally binding, written lease for the rental unit. The program participant must be the tenant on a lease for a term of at least one year that is renewable and terminable only for cause. The lease must be renewable for terms that are a minimum of one month long.

Rental Assistance Agreement

In addition to a lease between the program participant and the owner, the ESG interim rule also requires a rental assistance agreement between the subrecipient and the housing owner. The subrecipient may make rental assistance payments only to an owner with whom the subrecipient has entered into a rental assistance agreement. A Rental Assistance Agreement form has been provided for this purpose in Appendix C (Property Related Forms).

The rental assistance agreement must set forth the terms under which rental assistance will be provided, including the requirements of ESG assistance. In addition, the rental assistance agreement must provide that, during the term of the agreement, the owner gives the subrecipient 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 against the program participant. Finally, 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 rental assistance agreement with the owner must terminate and no further rental assistance payments under that agreement may be made if:

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

Rent Payments

Program participants receiving rental assistance funds pay their portion of rent directly to the landlord. The difference between the total rent and the amount paid by the program participant is then paid by the subrecipient. Subrecipients can never cover the cost of the program participant's rent if the program participant fails to pay his or her portion of rent.

Subrecipients must make timely payments to each owner in accordance with the rental assistance agreement. All rent payments must go directly to a third-party (directly to landlord). Subrecipients are solely responsible for paying late payment penalties that are incurred with non-ESG funds.

HOUSING RELOCATION AND STABILIZATION SERVICES

Case managers will assist each program participant, as needed, to obtain appropriate supportive services, including assistance in obtaining permanent housing, medical and mental health treatment, counseling, and other services essential for achieving independent living.

Service Type, Amount and Duration

Grant funds may be used to pay for eligible supportive services that address the specific needs of program participants. Program participants may not receive supportive services for more than 24 months within any 3-year period.

Use with Other Subsidies

Financial assistance cannot be provided to a program participant who is receiving the same type of assistance through other public sources or to a program participant who has been provided with replacement housing payments under the Uniform Relocation Act (URA), during the period of time covered by the URA payments.

RECORDKEEPING REQUIREMENTS

Subrecipients must establish and follow written intake procedures to ensure compliance with HUD's definition of homelessness and recordkeeping requirements. Appendix B includes relevant intake and assessment forms to assist in the documentation process.

Evidence of At-Risk of Homelessness Status

To ensure each of the three conditions for at-risk of homelessness status have been met (see Appendix A) and verified through the recordkeeping requirements detailed below, the Pasadena CoC has established a Certification of At-Risk of Homeless Status form. This form is intended to be used as a cover sheet for staff

to certify at-risk homeless status and must be completed prior to program entry (see Appendix B or www.pasadenapartnership.org).

The Pasadena CoC order of priority for establishing at-risk of homelessness status is:

- 1 Source Documents.** Notice of termination from employment, unemployment compensation statement, bank statement, health care bill showing arrears, utility bill showing arrears.
- 2 Third Party Documentation.** To the extent that source documents are unobtainable, a written statement by the relevant third party (e.g. former employer, public administrator, relative) or written certification by the intake staff of the oral verification by the relevant third party that the applicant meets one or both of the criteria of the definition of “at risk of homelessness” or
- 3 Staff/Intake Worker Observation.** If source documents and third-party verification are unobtainable, a written statement by intake staff describing the efforts taken to obtain the required evidence (Observation of Homeless Status form, Appendix B).

Annual Income

Annual income may be documented using the ESG Income Worksheet and relevant documentation forms (Appendix B). ESG sub-recipients must demonstrate that the program participant household’s annual income is less than or equal to 30 percent of the Area Median Income (AMI) at program entry.

The following represents the order of preference for providing documentation of income:

- 1 Source Documents .** Source documents for the assets held by the program participant and income received over the most recent period for which representative data is available before the date of the evaluation (e.g. wage statement, unemployment compensation statement, public benefits statement, bank statement).
- 2 Third Party Verification.** A written statement by the relevant third party (e.g. employer, government benefits administrator, see Appendix B, Written Third Party Verification of Income form) or the written certification by the subrecipient’s intake staff of the oral verification by the relevant third party of the income the program participant received over the most recent period for which representative data is available (see Appendix B, Third Party Verification of Income form).
- 3 Self-Certification.** If source documents and third-party verification are unobtainable, a written certification by the program participant of the amount of income the program participant received for the most recent period representative of the income that the program participant is reasonably expected to receive over the 3-month period following the evaluation (see Appendix B, Self-Declaration of Income form).

[ESG Eligible Activities]

Homelessness Prevention (HP) assistance includes housing relocation and stabilization services and short- and/or medium-term rental assistance necessary to prevent an individual or family from moving into an emergency shelter or another place described in paragraph (1) of the “homeless definition in 24 CFR 576. The costs of homelessness prevention are only eligible to the extent that the assistance is necessary to help the program participant regain stability in the program participant’s current permanent housing or move into other permanent housing and achieve stability in that housing.

Eligible Housing Relocation and Stabilization Services under the ESG program include rental application fees, security deposits, last month’s rent, utility deposits and payments, moving costs, housing search and placement services, housing stability case management, mediation, legal services, and credit repair (24 576.105). Eligible rental assistance includes short- and/or medium-term rental assistance as well as rental arrears (24 576.106)

HOUSING RELOCATION & STABILIZATION SERVICES – FINANCIAL ASSISTANCE COSTS

Subject to the general conditions under the Homelessness Prevention Component (24 CFR 576.103) ESG funds may be used to pay housing owners, utility companies, and other third parties for the following costs:

Rental Application Fees

ESG funds may pay for the rental housing application fee that is charged by the owner to all applicants.

Security Deposits

ESG funds may pay for a security deposit that is equal to no more than 2 months’ rent.

Last Month’s Rent

If necessary to obtain housing for a program participant, the last month’s rent may be paid from ESG funds to the owner of that housing at the time the owner is paid the security deposit and the first month’s rent. This assistance must not exceed one month’s rent and must be included in calculating the program participant’s total rental assistance, which cannot exceed 24 months during any 3-year period.

Utility Deposits

ESG funds may pay for a standard utility deposit required by the utility company for all customers for the utilities listed below (under utility payments)

Utility Payments

ESG funds may pay for up to 24 months of utility payments per program participant, per service, including up to 6 months of utility payments in arrears, per service. A partial payment of a utility bill counts as one month. This assistance may only be provided if the program participant or a member of the same household has an account in his or her name with a utility company or proof of responsibility to

make utility payments. Eligible utility services are gas, electric, water, and sewage. No program participant shall receive more than 24 months of utility assistance within any 3-year period.

Moving Costs

ESG funds may pay for moving costs, such as truck rental or hiring a moving company. This assistance may include payment of temporary storage fees for up to 3 months, provided that the fees are accrued after the date the program participant begins receiving housing stabilization services and before the program participant moves into permanent housing. Payment of temporary storage fees in arrears is not eligible.

HOUSING RELOCATION & STABILIZATION SERVICES – STABILIZATION SERVICES

Housing Search & Placement Services

Assist participants in locating, obtaining, and retaining suitable permanent housing, including:

- Housing search
- Tenant counseling
- Understanding leases
- Arranging for utilities
- Making moving arrangements
- Assessment of housing barriers, needs and preferences
- Development of an action plan for locating housing
- Outreach to and negotiation with owners
- Assessment of housing for compliance with ESG requirements for habitability, lead-based paint, and rent reasonableness
- Assistance with submitting rental applications

Housing Stability Case Management

Assessing, arranging, coordinating, and monitoring the delivery of individualized services to facilitate housing stability for a program participant who resides in permanent housing or to assist a program participant in overcoming immediate barriers to obtaining housing by, for example:

- Conducting the initial VI-SPDAT or F-VI-SPDAT assessment, including verifying and documenting eligibility
- Using the Coordinated Entry System (CES)
- Counseling
- Developing, securing, and coordinating services
- Obtaining Federal, State, and local benefits
- Monitoring and evaluating program participant progress
- Providing information and referrals to other providers
- Developing an individualized housing and service plan, including planning a path to permanent

housing stability

- Conducting re-evaluations

Mediation

Mediation between the program participant and the owner or person(s) with whom the program participant is living, provided that the mediation is necessary to prevent the program participant from losing permanent housing in which the program participant currently resides.

Legal Services

Costs of resolving a legal problem that prohibits a program participant from obtaining or retaining permanent housing. Legal services or activities include client intake, preparation of cases for trial, provision of legal advice, representation at hearings, and counseling. Filing fees and other necessary court costs are also eligible. Legal services are subject to the following provisions:

Eligible Billing Arrangements. ESG funds may be used only for legal advice from and representation by licensed attorneys and by person(s) under the supervision of licensed attorneys.

Costs may be based on:

- Hourly fees
- Fees based on the actual service performed (i.e. fee for service) but only if the cost would be less than the cost of hourly fees

Ineligible Billing Arrangements. Funds must not be used for legal advice and representation purchased through retainer fee arrangements or contingency fee arrangements.

Eligible Subject Matters. Landlord/tenant matters; child support; guardianship; paternity; emancipation; legal separation; orders of protection and other civil remedies for victims of domestic violence, dating violence, sexual assault, and stalking; appeal of veterans and public benefit claim denials; resolution of outstanding criminal warrants

Ineligible Subject Matters. Legal services related to immigration and citizenship matters or related to mortgages.

Credit Repair

Credit counseling and other services necessary to assist program participants with critical skills related to household budgeting, managing money, accessing a free personal credit report, and resolving personal credit problems.

SHORT-TERM AND MEDIUM-TERM RENTAL ASSISTANCE

Subject to the general conditions under 24 CFR 576.103 and 24 CFR 576.104, the recipient or subrecipient may provide a program participant 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 of this assistance. Rental assistance may be tenant-based or project-based.

Short-Term Rental Assistance

Short-term rental assistance is assistance for up to 3 months of rent.

Medium-Term Rental Assistance

Medium-term rental assistance is assistance for more than 3 months but not more than 24 months of rent.

Rental Arrears

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.

[Evaluation]

Homelessness Prevention programs will be evaluated based on HUD's Systems Performance Measures (as applicable) and reported on quarterly to ensure they are operating efficiently. Evaluation efforts will be led by the Pasadena Partnership, with guidance from the Homeless Planning & Research Committee. Specific systems performance measures reported on will include:

SYSTEM PERFORMANCE MEASURE 5

Number of Persons who Become Homeless for the First Time

System performance measure five evaluates the number of persons who become homeless for the first time during the reporting period. This measure focuses on whether that number is getting larger, staying the same, or getting smaller. The goal of this measure is to reduce every year the number of people who become homeless for the first time.

To learn more about HUD's system performance measures, please visit:

<https://www.hudexchange.info/programs/coc/system-performance-measures/>

[ESG Requirements]

The following standards are intended as basic, minimum standards that apply to all ESG subrecipient programs.

COORDINATION OF SERVICES

To help ensure homeless households receive immediate housing and minimize barriers to housing access, all subrecipients will be required to enter and/or receive referrals through Pasadena's Coordinated Entry System (CES). CES is a CoC-wide process for facilitating access for all resources designated for homeless individuals and families. This system ensures that every homeless individual or family is known by name, provides assistance based on the individual or family's unique needs, and matches them to the most appropriate service strategy or housing intervention. In doing so, CES ensures system coordination among emergency shelters, essential service providers, homelessness prevention providers, rapid re-housing providers, other homeless assistance providers, and mainstream service and housing providers.

COORDINATION WITH OTHER TARGETED HOMELESS SERVICES

ESG funded programs must coordinate and integrate, to the maximum extent practicable, ESG-funded activities with other programs targeted to homeless people in the Pasadena CoC. These programs include:

- Continuum of Care Program (24 CFR 578)
- Section 8 Moderate Rehabilitation Program for Single Room Occupancy Program for Homeless Individuals (24 CFR 882)
- HUD–Veterans Affairs Supportive Housing (HUD–VASH) (division K, title II, Consolidated Appropriations Act, 2008, Pub. L. 110-161 (2007), 73 FR 25026 (May 6, 2008))
- Education for Homeless Children and Youth Grants for State and Local Activities (title VII-B of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.))
- Grants for the Benefit of Homeless Individuals (section 506 of the Public Health Services Act (42 U.S.C. 290aa- 5))
- Healthcare for the Homeless (42 CFR part 51c)
- Programs for Runaway and Homeless Youth (Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.))
- Projects for Assistance in Transition from Homelessness (part C of title V of the Public Health Service Act (42 U.S.C. 290cc-21 et seq.))
- Services in Supportive Housing Grants (section 520A of the Public Health Service Act)
- Emergency Food and Shelter Program (title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331 et seq.))
- Transitional Housing Assistance Grants for Victims of Sexual Assault, Domestic Violence, Dating

Violence, and Stalking Program (section 40299 of the Violent Crime Control and Law Enforcement Act (42 U.S.C. 13975))

- Homeless Veterans Reintegration Program (section 5(a)(1)) of the Homeless Veterans Comprehensive Assistance Act (38 U.S.C. 2021)
- Domiciliary Care for Homeless Veterans Program (38 U.S.C. 2043)
- VA Homeless Providers Grant and Per Diem Program (38 CFR part 61)
- Health Care for Homeless Veterans Program (38 U.S.C. 2031)
- Homeless Veterans Dental Program (38 U.S.C. 2062)
- Supportive Services for Veteran Families Program (38 CFR part 62)
- Veteran Justice Outreach Initiative (38 U.S.C. 2031)

OTHER FEDERAL, STATE, LOCAL, AND PRIVATE ASSISTANCE

ESG funded programs must assist each program participant, as needed, to obtain other Federal, State, local, and private assistance available to assist the program participant in obtaining housing stability, including:

- Medicaid
- Supplemental Nutrition Assistance Program
- Women, Infants and Children (WIC)
- Federal-State Unemployment Insurance Program
- Social Security Disability Insurance
- Supplemental Security Income (SSI)
- Child and Adult Care Food Program
- Public housing programs
- Housing programs receiving tenant-based or project-based assistance
- Supportive Housing for Persons with Disabilities
- HOME Investment Partnerships Program
- Temporary Assistance for Needy Families (TANF)
- Health Center Program
- State Children’s Health Insurance Program
- Mental Health and Substance Abuse Block Grants
- Services funded under the Workforce Investment Act

HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS)

All ESG-funded programs are required to enter clients in the Homeless Management Information System (HMIS) at first contact. Only programs that are specifically forbidden by other statutes or regulations (e.g., domestic violence victim service providers) may not participate. All HMIS-participating agencies must collect and maintain common data fields as determined by the HMIS Administrator and HMIS Committee, considering all relevant regulations. This helps to ensure coordination between service

providers through the Coordinated Entry System (CES) while avoiding duplication of services and client data, and provides an opportunity to document homelessness.

Confidentiality of Records

All ESG-funded programs must uphold all privacy protection standards established by the LA/OC HMIS Collaborative Policies and Procedure and relevant federal and State of California (“State”) confidentiality laws and regulations that protect client records. Confidential client records may only be released with the client’s or the client’s guardian’s consent, unless otherwise provided for in the pertinent laws and regulations.

Verbal Explanation

Prior to every client’s initial assessment, ESG-funded programs must provide a verbal explanation that the client’s information will be entered into an electronic database that stores client information and an explanation of the HMIS Client Consent to Release Information form terms. Clients should also be informed that they may be removed from the database at any time in writing or by completing a Client Revocation of Consent to Provide and Disclose Information form.

Written Consent

After being provided a verbal explanation, each client who agrees to have his or her personal protected information (PPI) entered into the LA/OC HMIS must sign the HMIS Client Consent to Release Information form (Appendix X). Exception: verbal consent to enter PPI into the LA/OC HMIS may be obtained during a phone screening, outreach, or diversion, provided that this Organization obtains the client’s written consent at the next available opportunity. Households that do not sign the consent are entered into HMIS using only an identifier number.

Postings

All ESG-funded programs must post the Notice Regarding Collection of Personal Information at each intake desk or comparable location.

Privacy Notice

A copy of the Privacy Notice must be provided upon a client’s request. If the ESG-funded program maintains a website, a link to the Privacy Notice must also be on the website.

PROHIBITION AGAINST INVOLUNTARY FAMILY SEPARATION

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, any subrecipient receiving funds under the ESG or CoC Programs, including faith-based organizations, 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. Further, The age and gender of a child under age 18 must not be used as a basis for denying any family’s admission to any housing or shelter receiving Emergency Solutions Grant (ESG) funding.

NONDISCRIMINATION / EQUAL OPPORTUNITY / AFFIRMATIVE OUTREACH

Minimum standards shall comply with the requirements for nondiscrimination, equal opportunity and affirmative outreach identified in §576.407 and 578.93(a-b).

FAITH-BASED ACTIVITIES

Minimum standards for faith-based activities (24 CFR 576.406) are:

- Providers receiving ESG funding shall not engage in inherently religious activities as part of the ESG-funded programs or services. Such activities must be offered separately from ESG -funded programs and services and participation must be voluntary.
- A religious organization receiving ESG funding retains independence from government and may continue with its mission provided that ESG funds are not used to support inherently religious activities. An ESG -funded organization retains its authority over its internal governance.
- An organization receiving ESG funding shall not discriminate against a participant or prospective participant based on religion or religious beliefs.
- ESG funding shall not be used for the rehabilitation of structures used specifically for religious activities, but may be used for rehabilitating structures that are used for ESG eligible activities.

ENVIRONMENTAL REVIEW

Before any funds are committed, the City of Pasadena will conduct an environmental review of all ESG-funded grantee project site(s) to demonstrate there are no hazardous materials present that could affect the health and safety of the occupants. Environmental reviews will be conducted by the City of Pasadena and are acceptable for a 5-year time period. The costs of carrying out environmental review responsibilities are an eligible use of administrative funds. All ESG activities are subject to environmental review under HUD's environmental regulations in 24 CFR part 58.

The subrecipient, or any contractor of the subrecipient, may not acquire, rehabilitate, convert, lease, repair, dispose of, demolish, or construct property for an ESG project, or commit or expend HUD or local funds for ESG eligible activities, until an environmental review under 24 CFR part 58 has been performed and the recipient has received HUD approval of the property.

TERMINATION POLICIES

If a program participant violates program requirements (i.e. fails to meet with a Case Manager on a monthly basis) or no longer meets minimum eligibility requirements for program assistance (i.e. income change), the subrecipient may terminate assistance. To terminate assistance, the minimum required formal process must consist of:

- 1 A written notice to the program participant containing a clear statement of the reasons for termination; and
- 2 A review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision; and

3 Prompt written notice of the final decision to the program participant.

Termination does not bar the subrecipient from providing further assistance at a later date to the same family or individual.

GRIEVANCE POLICY

Each ESG funded organization shall have a grievance procedure and shall implement the procedure when applicable. It is the policy of the Pasadena CoC to provide all ESG-funded programs with a fair and efficient process to present and resolve complaints and grievances. In the case of complaints about programs, it must be clear that the Pasadena CoC is not an official oversight entity but does have considerable influence.

A first-person written and/or documented complaint will be considered a grievance. A verbal, second-hand or hearsay complaint will be considered a complaint. The person making the grievance or complaint will be asked if they have adhered to grievance procedures provided by the organization they are making the grievance or complaint about.

If the person making the grievance or complaint has not gone through the grievance procedure provided by the organization, the Pasadena CoC will recommend that the person do so and document that recommendation.

If the resolution provided by that organization was not satisfactory to the complainant, he/she may put the grievance or complaint in writing and submit it to the Board Chair of the Pasadena CoC. If there is a conflict apparent with reporting problems to the Board Chair, reports can be made to the Co-Chair. If the complainant does not want his/her name attached to the complaint, his/her anonymity will be protected. If the complainant is unwilling to put the concern in writing, the Board Chair or another Pasadena CoC member will document what has been said.

Each situation will be treated seriously and with sensitivity, and will be documented for the record with date, time, program name, and nature of the complaint, as well as with any action taken towards resolution. All complaints or grievances involving vulnerable adults or children will be immediately turned over to the appropriate authorities.

Once a complaint or grievance has been submitted, the Board Chair or Co-Chair will approach the problem program's representative, explain the complaint or grievance, and ask for a response to the charge(s). Responses will be documented. It will be up to the Board Chair or the Co-Chair to decide if the matter needs to be discussed by the Pasadena CoC Board.

If a program received three complaints, the Pasadena CoC Board will review the situation and recommend action. The Executive Director of the program being reviewed will be asked to respond to the Pasadena CoC Board.

[Appendix A: At-Risk Definition]

[Appendix A: At Risk of Homelessness]

HUD Definition

Category 1: Individuals and Families

An individual or family who:

- 1 Has an annual income below 30% of the median family income for the area; and
- 2 Does not have sufficient resources or support networks immediately available to prevent them from moving to an emergency shelter or another place defined in Category 1 of the “homeless” definition; and
- 3 Meets one or more of the following risk factors:
 - Has moved because of economic reasons 2 or more times during the 60 days immediately preceding the application for assistance; or
 - Is living in the home of another because of economic hardship; or
 - Has been notified that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance; or
 - Lives in a hotel or motel and the cost is not paid for by charitable organizations or by Federal, State, or local government programs for low-income individuals; or
 - Lives in an SRO or efficiency apartment unit in which there reside more than 2 persons or lives in a larger housing unit in which there reside more than one and a half persons per room; or
 - Is exiting a publicly funded institution or system of care; or
 - Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in Pasadena’s approved Con Plan

Category 2: Unaccompanied Children and Youth

A child or youth who does not qualify as homeless under the homeless definition, but qualifies as homeless under another Federal Statute.

Category 3: Families with Children and Youth

An unaccompanied youth who does not qualify as homeless under the homeless definition, but qualifies as homeless under section 725(2) of the McKinney-Vento Homeless Assistance Act, and the parent(s) or guardian(s) or that child or youth if living with him or her.