



**Imperial Valley Continuum of Care Council  
CA 613**

**Written Standards  
2022**

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## INTRODUCTION

The Imperial Valley Continuum of Care Council (IVCCC) is the name of Imperial County's Continuum of Care (CoC) which plans and coordinates the housing and supportive services system for people experiencing homelessness. The mission of the IVCCC is to engage individuals and organizations of Imperial County in a community-based process that works to end homelessness in the region, address the underlying causes of homelessness, and lessen the negative impact of homelessness on individuals, families, and community. Additionally, IVCCC seeks to lessen the negative impact of homelessness on individuals, families, and communities.

The IVCCC strives to be participant-centered by providing services that are tailored to the unique needs and strengths of those experiencing homelessness. Service providers and other stakeholders of the IVCCC service area are committed to providing empathic, consistent, predictable, non-judgmental support to individuals and families experiencing homelessness; are willing to coordinate comprehensive support to help people achieve and maintain income, housing, self-sufficiency and an improved quality of life.

Effective service provision and positive outcomes for participants require that service providers have a positive, hopeful, and supportive relationship with participants.

These Written Standards (Standards) are intended to support the IVCCC's mission by providing a framework for participants in the Imperial County's CoC, who work together with mutual respect, collectively serving the needs of individuals and families experiencing homelessness (see Appendix A Glossary of Terms HUD's Definition of Homelessness). The Standards, adopted by the IVCCC Executive Board and General Membership, represent the norms of service delivery for our entire community and serve as a guide to the network of resources specifically targeted to address homelessness in the region.

The IVCCC will provide access to the Standards for community stakeholders, including agencies receiving United States Housing and Urban Development (HUD) CoC Program, Emergency Solutions Grant (ESG), and grant funding targeted to homelessness and other social needs. The IVCCC Standards are also designed to comply with the federal Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act. The Standards are subject to regular review and updates based on changes to local needs and requirements at the State and Federal level.

For the benefit of program participants, the Standards will be applied to all programs, including those that receive Housing and Urban Development (HUD) funding through CoC Program Competition, ESG, and the State of California ESG Program. Although not required, programs that receive funding through other sources are also encouraged to follow these Standards, and funder of housing services are encouraged to adopt the Standards for the programs they support.

The IVCCC has established operating principles and standards to support the implementation and adherence to the Standards among service providers by:

- Providing trainings, facilitating learning collaborations, and distributing resources on best practices to support implementation and fidelity to the Standards;
- Conducting program monitoring to ensure program-level adherence to the Standards; and
- Monitoring system performance to regularly measure the community's overall progress in meeting the needs of people experiencing homelessness and gauge progress in preventing and ending homelessness in the region.

## **SECTION I: SYSTEM LEVEL PRINCIPLES AND STANDARDS**

### **SYSTEM LEVEL PRINCIPLES**

In keeping with the goals and objectives of the IVCCC, activities provided through local agencies will work to support the mission of ending homelessness and lessening the negative impacts on people experiencing homelessness and on communities. A series of principles and best practices have been developed and are integral to ensuring that homelessness is rare, brief, and non-recurring. Additionally, these principles and best practices will serve as a guide in establishing new homeless services programming in the future. Core system level standards include:

- Housing First Approach
- Trauma-Informed Care Approach
- Addressing Racial Disparities
- Inclusion of Individuals with Lived Experience
- Coordinated Entry System (CES) Participation
- Homeless Management Information System (HMIS) Use
- Data to Inform Program Decision-Making
- Fair Housing, Equal Opportunity and Equal Access
- Emergency Transfer for Victims of Domestic Violence
- Access to Mainstream Resources
- Educational and Early Childhood Services
- Income Determination
- Duplication of Benefits
- Termination and Grievance Procedures
- Records and Recordkeeping

### **SYSTEM LEVEL STANDARDS**

#### **HOUSING FIRST**

Housing First prioritizes rapid placement and stabilization in permanent housing without service participation requirements or preconditions for entry (such as sobriety, minimum income requirements, criminal record, completion of treatment, and participation in services or other conditions that create barriers to entry). Case management and supportive services are offered to program participants to maximize housing stability and prevent returns to homelessness. Participation in these services is voluntary and based on the needs and desires of the program participant, but can and should be used to persistently engage participants to ensure housing stability.

A Housing First approach incorporates other best practices including harm reduction - a public health framework that seeks to minimize the harm of a given behavior if the individual is not willing to abstain - and a person-centered non-judgmental approach that is compassionate, respectful, and views every person individually, allows for people to make their own choices in regard to

housing and services, and ensures services are tailored to each person's unique situation. A Housing First approach also removes unnecessary barriers and assumes that supportive services are more effective in addressing needs when an individual or family is sheltered or housed and the daily stress of experiencing homelessness is taken out of the equation.

A Housing First philosophy can and is recommended to be used in all phases of the homeless housing and services system, including Homelessness Prevention, Street Outreach, Emergency Shelter, Transitional Housing, Rapid Re-Housing, and Permanent Supportive Housing.

Additionally, SB 1380, signed into law by Governor Jerry Brown in 2016, requires recipients of California state funding that provides housing or housing-related services to people experiencing homelessness adopt guidelines and regulations to include Housing First policies.

## **TRAUMA-INFORMED CARE**

Programs are expected to utilize a trauma-informed care approach to provide housing and services to persons experiencing homelessness. The U.S. Department of Health and Human Services (HHS) Substance Abuse and Mental Health Services Administration (SAMHSA) provides the following framework for the provision of trauma-informed care:

*A program, organization, or system that is trauma-informed realizes the widespread impact of trauma and understands potential paths for recovery; recognizes the signs and symptoms of trauma in clients, families, staff, and others involved with the system; and responds by fully integrating knowledge about trauma into policies, procedures, and practices, and seeks to actively resist re-traumatization.*

Homeless service providers must incorporate the principles of trauma-informed care throughout key components of their programs, including in program written policies and procedures and staff training protocols.

## **ADDRESSING RACIAL DISPARITIES**

Racial disparities exist within Imperial County's population experiencing homelessness. Programs are expected to address racial disparities that exist within their programs and organizations and promote racial equity. This includes the following:

- Review program data on participant race and ethnicity collected in HMIS – including participants served, length of time in the program, housing placements, housing stability, and other outcomes such as income attainment and non-cash benefits attainment – to ensure the program is serving people at equitable rates and achieving equitable outcomes based on the demographics of persons experiencing homelessness.
- Review program environment to ensure that it is culturally inclusive such as understanding what holidays are being celebrated, providing bilingual signs/forms, and others.
- Analyze existing policies and processes to ensure that they do not create unintentional barriers for people of color to access, engage, and remain connected to housing and/or services.
- Analyze program policies to see if people are experiencing different results of certain policies or ways they are enforced.

- Seek regular training for staff and participating organizations on racial equity and inclusion.
- Seek to diversify staff and Board composition to help ensure personnel is as reflective as possible of those experiencing homelessness within their programs.

## **INCLUSION OF INDIVIDUALS WITH LIVED EXPERIENCE**

Individuals with lived experience are experts in homeless services. Programs need to provide opportunities for people who have lived experience of homelessness to provide expert advice and opinions on policy, procedures, and services delivery. Programs are expected to engage participants in ongoing program evaluation, solicit feedback on program services quality, and make improvements based on input.

The CoC Program requires that each recipient and subrecipient involve, to the maximum extent practicable, persons experiencing homelessness through employment, volunteer services, or otherwise constructing, rehabilitating, maintaining, operating, and providing services for CoC programs. Additionally, each CoC and ESG funded organization must have participant representation on a governing or decision-making body within the organization as well as promote the hiring of people with lived experience.

CoC and ESG funded programs are strongly encouraged to appropriately compensate, with IVCCC Executive Board approval, participation of persons with lived experience for their expertise in program design, implementation, and decision-making processes. All programs are encouraged to seek funding to support appropriate compensation for persons with lived experience.

## **Coordinated Entry System (CES) PARTICIPATION**

CES is a HUD mandated system process that standardizes the steps of moving individuals and families towards housing. CES serves as a centralized system for people experiencing a housing crisis to access assistance through a process that coordinates program participant access, assessment, prioritizations and referrals to homeless housing and services (see Appendix B and C). The IVCCC Executive Board has adopted CES Policies and Procedures for the CoC.

All CoC and ESG programs are required to participate in CES. State-funded and other homeless service providers may also be required by grant funding source to participate in CES. Programs not required to participate are strongly encouraged to participate in CES to improve system wide utilization and coordination of homeless response resources. Participation requires following all established policies and procedures outlined in the IVCCC CES Policies and Procedures. The Place Value Assessment (PVA) tool will be used by the CES access points to assess individuals experiencing homelessness. Information on the CES access sites will be provided on the IVCCC website.

## **HMIS USE**

HMIS is a local web-based information system that the IVCCC uses to collect client-level data on the provision of housing and services to individuals and families through the homeless response system. The IVCCC uses the software Clarity for its HMIS installation with the Regional Task

Force on Homelessness (RTFH) serving as the HMIS provider. While IVCCC and RTFH jointly set policies for system users, RTFH manages day-to-day system operations, and provides training and technical support for all HMIS users.

The HEARTH Act requires that all CoC and ESG funded programs participate in the HMIS. All programs must comply with HUD's standards on participation, data collection, and reporting under a local HMIS and the IVCCC's HMIS Policies and Procedures. For those non-HUD funded programs that serve those experiencing homelessness, the IVCCC strongly encourages HMIS participation.

## **DATA TO INFORM PROGRAM DECISION-MAKING**

All programs are expected to regularly review program data throughout the year to support ongoing program decision-making and use data to make program improvements. Programs need to analyze key performance indicators including length of time in programs, successful placements in housing, income and non-cash benefits attainment, and returns to homelessness. Programs have the capacity to regularly run reports in HMIS such as the Annual Performance Report (APR), among others, to review program performance data. Programs should discuss their data regularly among staff and other stakeholders to understand current performance, strategize activities for improvement, and set new timelines for further review.

In addition to performance data, programs need to also regularly review program data for quality and timeliness of entry and ensure high data quality. It is expected that programs input data into the HMIS in real-time. This minimum expectation for data timeliness helps to ensure the reliability and validity of client-level data collected in HMIS.

## **FAIR HOUSING, EQUAL OPPORTUNITY AND EQUAL ACCESS**

All programs must comply with the non-discrimination and equal opportunity provisions of federal civil rights laws as specified in 24 C.F.R. 5.105(a) and 24 C.F.R. 5.2005, including but not limited to the following:

- Fair Housing Act
- Section 504 of the Rehabilitation Act
- Title VI of the Civil Rights Act
- Title II of the Americans with Disabilities Act
- HUD's Equal Access Rule
- Violence Against Women Act (VAWA) Protections
- Local and state non-discrimination laws

**Affirmatively Furthering Fair Housing:** Programs must have non-discrimination policies in place and conduct assertive outreach to people least likely to engage in the homeless system. Organizations receiving CoC and/or ESG Program funding shall market housing and supportive services to eligible persons regardless of race, color, national origin, religion, sex, age, familial status, ancestry, marital status, sexual orientation, gender identity or disability; and, shall provide program applicants and participants with information, in writing, on their rights and remedies under applicable federal, state, and local fair housing and civil rights laws.



**Integration and Accessibility (Fair Housing and Equal Opportunity):** Housing and services must be offered in an integrated manner, such that persons with disabilities may enjoy a meaningful life within the community. Providers shall offer housing and supportive services to enable individuals with disabilities to interact with nondisabled persons to the fullest extent possible.

**Reasonable Accommodations and Modifications for Persons with Disabilities:** Programs are required to provide reasonable accommodations and modifications for persons with disabilities. Under the Fair Housing Act, a reasonable modification is a structural change made to the premises whereas a reasonable accommodation is a change, exception, or adjustment to a rule, policy, practice, or service. A person with a disability may need either a reasonable accommodation or a reasonable modification, or both, in order to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces. Generally, under the Fair Housing Act, the housing provider is responsible for the costs associated with a reasonable accommodation unless it is an undue financial and administrative burden, while the tenant or someone acting on the tenant's behalf, and is responsible for costs associated with a reasonable modification. Recipients must inform applicants during the intake process of their right to request a reasonable accommodation or modification.

**Discrimination Based on Actual or Perceived Gender:** HUD's Equal Access in Accordance with Gender Identity Final Rule (Equal Access Rule) requires that HUD-funded housing and shelter be made available to individuals and families without regard to actual or perceived sexual orientation, gender identity, or marital status. The rule defines "gender identity" to mean "actual or perceived gender-related characteristics." The final rule also prohibits owners and administrators of HUD-assisted or HUD-insured housing, approved lenders in an FHA mortgage insurance program, and any other recipients or subrecipients of HUD funds from inquiring about sexual orientation or gender identity to determine eligibility for HUD-assisted or HUD-insured housing.

**Discrimination Based on Household Composition:** Programs cannot discriminate against a group of persons presenting as a family based on the composition of the family, the age of any member of the family, the disability status of any members of the family, marital status, actual or perceived sexual orientation, or gender identity. The people who present together for assistance, regardless of age or relationship, are considered a household and are eligible for assistance as a household. Programs that serve families with children must serve all types of families with children; if a program targets a specific population, (e.g. Veterans experiencing homelessness), these programs must serve all families with children that are otherwise eligible for assistance, including families with children that are headed by a single adult or consist of multiple adults who reside together.

## **EMERGENCY TRANSFER FOR VICTIMS OF DOMESTIC VIOLENCE**

Programs serving individuals or families qualified under Category 4 of the Defining "Homeless" Rule (persons fleeing or attempting to flee violent situations) must follow all related federal and state laws and confidentiality policies and must establish written policies and procedures regarding the provision of specific services to meet the safety and special needs of this population. IVCCC promotes the safety of participants by establishing an Emergency Transfer Plan (ETP) policy and protocol to guide the housing relocation process for participants who are at imminent

risk of harm if they remain in their current housing unit (see Appendix D Emergency Transfer Plan for Victims of Domestic Violence). The ETP is designed to comply with the Violence Against Women Act (VAWA) and work cooperatively with other components of the region-wide system (see Appendix E Emergency Solutions Grant (ESG) for Violence Against Women's Act Compliance Policy). Requests for emergency transfer are available regardless of sex, gender identity, or sexual orientation. However, the ability of a provider to honor such request for participants currently receiving assistance may depend upon a preliminary determination that the participant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether provider has another dwelling unit that is available and is safe to offer the participant for temporary or more permanent occupancy.

## **ACCESS TO MAINSTREAM RESOURCES**

The IVCCC expects that every agency funded through the CoC or ESG programs will coordinate with and access mainstream and other targeted homeless resources with the goal to increase the household's capacity to obtain or maintain housing. Programs should assess and assist participants with obtaining any mainstream resources for which they may be eligible for including: CalWORKs, Veterans Health Care, CalFresh, Medi-Cal, Social Security, Supplemental Security Income (SSI), child and adult care food program, linkage to behavioral and physical health services, legal, educational services, childcare, employment and other available assistance. This linkage happens through case management, assessment, outreach and post-housing follow up. Where possible, programs should streamline processes that include applying for mainstream benefits such as the use of a singular form to apply for benefits or collecting all necessary information in one-step.

## **EDUCATIONAL AND EARLY CHILDHOOD SERVICES**

Programs must ensure access to education for children. Each housing and housing case management program must be aware of, and inform family and youth-only households of the educational rights of children and unaccompanied youth in their programs. Programs serving families or youth should adhere to the provisions of the IVCCC Educational Assurances Plan (see Appendix F).

## **INCOME DETERMINATION**

Minimum standards for determination of an individual or family's annual income consist of calculating income in compliance with 24 CFR §5.609. Annual income is defined as all amounts, monetary or not, which:

- Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or
- Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
- Which are not specifically excluded in paragraph (c) of 24 CFR 5.609.
- Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

In verifying income, ESG and CoC programs are required to obtain source documents whenever possible. Self-certification or verification is to be accepted only when all efforts have been made to obtain source documents or third-party verification have not produced results.

## **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 a federally-declared emergency or disaster, and the person or entity has received or would receive financial assistance for the same costs from any other source (including insurance), and the total amount received exceeds the total need for those costs (see Appendix G).

Programs must establish and maintain adequate procedures to prevent any duplication of benefits.

## **TERMINATION AND GRIEVANCE PROCEDURES**

Programs must have a written grievance procedure, including a formal process for participants to provide feedback and to resolve conflicts experienced within the program. Programs must inform clients of their right to file a grievance and provide clients with a written copy of the grievance procedure upon program intake. Clients have the right to receive a response back when they file a grievance and the right to appeal the program's response. Grievance procedures should provide a reasonable timeframe within which the program will respond to client grievances; the timeframe for a client to appeal the program's response; and the process for submitting an appeal.

Programs must have a written termination policy outlining program expectations and termination processes, including a formal due process. Terminations may only occur in the most severe circumstances. Termination from housing programs should not prohibit the household from being readmitted into the program at a future date. Emergency shelters and other congregate programs may have different standards for termination of assistance and restrictions on reentry for clients that significantly violate program expectations and create dangerous situations for staff and other clients (e.g. violence against others, severe property damage). Any restrictions on reentry should be program-specific and should not restrict client participation in other supportive services, shelters, or housing programs in the region that can help resolve their housing crisis.

## **RECORDS AND RECORDKEEPING**

All recipients and subrecipients of ESG and/or CoC program funds must follow the minimum standards, which include ensuring sufficient written records are established and maintained to enable the ESG recipient, the CoC and HUD to determine whether ESG/CoC requirements are being met and comply with §576.500 and 578.103.

Compliance with HUD's ESG and CoC (24 CFR §576 and §578) requirements for:

*Shelter and Housing:*

- Homeless status

- At risk of homelessness status
- Determinations of ineligibility
- Annual income
- Program participant records are kept secure and confidential
- Centralized or coordinated assessment systems and procedures
- Rental assistance agreements and payments
- Environmental review
- Lobbying and disclosure (24 CFR part 87)
- Displacement, relocation, and acquisition
- Procurement (24 CFR §84.40-84.48)
- Utility Allowance
- Emergency shelter facilities
- Services and assistance provided
- Coordination with CoCs and other programs
- Matching
- Financial records
- Subrecipients and contractors
- Period of record retention
- Access to records
- Reports
- Conflict of interest
- Homeless participation

*CoC Records and Documentation:*

- Evidence that the Board selected meets the requirements of 578.5(b);
- Evidence that the CoC has been established and operated as set forth in subpart B of 24 CFR part 578, including published agendas and meeting minutes, an approved Governance Charter that is reviewed and updated annually, a written process for selecting a board that is reviewed and updated at least every five years, evidence required for designating a single HMIS for the CoC, and monitoring reports of recipients and subrecipients.
- Evidence that the CoC has prepared the HUD application for funds in accordance with 578.9.

*ESG Program Participation Records:*

- Evidence of homeless status or at risk of homelessness status, as applicable.
- The services and assistance provided to the program participant including, as applicable, the security deposit, rental assistance, and utility payments.
- Compliance with applicable requirements for providing services to a program participant under the program components and eligible activities (576.101-576.106).
- Compliance with applicable requirements for providing services to a program participant under the provision on determining eligibility and the amount and type of assistance (576.401(a) and (b)).

## **SECTION II: PROGRAM LEVEL PRINCIPLES AND STANDARDS**

This section defines program-specific expectations and requirements including eligibility, prioritization, minimum standards, and performance benchmarks. Programs funded under the CoC and ESG programs are required to use these standards. IVCCC strongly encourages all other programs regardless of funding source to follow the standards for their program type to the greatest extent possible.

### **HOMELESSNESS PREVENTION**

Homelessness Prevention aids individuals and families in a permanent housing setting facing imminent housing loss to prevent them from moving to an emergency shelter, a place not meant for human habitation, or another location described in paragraph (1) of HUD's homeless definition. Services may include:

- Rental assistance: rental assistance and rental arrears.
- Financial assistance: rental application fees, security and utility deposits, utility payments, last month's rent, moving costs.
- Services: housing search and placement, housing stability case management, landlord-tenant mediation, tenant legal services, credit repair.

Homelessness Prevention is designed to allow individuals and families receiving assistance to remain stably housed after the conclusion of such assistance.

#### ***Participant Eligibility***

For ESG Homelessness Prevention programs, assistance may be provided to households who meet the criteria under the At Risk of Homelessness definition, or who meet the criteria in paragraph (2), (3), or (4) of the homeless definition and have an annual income below 30% of Area Median Income (AMI). Eligibility documentation requirements vary depending on which criteria are met. For Homeless Category 2, the household will lose their housing within 14 days. While for At Risk Category 1C, the household has been notified in writing that their right to occupy housing will be terminated within 21 days. (See Appendix A for Glossary of Terms for HUD's Definition of Homelessness)

Homelessness Prevention programs that are funded through local, state, private, or other federally funded sources may use the above standards for ESG programs, or may establish their own standards regarding participant eligibility in alignment with funding source requirements. Programs that establish their own standards ensure that they are targeting Homelessness Prevention resources to individuals and households most in need of assistance. It is recommended that all Homelessness Prevention programs serve households with an annual income that is no greater than 30% of AMI to ensure that these resources are prioritized for those households at greatest risk of experiencing homelessness without assistance.

#### ***Prioritization***

Prioritization for Homelessness Prevention assistance is given to individuals and families meeting Category 2 of the Homeless definition who have: (1) a past episode of homelessness within the last 12 months, (2) a past episode of homelessness, and (3) no prior episodes of homelessness.

CES does not refer to Homelessness Prevention programs.

### ***Minimum Standards***

The following standards apply specifically and in their entirety to ESG Homelessness Prevention programs. Other Homelessness Prevention programs are encouraged to accept and utilize these minimum standards, but have the flexibility to adapt these standards to align with their funding source requirements as desired and appropriate.

- Programs must assess each household's situation prior to administering financial assistance and use diversion/housing problem solving techniques to try to resolve the housing crisis before providing Homelessness Prevention services and assistance.
- Participants must have a written lease in order to receive rental assistance.
- Eligible participants are able to receive up to 24 months of rental assistance during any 3-year period.
- Participants receiving more than one-month rental assistance are required to meet with staff at least once per month.
- If financial assistance is warranted, the program uses a progressive engagement approach that only provides the level assistance necessary to resolve the housing crisis and ensure stability.
- Participants are required to contribute 30% of their monthly-adjusted income towards rent at minimum and seek to take on full rent as quickly as possible.
- Rental assistance will only be provided through the ESG program if the total rent for the unit does not exceed the fair market rent (FMR) established by HUD and complies with HUD's standard of rent reasonableness, unless a waiver is in effect allowing rents to exceed FMR.
- Once the housing crisis is stabilized, programs will connect households to community-based services and resources to ensure long-term stability. This may include employment, legal, food, health, mainstream benefits, and others.
- When ESG Rental Assistance and/or Housing Relocation and Stabilization Services are provided under the Homelessness Prevention component to help a program participant remain in or move into permanent housing, the ESG minimum habitability standards apply to either the current unit (if the program participant is staying in place) or to a new unit (if the program participant is moving).

### ***Minimum Performance Benchmarks for Homelessness Prevention***

Homeless Prevention programs will be evaluated on HUD's System Performance Measures and reported on an annual basis to ensure they are operating efficiently. Upon completion of the System Performance Measures reporting process, CoC staff with guidance from the IVCCC Executive Board will lead evaluation efforts.

*System Performance Measure:* Number of Persons who Become Homeless for the first time.

This system performance measure 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.

## **STREET OUTREACH**

Street Outreach is a professional homeless services intervention that supports unsheltered individuals with accessing permanent or temporary housing by building trusting relationships and ongoing rapport. Street Outreach seeks to engage individuals living unsheltered in a culturally competent and trauma informed manner to provide links to mainstream services, and use diversion and problem-solving techniques to connect people with safe housing options whenever possible. The goal of Street Outreach is to find affordable housing for each individual, which often requires time and multiple ongoing interactions with individuals experiencing unsheltered homelessness. Each interaction should be seen as an opportunity for outreach staff to build a relationship and help people work toward making a connection to housing and services.

### ***Participant Eligibility***

For ESG Street Outreach programs, individuals and families must meet the HUD definition of Literally Homeless (Category 1) and specifically have a primary nighttime residence that is a public or private place not meant for human habitation (unsheltered persons).

Street Outreach programs that are funded through local, state, private, or other federally funded sources may use the above standards for ESG programs, or may establish their own standards regarding participant eligibility in alignment with funding source requirements. Programs that establish their own standards should ensure that they are targeting Street Outreach resources to individuals and families in unsheltered situations.

### ***Prioritization***

Prioritization follows the CoC Prioritization Policy (Appendix B and C). Additionally, Street Outreach services may at times be prioritized to people who may be living in a specific encampment that has been identified for closure and who may need more immediate transition assistance. Street Outreach services should be prioritized and targeted to those individuals identified as most in need. Street Outreach services should target those most in need of more intensive services, encompassing case management and navigation services and be provided these services over a longer duration focused on housing placement.

### ***Minimum Standards***

Individuals and families are eligible for Street Outreach if they are unsheltered homeless based on Category 1 of the Homeless definition and are eligible for the following activities, in compliance with ESG rules (24 CFR 576.101): Engagement, Case Management, Emergency Health and Mental Health Services, Transportation, and Services for Special Populations.

Street Outreach program staff engage unsheltered homeless individuals and families by providing immediate support, intervention, and connections with homeless assistance programs, mainstream social services and housing programs. The staff will utilize the PVA tool to determine the level of need and assist with referrals to services. Essential services must be tied directly to the needs and barriers identified in the PVA assessment by addressing urgent physical needs. Case management includes assessing housing and service needs, arranging, coordinating and monitoring the delivery of individualized services to meet the needs of the program participant. Services for special populations include services for homeless youth, victim services, services for people living with HIV/AIDS, LGBTQ populations, persons with mental illness, and disabled

persons, so long as the costs of providing these services are one of the eligible Street Outreach activities. The term victim services means services that assist program participants who are victims of domestic violence, dating violence, sexual assault, or stalking, including services offered by rape crisis centers and domestic violence shelters.

### ***Minimum Performance Benchmarks for Street Outreach***

Street Outreach programs will be evaluated on HUD's System Performance Measures and reported on an annual basis to ensure they are operating efficiently. Upon completion of the System Performance Measures reporting process, CoC staff with guidance from the IVCCC Executive Board will lead evaluation efforts.

*System Performance Measure:* Successful placement from Street Outreach to temporary and permanent housing destinations.

This system performance measure focuses on how successful street outreach projects are at helping people move towards permanent housing, recognizing this process may be direct or may involve other temporary situations along the way. This is important because people living on the street and in places not meant for human habitation are at an increased risk of victimization, illness and/or death. This measure calculates the percent of street outreach clients who had a positive exit as recorded in HMIS during the report period. The measure is looking for an increase in the percentage of people who exit to permanent housing destinations from a street outreach project during the reporting period.

## **EMERGENCY SHELTER**

Emergency Shelter is a low-barrier temporary housing program, in which households experiencing homelessness are provided emergency access to shelter and services without unnecessary barriers or prerequisites to assistance. Emergency Shelters provide services to meet the immediate safety and survival needs of the individual or family served, which may include shelter, food, clothing and other support services while being housing-focused to help participants enter permanent housing.

### ***Participant Eligibility***

For ESG Emergency Shelter programs, individuals and families must meet the HUD definition of Literally Homeless (Category 1), At Imminent Risk of Homelessness (Category 2), or Fleeing/Attempting to Flee Domestic Violence (Category 4).

Emergency Shelter programs that are funded through local, state, private, or other federally funded sources may use the above standards for ESG programs, or may establish their own standards regarding participant eligibility in alignment with funding source requirements.

### ***Prioritization***

Prioritization follows the CoC Prioritization Policy (Appendix B and C) as well as CES prioritization guidelines within the CES Policies and Procedures.

### ***Minimum Standards***



The following standards apply specifically and in their entirety to ESG Emergency Shelter programs. Other Emergency Shelter programs are encouraged to accept and utilize these minimum standards, but have the flexibility to adapt these standards to align with their funding source requirements as desired and appropriate.

- Use a Housing First approach with low barrier admission policies and program operations. Participants cannot be denied entry based on active substance use, limited or no income, current or prior criminal justice involvement, health and mental health challenges, and medication adherence.
- Use a housing focused approach that strives to exit participants to permanent housing as quickly as possible while ensuring basic needs are met and connecting participants to available services.
- Participants may reside in an emergency shelter for the length of time established by each provider's program policies and procedures.
- Do not require occupants to sign leases, occupancy agreements or charge fees or rent to shelter participants.
- Have the availability to operate and allow participants to remain in the shelter 24 hours a day, or as close to 24 hours a day as feasible given shelter and staff capacity.
- Ensure a safe environment for shelter participants and corresponding policies and procedures, including emergency preparedness procedures, are available to staff and participants.
- Diversion services are provided to support participants to resolve their housing crisis immediately.
- Supportive services, including case management, are available to assist persons in obtaining permanent housing as quickly as possible and accessing supportive services. Each participant with staff should create a housing plan.
- Facilities need to provide access (on-site or through program referrals) to meals, clean restrooms and showers, hygiene supplies, laundry facilities, and adequate space for participants to store personal belongings. Facilities must also ensure compliance with public health directives regarding adequate spacing.
- Shelters are strongly encouraged to allow participants' pets to remain in the shelter to create as few barriers to shelter as possible for persons experiencing homelessness. Shelters that allow pets should develop reasonable pet accommodation policies, including considerations for conduct and responsibility regarding pets and their owners; how supplies and resources such as food, crates or kennels will be provided; and how access to veterinary care will be provided.
- Termination or exit from the shelter must only be used when all other options have been explored and this step is necessary to protect the health and safety of staff and participants or when repeated and severe violation of program expectations cannot otherwise be resolved. Programs will document the behavior, any attempts to remedy the issue, program violation, or threat, and the efforts to secure more appropriate housing.
- All participants will be notified of the agency's termination policy. When it is not possible to provide services because of the participant's behavior, efforts will be made by shelter staff to assist the participant in finding alternatives.

### ***Minimum Performance Benchmarks for Emergency Shelter***

Emergency Shelter programs will be evaluated on HUD's System Performance Measures and reported on an annual basis to ensure they are operating efficiently. Upon completion of the System Performance Measures reporting process, CoC staff with guidance from the IVCCC Executive Board will lead evaluation efforts.

*System Performance Measure:* Length of Time Persons Remain Homeless.

This system performance measure evaluates length of time homeless, measuring the average and median length of time people spend in homeless situations (including Emergency Shelters). This measure focuses on whether that time period is getting shorter, staying the same, or getting longer.

*System Performance Measure:* Successful Placement in Permanent Housing

This system performance measure focuses on how successful emergency shelter projects are at helping people move off the "street" and towards permanent housing. This is important because people living on the street and in places not meant for human habitation are at an increased risk of victimization, illness and/or death. This measure calculates the percent of Emergency Shelter clients who have exited to a permanent housing destination as recorded in HMIS during the report period. The measure is looking for an increase in the percentage of people who exit to permanent housing destinations from an emergency shelter project during the reporting period.

## **TRANSITIONAL HOUSING**

Transitional Housing (TH) is time-limited temporary housing program (up to 24 months) that provides a variety of supportive services to facilitate the movement of households experiencing homelessness to permanent housing.

### ***Participant Eligibility***

For CoC Transitional Housing programs, individuals and families must meet the HUD definition of Literally Homeless (Category 1), At Imminent Risk of Homelessness (Category 2), or Fleeing/Attempting to Flee Domestic Violence (Category 4). See Appendix A for HUD's definition of homelessness categories 1, 2, and 4. TH programs must also follow any additional eligibility criteria set forth in the HUD CoC NOFA through which a program was funded and the grant agreement.

TH programs that are funded through local, state, private, or other federally funded sources may use the above standards for CoC programs, or may establish their own standards regarding participant eligibility in alignment with funding source requirements.

### ***Prioritization***

Prioritization follows the CoC Prioritization Policy as well as CES prioritization guidelines within the CES Policies and Procedures. See Appendix B for Imperial County CoC Prioritization Policy.

### ***Minimum Standards***

The following standards apply specifically and in their entirety to CoC TH programs. Other Transitional Housing programs are encouraged to accept and utilize these minimum standards,

but have the flexibility to adapt these standards to align with their funding source requirements as desired and appropriate.

- Assistance in helping participants transition to permanent housing must be made available and provided as early as possible.
- Participants in Transitional Housing must enter into a lease, sublease or occupancy agreement upon program entry for a term of at least one month.
- Facilities need to provide meals, clean restrooms and showers, hygiene supplies, laundry facilities, have adequate space for participants to store personal belongings, and ensure compliance with public health directives regarding adequate spacing.
- Supportive services must be offered throughout the duration of the stay.
- Educational advancement, job preparation and employment attainment, and health and behavioral health care services must be provided or coordinated through external referrals.
- Assistance in accessing mainstream benefits, including benefits such as CalFresh, CalWORKs, General Relief, disability, childcare assistance, and health insurance must be provided.
- Individualized case management is available at minimum every week to each household who is admitted into the program.
- Maximum length of stay cannot exceed 24 months for CoC-funded programs. It is recommended that programs only provide housing and services for what is essential for the person to move to stable permanent housing.

### ***Minimum Performance Benchmarks for Transitional Housing***

Transitional Housing Programs will be evaluated on HUD's System Performance Measures and reported on an annual basis to ensure they are operating efficiently. Upon completion of the System Performance Measures reporting process, CoC staff with guidance from the IVCCC Executive Board will lead evaluation efforts.

*System Performance Measure:* Successful placement in permanent housing.

This system performance measure focuses on how successful transitional housing projects are at helping people move towards permanent housing. This measure calculates the percent of Transitional Housing clients who have exited to a permanent housing destination as recorded in HMIS during the report period. The measure is looking for an increase in the percentage of people who exit to permanent housing destinations from a transitional housing project during the reporting period.

### **RAPID REHOUSING PROGRAMS**

Rapid Rehousing (RRH) is a person-centered intervention designed to help individuals and families quickly exit homelessness and obtain/maintain permanent housing in the community, and remain stably housed. There are three core components that constitute a RRH program, all of which may be available in order to qualify as a rapid rehousing program. Although RRH programs must have each of the three components available, it is not required that a single entity provides all three services. Similarly, it is also not required that any one household utilize all three in order to be considered a recipient of rapid rehousing. The core components of a rapid re-housing program include:

- **Housing Identification (Search and Placement):** The goal of housing identification is to quickly locate housing for individuals/families experiencing homelessness. This includes several activities such as recruiting and engaging landlords and helping participants locate and secure housing that is safe and affordable.
- **Financial (Rental and Move-in) Assistance:** The goal of rental and move-in assistance is to help with the costs associated with obtaining housing through short-to medium-term financial support. The amount and duration of this varies, but at a minimum assistance should be based on the level of need to secure and maintain a place to live and flexible enough to meet the unique needs of each participant.
- **Case Management and Supportive Services:** The goal of case management is to help stabilize participants to retain housing. Once housed, participants are provided with voluntary services by the service provider and connected to other needed services and supports to stabilize and promote successful tenancies. Case management shall focus on helping people navigate barriers that may stand in the way of securing and maintaining housing and build a support system by connecting them with people and programs in the community.

Programs operating RRH are expected to employ a Housing First, Low Barrier, Harm Reduction, Trauma Informed, and Client-centered approach that accounts for the special needs of the population they are serving.

Individuals and families assisted under ESG are required to have annual incomes at or below 30% of the area median at annual assessment.

### ***Participant Eligibility***

For CoC and ESG RRH programs, individuals and families must meet the HUD definition of Literally Homeless (Category 1) or Fleeing/Attempting to Flee Domestic Violence (Category 4). See Appendix A for HUD's definition of homelessness categories 1 and 4.

RRH programs that are funded through local, state, private, or other federally funded sources may use the above standards for CoC programs, or may establish their own standards regarding participant eligibility in alignment with funding source requirements.

### ***Prioritization***

Prioritization follows the CoC Prioritization Policy (Appendix B) as well as CES prioritization guidelines within the CES Policies and Procedures. RRH programs must receive referrals from CES for program enrollment.

### ***Minimum Standards***

The following outlines the principles for each of the core components for providing RRH services.

## **Housing Identification**

### ***Landlord Recruitment, Engagement & Retention***

Programs shall have written policies and procedures that outline their process for building and maintaining a pool of partner landlords, including how they will engage in continuous recruitment activities and, at a minimum, offer a basic level of support to all landlords who lease to program participants. These policies must clearly summarize protocols, points of contact at the agency, communication methods and expectations, and shall be distributed to landlords.

- Staff roles: Programs shall employ staff who are responsible for landlord recruitment and engagement activities. This includes outreach to and negotiation with landlords/property managers as well as ongoing support and engagement.
- Skills and training: To provide support to landlords and program participants, the staff person responsible for landlord recruitment, engagement and retention shall have the knowledge and skills to understand landlord and tenant rights and responsibilities. Staff should possess the knowledge and expertise needed to communicate with landlords in their own 'language' and provide accurate information to participants. Staff responsible for housing search/landlord engagement shall be trained in and familiar with the following:
  - Tenant rights
  - Conflict resolution/mediation/negotiation
  - Federal, state, and local fair housing laws
  - HUD Housing Quality Standards (HQS) and/or habitability checks (per specific funding requirements)
  - Lead-based paint visual inspections (per specific funding requirements)
- Supports for Landlords: Programs shall regularly and proactively connect with the landlord/property manager to address concerns and answer questions. Programs shall have policies and procedures that state their internal process for communication and response to landlord requests (for example, is there a 24-hour phone line; if their main point of contact is unavailable, who is the back-up contact; what is the expected timeframe in which calls will be returned, etc.).

### *Housing Search*

Programs shall have policies and procedures that outline which housing search/location activities staff will assist with versus what the participant is expected to do on their own. These policies shall be written and provided to the participant at intake. Upon enrollment, staff shall conduct assessments with participants to address housing barriers, needs and preferences. Staff shall develop an action plan with the participant which will include assisting program participants in identifying units that are desirable and sustainable - those that are in neighborhoods where they want to live, have access to transportation, are close to employment or school, are safe and within the limits of the participant's budget (or projected future budget). Staff shall assist with applications and negotiations with landlords/property managers, as well as assist with obtaining necessary documentation for meeting landlord requirements, when needed. Housing search and support activities include:

- Assessing tenant needs and barriers to housing placement.
- Setting family or individual expectations on location, size and/or rent.
- Conducting a targeted housing search with a housing affordability plan (household budget).
- Resolving or mitigating tenant screening barriers, such as rental and utility arrears or evictions.
- Providing support for innovative housing options including roommates or shared housing with family or friends.
- Supporting participants with completing rental applications.
- Helping participants to obtain necessary identification.

- Supporting participants with setting up utilities and making moving arrangements.

### *Housing Location Resources*

RRH program staff are encouraged to utilize and partner with housing location resources within the community where available/appropriate to gain access to affordable housing units for participants. Leveraging these resources allows staff to coordinate with landlord liaisons to address any landlord-specific issues, reduces the number of people the landlord engages with, increases customer service, and helps the landlord liaison continue to build their relationship.

### *Rent Reasonableness & Fair Market Rent*

For most publicly funded programs, rental assistance will only be provided if the total rent for a unit complies with HUD's Rent Reasonableness standards and Fair Market Rent (FMR) limits. HUD's rent reasonableness standard is designed to ensure that rents being paid are reasonable in relation to rents being charged for comparable unassisted units in the same market. Programs shall have a written policy (that complies with their specific funding source) and procedure in place to ensure that compliance with rent reasonableness standards is documented prior to executing the lease for an assisted unit. Rent reasonableness policies and procedures must be transparent and consistently applied across their projects, and result in decisions that comply with HUD and/or other funding requirements. At a minimum, a rent reasonableness policy should include a methodology for documenting comparable rents, standards for certifying comparable rents as reasonable, staff assigned to completing this task, and strategies for addressing special circumstances. (e.g., the procedures would provide step-by-step guidance on how to make comparisons between the proposed unit rent and rents for comparable units in that community; the forms would ensure that similar information is included in each case file and would prompt staff to record considerations and conclusions made throughout the process). The program's policy should also specify the definition of "reasonable". For example, a policy could require staff to collect rents for no less than three comparable units and could allow as "reasonable" only rents that are lower than \$50 above the average of the three comparable rents. In this example, rent could be paid that is slightly higher than the individual comparable units and would still be considered "reasonable" under the program's policy. Comparable rents may be checked using a comparison of rental units in the area. Programs shall support participants in making informed choices about 'rent-reasonable' options with the goal of maintaining housing after program exit. This includes assisting participants in exploring all viable housing options that are safe and meet the participant's needs, including shared housing options.

The other key standard in determining the level of program funds that can be used to pay rent for an eligible program participant is the FMR amount for the geography in which the unit is located. HUD establishes FMRs to determine payment standards or rent ceilings for HUD-funded programs that provide housing assistance, which it publishes annually. Federal law requires that HUD publish final FMRs for use in any fiscal year on October 1—the first day of the fiscal year (FY). The FMR standard is applied to ensure that a reasonable supply of adequate but modest rental housing is accessible to program participants. FMRs for each fiscal year can be found by visiting HUD's website at the following internet web address: <http://www.huduser.gov/portal/datasets/fmr.html> and clicking on the current "Individual Area Final FMR Documentation System" link. This site allows recipients and subrecipients to search for

FMRs by selecting their state and county from the provided list. The site also provides detailed information on how the FMR is calculated for each area.

### *Tenant-Based Lease Requirements*

Programs shall have written policies that require that all participants have a signed lease directly with the landlord/property manager that meets legal standards, including shared housing participants. In general, program participants must be the tenant on the lease for a term of at least one year that is renewable and terminable only for cause. In some cases, a 12-month lease term may pose a barrier to obtaining housing. In these cases, programs should follow the requirement in their respective funding contract for the required length of a lease to determine whether exceptions can be made. The policy shall state that the participant must pay their portion of the rent directly to the landlord each month. The program will pay any remaining amount (subsidy) directly to the landlord. Programs shall have written procedures that verify lease terms prior to administering financial assistance. In addition, program staff must be trained and able to explain landlord-tenant rights and responsibilities, federal, state, and local fair housing laws, as well as lease requirements/provisions to the participant.

### *Habitability (Standards and HQS Inspections)*

All units supported through RRH funding must meet certain habitability standards prior to a participant entering into a lease for the unit. Program staff shall be trained in these aspects and must ensure that all units are safe and meet these specific contract requirements.

### **Financial Assistance/Rental Subsidies**

Financial assistance is the second core component of RRH, providing flexible assistance to cover move-in costs, deposits, and the rental assistance necessary to move out of homelessness and quickly stabilize in permanent housing. RRH programs shall have written policies and procedures that apply to all participants seeking RRH assistance.

### *Rental Assistance Standards*

Program participants may receive rental assistance on a short- or medium-term basis, depending on their circumstance and need, but in most cases can be up to 24 months (depending on funding source). It is expected that program participants will receive the level of assistance necessary to be stably housed for the long-term and that programs administer rental assistance in a way that is flexible and consistent across all participants. Financial assistance shall not be a standard “package” that is automatically applied; rather it shall be flexible to meet the participant’s unique needs. RRH programs should structure their assistance to be provided in an individualized, flexible, and progressive manner. In this way, programs can maximize the ability of available resources to serve the largest number of people possible. The flexible nature of the RRH program model allows agencies to be responsive to the varied and changing needs of program participants and the community. Programs shall ensure their programs are structured to provide individualized, flexible assistance that:

- Targets assistance to be short-term initially and increases or extends as needed for the participant to maintain housing.
- Includes regular case reviews to ensure housing plan progress, review needs, and determine additional assistance, if needed.

At a minimum, written protocols shall clearly outline the methodology for determining the amount or percentage of rent each program participant must pay each month (and how that is calculated), the maximum number of months a participant may receive rental assistance, and the extent to which a program participant must share in the cost of rent. This policy must be flexible to determine the right amount and length of assistance for each individual or household, while being applied consistently amongst participants. Participants with no income are eligible for Rapid Rehousing and cannot be denied RRH solely based on limited or no household income. Participants with no income would not pay any portion of their rent until they obtain income. Programs shall have a process in place to address participants who have no income and are not able to pay any portion of the rent on their own after a designated amount of time.

### *Client Budgets*

Programs shall assist participants in the development of a client-driven budget, (an honest budget – which incorporates the expected or actual expenses to maintain housing) which will be revisited as often as needed, but no less than every 30 days.

**Other Allowable Costs:** While rent related costs are the most common in RRH, financial assistance for other costs is allowed, depending on specific funding sources, if it contributes to permanent housing and stability. Allowable expenses will vary by fund source, but often include:

- Move-in costs, including deposit and first month's rent
- Rental application fees and payments for background or credit checks
- Previous housing debt/rental arrears, if resolving will facilitate an immediate housing placement
- Utility deposits and arrears needed to secure housing
- Moving costs

### *Communication with Landlords/Property Managers*

To help landlords understand the program and to set expectations, providers should send a letter or document to the landlord outlining the details of the program, including the contact information for staff who will be responsible for ensuring rental subsidies are paid to the landlord each month.

### *Re-Assessment*

Each participant's situation/needs must be re-assessed regularly to establish continued eligibility for and amount of continued financial assistance. Re-assessment must be completed at least every three months (unless otherwise stated in funding contract). If a participant is not housed before the first re-assessment is due, staff and participant will review the participant's housing stability plan and address any barriers to achieving the goals. If progress is not occurring, staff should initiate a conversation around expectations and limitations of the RRH program. Once housed, the re-assessment must include at least the following components:

- Length of financial assistance to date
- Documentation of household income as a percentage of Area Median Income (AMI)
- Percent of income being paid toward rent ratio
- Progress on housing stability income and goals
- Any recent changes in circumstances that will impact income or ability to work



- Any gaps in resources or support networks inhibiting the participant's ability to retain housing once rental assistance ends.

Occasionally, situations come up that put an extra, unexpected financial burden on a participant that affects their ability to pay their portion of the rent, or to need an extended amount of support. Programs shall have a documented process in place for staff to case conference these situations with their supervisor in a way that is consistent across all participants. This would include situations such as:

- Participant has income but cannot afford to pay their portion of the rent due to special/unexpected circumstances
- Participant does not have income after 6 months of receiving 100% rental subsidy
- Participant cannot take over their full rent after 12 months of rental subsidy
- Participant needs an additional month or increased amount of assistance after increasing their income to rent ratio (for example, someone who had been paying 60% of their income towards rent that may need to be adjusted to pay only 40% of their income for the next two months due to unexpected medical bills)
- Financial assistance has ended but the participant needs emergency rental assistance during the 'post subsidy case management period'
- Participant has a need to adjust their current living situation to help them better stabilize or maintain their housing, for example moving to a new unit that is closer to their job or to shift to a shared housing opportunity, etc.

### **Case Management and Supportive Services**

Housing-focused case management is the third component of RRH. The goals of RRH case management are to help participants quickly obtain and move-into permanent housing, support participants to stabilize and maintain their housing, and to connect them to community and mainstream services and supports, as well as to their natural support systems. All RRH programs shall provide participants with housing-focused case management that is tailored to identify the participant's strengths, address their housing barriers, and support housing stabilization with a focus on the participant's exit to permanent housing as quickly as possible. Services are voluntary and can be increased if more services are necessary to help a participant stabilize in housing. Programs shall have written policies and procedures that outline how staff will provide client-centered case management and how they will be trained on RRH case management strategies and any other internal policies. All case management policies and expectations must be clearly communicated with participants. Program participants must connect with staff at least once per month (for case management, reassessment, planning, etc. This is separate from support services, which are not required for program participants). Staff will support crisis resolution through creative problem-solving conversations about a participant's situation, housing options and resources for support.

In addition to the above, all case management and supportive services shall be client-centered and voluntary. Supportive services shall be offered to participants but cannot be mandated. Under no circumstances should participation in services be a condition of occupancy. In other words, an RRH program may not terminate a participant solely for refusing to participate in supportive services. It is permissible, however, to require participation in basic case management with a primary goal of engagement, stability planning, and budgeting.

### *Housing and Service Plans*

All program participants shall develop a Housing and Service Plan (or Housing Stability Plan) in collaboration with staff that is housing focused and participant driven with the goal of obtaining or maintaining housing stability. Housing and Service Plans shall identify the participants' strengths, needs, goals and actions to be taken by both the participant and staff. These specific goals will depend on the participant's unique barriers to housing stability. Plans shall track progress towards goals and be updated frequently as the participant progresses or identifies new barriers. Programs shall have policies that clearly state that Housing and Service Plans will begin immediately once client is enrolled in the program and shall address the distinct phases of RRH (see below) and be updated regularly. Before being housed this shall be reviewed and updated at least every 90 days. Once a client is housed, Housing and Service Plans shall be reviewed and updated regularly to assess progress (ideally every 30 days, but no less than every 90 days), and shall be documented and maintained in the client file. Housing and Service Plan components should include:

- List of short-term, actionable goals pertaining to housing, including moving into housing and maintaining housing
- Focus only on barriers related to obtaining/maintaining housing
- Outline roles and expectations of participant versus program staff, and timelines for each step
- Date of next re-assessment to identify barriers and plan adjust, as needed

### *Exit Planning*

When it is determined that the client is near program completion, Housing and Service Plans shall begin to focus on exit planning. This will include ongoing work with staff and the participant until the participant is exited (from both rental assistance and case management). This shall include a plan for preventing a return to homelessness.

Programs shall have clearly defined policies and objective standards for when case management should be continued and/or ended.

### ***Minimum Performance Benchmarks for Rapid Rehousing***

Rapid Rehousing programs will be evaluated on HUD's System Performance Measures and reported on an annual basis to ensure they are operating efficiently. Upon completion of the System Performance Measures reporting process, CoC staff with guidance from the IVCCC Executive Board will lead evaluation efforts.

*System Performance Measure:* Successful exits to permanent housing.

This system performance measure focuses on how successful Rapid Rehousing projects are at helping people move towards permanent housing. This measure is looking for an increase in the percentage of people who exit to permanent housing destinations during reporting period.

## **PERMANENT SUPPORTIVE HOUSING**

Permanent Supportive Housing (PSH) is community-based housing with indefinite leasing or rental assistance paired with intensive wraparound supportive services to help people with disabilities who are experiencing homelessness, especially chronic homelessness, achieve housing stability, live independently, and improve their overall quality of life.

### ***Participant Eligibility***

For CoC-funded Permanent Supportive Housing programs, participants must meet the following eligibility requirements:

- The individual or household must meet the definition of homeless in the CoC Program Interim Rule, under Category 1 or Category 4 of the HUD homelessness definition.
  - Category 1 participants may enter from a place not meant for human habitation, an emergency shelter or government/charity-funded motel (emergency voucher), a Safe Haven (as defined by HUD), or one of the above places but temporarily – for no more than 90 days– in an institution.
  - Participants who are homeless under Category 1 and are entering from transitional housing must have entered the transitional housing program from emergency shelter or a place not meant for human habitation. If the project is designated for persons experiencing chronic homelessness, the participant may only enter from the street or shelter.
- The individual or at least one member of the household must have a disability of long duration. See Appendix A for HUD's definition of "homeless individual with a disability". HUD accepts the following forms of documentation to verify one's disability status. HUD does not accept self-certification for documenting disability - the only acceptable forms of documentation are described below.
  - Written verification of the disability from a professional licensed by the state to diagnose and treat the disability and his or her certification that the disability is expected to be long-continuing or of indefinite duration and substantially impedes the individual's ability to live independently; or
  - Written verification from the Social Security Administration; or
  - The receipt of a disability check; or
  - Intake staff-recorded observation of a disability that, no later than 45 days of the application for assistance, is confirmed and accompanied by evidence in this; or
  - Other documentation approved by HUD.
- Projects that are dedicated chronically homeless projects must continue to serve people experiencing chronic homelessness exclusively.
- Program participants receiving Rapid Re-Housing assistance maintain their chronically homeless status for the purpose of eligibility for Permanent Supportive Housing (so long as they meet any other additional eligibility criteria for the program).

Permanent Supportive Housing programs that are funded through local, state, private, or other federally funded sources may use the above standards for CoC programs, or may establish their own standards regarding participant eligibility in alignment with funding source requirements. Programs that establish their own standards should ensure that they are targeting Permanent Supportive Housing resources to households with severe service needs that require the high level of assistance provided, including individuals and families with disabilities and those who have experienced lengthy or repeated episodes of homelessness.

## **Prioritization**

Prioritization follow the CoC Prioritization Policy (See Appendix B) as well as CES prioritization guidelines within the Coordinated Entry System Policies and Procedures. Permanent Supportive Housing program must receive referrals from CES for program enrollment.

## **Minimum Standards**

The following standards apply specifically and in their entirety to CoC PSH. Other PSH programs are encouraged to accept and utilize these minimum standards, but have the flexibility to adapt these standards to align with their funding source requirements as desired and appropriate.

- There can be no predetermined length of stay for a PSH project.
- Participants in CoC PSH must enter into a lease (or sublease) agreement for an initial term of at least one year that is renewable and is terminable only for cause. Leases (or subleases) must be renewable for a minimum term of one month. Non-CoC-funded PSH programs are strongly encouraged to establish an initial lease term of one year to promote housing stability, but may operate with a shorter lease term if allowable under their funding requirements.
- Supportive services are voluntary, designed to meet the needs of the participants, focused on ensuring housing stability, and must be made available to the participants throughout the duration in housing. Declining to participate in services is not grounds for termination from the program. Providers are encouraged to utilize assertive outreach and engagement efforts with participants who are not willing to engage in case management or supportive services using best practices.
- Use a harm reduction approach to address issues of substance use, mental health, and other challenges if the person is not willing to abstain from certain behaviors.
- Projects must exercise judgment and examine all extenuating circumstances in determining when violations are serious enough to warrant termination so that a participant's assistance is terminated only in the most severe cases.
- Participant contributions to housing costs do not exceed established local rent reasonableness or maximum allowed by funding source.
- Households are expected to contribute 30% of the household's monthly-adjusted gross income to rent, if they have income. There is no minimum rent for households without income.

## **Minimum Performance Benchmarks**

Permanent Supportive Housing programs will be evaluated on HUD's System Performance Measures and reported on an annual basis to ensure they are operating efficiently. Upon completion of the System Performance Measures reporting process, CoC staff with guidance from the IVCCC Executive Board will lead evaluation efforts.

*System Performance Measure:* Successful placement in or retention of permanent housing.

This system performance measure focuses on how successful Permanent Supportive Housing projects are at helping people move towards permanent housing. This measure is looking for an increase in the percentage of people who remain in a Permanent Supportive Housing project during the reporting period.

## APPENDIX A: GLOSSARY OF TERMS

### HUD DEFINITION OF HOMELESSNESS

The following are HUD's Homeless Definition Categories 24 CFR Part 578 CoC Program

§ 578.3 Definitions.

<b>Category 1</b>	<b>Literally Homeless</b>	<p>Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:</p> <ol style="list-style-type: none"> <li>1. Has a primary nighttime residence that is a public or private place not meant for human habitation including a car, a park, abandoned building, bus or train station, airport, camping ground; or</li> <li>2. Is living in a publicly or privately-operated shelter designated to provide temporary living arrangement (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state or local government program for low-income individuals); or</li> <li>3. 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.</li> </ol>
<b>Category 2</b>	<b>Imminent Risk of Homelessness</b>	<p>Individual or family who will imminently lose their primary nighttime residence, if:</p> <ol style="list-style-type: none"> <li>1. Primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;</li> <li>2. No subsequent residence has been identified; and</li> <li>3. The individual or family lacks the resources or support networks needed to obtain other permanent housing.</li> </ol>
<b>Category 3</b>	<b>Homeless under other Federal statutes</b>	<p>Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:</p> <ol style="list-style-type: none"> <li>1. Are defined as homeless under the other listed federal statutes (Runaway and Homeless Youth Act, Head Start Act, VAWA, Public Health Service Act, Food and Nutrition Act, Child Nutrition Act, McKinney-Vento Homeless Assistance Act);</li> <li>2. Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application;</li> <li>3. Have experienced persistent instability as measured by two moves or more in the preceding 60 days; and</li> <li>4. Can be expected to continue in such status for an extended period due to special needs or barriers.</li> </ol>
<b>Category 4</b>	<b>Fleeing/ Attempting to Flee Domestic Violence</b>	<p>Any individual or family who:</p> <ol style="list-style-type: none"> <li>1. Is fleeing, or is attempting to flee, domestic violence;</li> <li>2. Has no other residence; and</li> <li>3. Lacks the resources or support networks to obtain other permanent housing.</li> </ol>

## APPENDIX A: GLOSSARY OF TERMS

### HUD DEFINITION OF CHRONICALLY HOMELESS

[HUD Definition of Chronic Homeless Part 578 Continuum of Care Program 24 CFR 578.3, 578.4](#)

Chronically homeless means:

- (1) A “homeless individual with a disability”, as defined in section 401 (9) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 (9)), who:
  - i. Lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and
  - ii. Has been homeless and living as described in paragraph (1) (i) of this definition continuously for at least 12 months or on at least 4 separate occasions in the last 3 years where the combined occasions must total at least 12 months and each break in homelessness separating the occasions included at least 7 consecutive nights of not living as described in paragraph (1) (i). Stays in institutional care facilities for fewer than 90 days will not constitute as a break in homelessness, but rather such stays are included in the 12-month total, as long as the individual was living or residing in a place not meant for human habitation, a safe haven, or an emergency shelter before entering the institutional care facility;
- (2) An individual who has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all of the criteria in paragraph (1) of this definition, before entering that facility; or
- (3) A family with an adult head of household (or if there is no adult in the family whose composition has fluctuated while the head of household has been homeless.

### HUD DEFINITION OF DISABILITY

- (1) A person shall be considered to have a disability if he or she has a disability that;
  - a. Is expected to be long-continuing or of indefinite duration;
  - b. Substantially impedes the individual’s ability to live independently;
  - c. Could be improved by the provision of more suitable housing conditions; and
  - d. Is a physical, mental, or emotional impairment, including impairment caused by alcohol or drug abuse, posttraumatic stress disorder, or brain injury.
- (2) A person will also be considered to have a disability if he or she has a developmental disability, as defined in this section.
- (3) A person will also be considered to have a disability if he or she has acquired immunodeficiency syndrome, including infection with the human immunodeficiency virus (HIV).
- (4) Notwithstanding the preceding provisions of this definition, the term person with disabilities includes, except in the case of the SRO component, two or more persons with disabilities living together, one or more such persons living with another person who is determined to be important to their care or well-being and the surviving member or members of any household described in the first sentence of this definition who were living, in a unit assisted

## APPENDIX A: GLOSSARY OF TERMS

under this part, with the deceased member of the household at the time of his or her death. (In any event, with respect to the surviving member or members of a household, the right to rental assistance under this part will terminate at the end of the grant period under which the deceased member was a participant.)

### SEVERITY OF SERVICE NEEDS

As defined in the HUD Community Planning and Development CPD 16-11 Bulletin Notice published July 25, 2016:

- (1) An individual for whom at least one of the following is true:
- i. History of high utilization of crisis services, which include but are not limited to, emergency rooms, jails, and psychiatric facilities; and/or
  - ii. Significant health or behavioral health challenges, substance use disorders, or functional impairments which require a significant level of support in order to maintain permanent housing.
  - iii. For youth and victims of domestic violence, high risk of continued trauma or high risk of harm or exposure to very dangerous living situations.
  - iv. When applicable CoCs and recipients of CoC Program-funded PSH may use an alternate criteria used by Medicaid departments to identify high need, high cost beneficiaries.

(2) Severe service needs as defined in paragraphs i.-iv. above should be identified and verified through data-driven methods such as an administrative data match or through the use of a standardized assessment tool and process and should be documented in a program participant's case file. The determination must not be based on a specific diagnosis or disability type, but only on the severity of needs of the individual. The determination cannot be made based on any factors that would result in a violation of any nondiscrimination and equal opportunity requirements, see 24 CFR § 5.105(a).

## APPENDIX B: IMPERIAL COUNTY COC PRIORITIZATION POLICY

IVCCC's order of priority for homeless housing beds are prioritized as follows and are based on the following vulnerability factors and assessment information:

- Length of time homeless, and
- Severity of service needs

**Veterans are the highest priority within each of the categories below.**

<b>1<sup>st</sup> Priority</b>	Chronically Homeless Individuals, Youth and Families with the Longest Histories of Homelessness and the Most Severe Service Needs
<b>2<sup>nd</sup> Priority</b>	Chronically Homeless Individuals, Youth and Families with the Longest Histories of Homelessness
<b>3<sup>rd</sup> Priority</b>	Chronically Homeless Individuals, Youth and Families with the Most Severe Service Needs
<b>4<sup>th</sup> Priority</b>	All Other: Non-Chronically Homeless Individuals, Youth and Families



## APPENDIX C: RECORDKEEPING AND DOCUMENTATION REQUIREMENTS

As defined by HUD, below is the criteria for recordkeeping requirements for people experiencing homelessness.

<b>Category 1</b>	Literally Homeless	<ul style="list-style-type: none"> <li>• Written observation by the outreach worker; or</li> <li>• Written referral by another housing or service provider; or</li> <li>• Certification by the individual or head of household seeking assistance stating that they were living on the streets or in shelter;</li> <li>• For individuals exiting an institution – one of the forms of evidence above and:             <ul style="list-style-type: none"> <li>○ Discharge paperwork or writer/oral referral; or</li> <li>○ Written record of intake worker’s due diligence to obtain above evidence and certification by individual that they exited institution.</li> </ul> </li> </ul>
<b>Category 2</b>	Imminent Risk of Homelessness	<ul style="list-style-type: none"> <li>• A court order resulting from an eviction action notifying the individual or family that they must leave; <b>or</b></li> <li>• For individuals and families leaving a hotel/motel – evidence that they lack the financial resources to stay; <b>or</b></li> <li>• A documented and verified oral statement; <b>and</b></li> <li>• Certification that no subsequent residence has been identified; <b>and</b></li> <li>• Self-certification or other written documentation that the individual lack the financial resources and support necessary to obtain permanent housing.</li> </ul>
<b>Category 3</b>	Homeless under other Federal Statutes	<ul style="list-style-type: none"> <li>• Certification by the nonprofit or state or local government that the individual or head of household seeking assistance met the criteria of homelessness under another federal statute; <b>and</b></li> <li>• Certification of no PH in last 60 days; <b>and</b></li> <li>• Certification by the individual or head of household, and any available supporting documentation, that the household has moved two or more times in the past 60 days; <b>and</b></li> <li>• Documentation of special needs or 2 or more barriers.</li> </ul>
<b>Category 4</b>	Fleeing /Attempting to Flee DV	<p>For victim service providers:</p> <ul style="list-style-type: none"> <li>• An oral statement by the individual or head of household seeking assistance which states: they are fleeing; they have no subsequent residence; and they lack resources. Statement must be documented by a self-certification or a certification by the intake worker.</li> </ul> <p>For non-victim service providers:</p> <ul style="list-style-type: none"> <li>• Oral statement by the individual or head of household seeking assistance that they are fleeing. This statement is documented by a self-certification or by the caseworker. Where the safety of the individual or family is not jeopardized, the oral statement must be verified; <b>and</b></li> <li>• Certification by the individual or head of household that no subsequent residence has been identified; <b>and</b></li> <li>• Self-certification or other written documentation, that the individual or family lacks the financial resources and support networks to obtain other permanent housing.</li> </ul>

## APPENDIX D: EMERGENCY TRANSFER PLAN FOR VICTIMS OF DOMESTIC VIOLENCE

The IVCCC is concerned about the safety of participants, and such concern extends to participants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA),<sup>1</sup> housing providers within the CoC allows participants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the participant's current unit to another unit when there is a threat of imminent harm from further violence if the participant remains within the same unit.

This plan identifies participants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to participants on safety and security. This plan is based on a model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD).

### PURPOSE

Provide for the safety of participants facing imminent risk of harm.

### POLICY STATEMENT

Promote the safety of participants in CoC-supported housing by establish policy and protocols for transferring housing relocation for participants who are at imminent risk of harm if they remain in their current housing unit.

Requests for emergency transfer are available regardless of sex, gender identity, or sexual orientation. The ability of provider to honor such request for tenants currently receiving assistance, however, may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether provider has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

There are five parts to this emergency plan:

**Part 1:** Eligibility for Emergency Transfers

**Part 2:** Emergency Transfer Request Documentation

**Part 3:** Confidentiality

**Part 4:** Emergency Transfer Timing and Availability

**Part 5:** Safety and Security of Program Participants

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<sup>1</sup> Despite the name of this law, VAWA protection is available to all victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

## **APPENDIX D: EMERGENCY TRANSFER PLAN FOR VICTIMS OF DOMESTIC VIOLENCE**

### **ELIGIBILITY FOR EMERGENCY TRANSFERS**

- (1) As provided in HUD's regulations at 24 CFR part 5, subpart L, a program participant is eligible for an emergency transfer if one of the following applies:
  - The participant is a victim of domestic violence, dating violence, sexual assault, or stalking;
  - The participant reasonably believes that there is a threat of imminent harm from further violence if the participant remains within the same unit.
  - If the participant is a victim of sexual assault, the participant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer.
- (2) A participant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan.
- (3) Participants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.

### **EMERGENCY TRANSFER REQUEST DOCUMENTATION**

To request an emergency transfer, the participant shall notify the Housing Provider's management office and submit a written request for a transfer to that office. The Housing Provider will provide reasonable accommodations to this policy for individuals with disabilities. The participant's written request for an emergency transfer should include either:

1. A statement expressing that the participant reasonably believes that there is a threat of imminent harm from further violence if the participant were to remain in the same dwelling unit assisted under Housing Provider's program; OR
2. A statement that the participant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the participant's request for an emergency transfer.

### **CONFIDENTIALITY**

The Housing Provider will keep confidential any information that the participant submits in requesting an emergency transfer, and information about the emergency transfer, unless the participant gives the Housing Provider written permission to release the information on a time limited basis, or disclosure of the information is required by law or required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program. This includes keeping confidential the new location of the dwelling unit of the participant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or stalking against the participant. See the Notice of Occupancy Rights under the Violence against Women Act for All Tenants for more information about the Housing Provider's responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

## APPENDIX D: EMERGENCY TRANSFER PLAN FOR VICTIMS OF DOMESTIC VIOLENCE

### EMERGENCY TRANSFER TIMING AND AVAILABILITY

While the Housing Provider cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request; the Housing Provider will act as quickly as possible to move a participant who is a victim to another unit, subject to availability and safety of a unit.

If a participant reasonably believes a proposed transfer would not be safe, the participant may request a transfer to a different unit. If a unit is available, the transferred participant must agree to abide by the terms and conditions that govern occupancy in the unit to which the participant has been transferred. The Housing Provider may be unable to transfer a participant to a particular unit if the participant has not or cannot establish eligibility for that unit.

If the Housing Provider has no safe and available units for which a participant who needs an emergency is eligible, the Housing Provider will assist the participant in identifying other housing providers who may have safe and available units to which the participant could move. At the participant's request, the Housing Provider will also assist participants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan.

### SAFETY AND SECURITY OF PARTICIPANTS

- (1) Pending processing of the transfer and the actual transfer, if it is approved and occurs, the participant is urged to take all reasonable precautions to be safe.
- (2) Participants who are or have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233, or a local domestic violence shelter, for assistance in creating a safety plan. For persons with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY).
- (3) Participants who have been victims of sexual assault may call the Rape, Abuse & Incest National Network's National Sexual Assault Hotline at 800-656-4673, or visit the online hotline at <https://hotline.rainn.org/online>.
- (4) Participants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

## **APPENDIX E: Emergency Solutions Grant (ESG) Violence Against Women Act Compliance Policy**

### **I. Introduction**

The Emergency Solutions (ESG) Program is a federal program operated by the U.S. Department of Housing and Urban Development (HUD) to make grants to states, local governments, and territories for the purposes of funding activities that directly serve people experiencing homelessness, including people at risk of homelessness. The California Department of Housing and Community Development (CA HCD) is a direct recipient of ESG from HUD. CA HCD administers an annual allocation of ESG and an additional one-time allocation of ESG made available under the CARES Act.

For the purposes of this document, “annual ESG” refers to CA HCD’s annual allocation of ESG, “ESG-CV” refers to CA HCD’s one-time allocation of CARES Act ESG, and “ESG” refers to the program in general and to aspects of the program that apply to both annual ESG and ESG-CV.

This ESG VAWA Compliance Policy (the “Policy”) provides the structure under which ESG-funded activities are required to comply with certain requirements of the Violence Against Women Act (VAWA).

#### **A. Applicability**

This Manual applies to ESG grants funded using:

- Annual ESG
- ESG-CV

### **II. Definitions**

#### **A. Domestic Violence**

For the purposes of this Policy and the ESG Program, the definition of domestic violence includes dating violence, sexual assault, stalking, and human trafficking. The definition is also considered to include any additional nuances as defined by HUD; for example, there may be additional circumstances that are considered domestic violence for youth aged 24 and under. For more information, please refer to the relevant external document published by HUD.

#### **B. Covered Housing Providers**

Some of the provisions of this Policy refer to Covered Housing Providers (CHPs). A CHP is any entity that meets any of the following criteria:<sup>2</sup>

- A recipient or subrecipient that administers rental assistance (for the purposes of the Emergency Transfer Plan procedure)
- A housing owner with respect to the limitations of VAWA protections enumerated in 24 CFR 5.2005(d)
- The housing owner and the entity administering rental assistance (recipient, subrecipient, or sub-subrecipient) for the purposes of 24 CFR 5.2005 (d)(2), which clarifies the circumstances under which a victim of domestic violence may or may not be evicted or have their ESG assistance terminated

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<sup>2</sup> 24 CFR § 576.409(b)

## APPENDIX E: Emergency Solutions Grant (ESG) Violence Against Women Act Compliance Policy

- The housing owner and the entity administering rental assistance (recipient, subrecipient, or sub-subrecipient) for the purposes of 24 CFR 5.2007, which defines procedures for documenting the occurrence of domestic violence
  - Note: recipients and subrecipients may limit these requests in accordance with 24 CFR 576.409(b)(4)

### III. General Requirements

#### A. Overview

The ESG Program's primary regulatory body is 24 CFR Part 576, the ESG Program Interim Rule.<sup>3</sup> 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).<sup>4</sup> These protections and their associated requirements are enumerated in this section of the Policy.

#### B. HMIS Comparable Databases

Domestic violence service providers (VSPs) are prohibited from maintaining participant data in the CoC's HMIS; instead, they are required to maintain participant data in an HMIS comparable database.

For the purposes of ESG, HUD defines a VSP as "a private nonprofit organization whose primary mission is to provide direct services to victims of domestic violence."<sup>5</sup>

CA HCD is required to affirmatively record that VSPs receiving ESG are maintaining participant records in an HMIS comparable database. VSPs are encouraged to connect with other VSPs and with the California Partnership to End Domestic Violence for more information about HMIS comparable databases. There is also information about HMIS comparable databases

available from SafeHousingPartnerships.org internet website address:

[https://safehousingpartnerships.org/sites/default/files/2017-08/CD101\\_CSNNEDV.pdf](https://safehousingpartnerships.org/sites/default/files/2017-08/CD101_CSNNEDV.pdf)

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<sup>3</sup> <https://www.hudexchange.info/resource/1927/hearth-esg-program-and-consolidated-plan-conforming-amendments/>

<sup>4</sup> 24 CFR §576.409

<sup>5</sup> <https://www.hudexchange.info/faqs/programs/continuum-of-care-coc-program/program-requirements/coordinated-entry/how-does-hud-define-victim-service-provider/#:~:text=HUD%20defines%20a%20victim%20service,to%20victims%20of%20domestic%20violence>

**APPENDIX E: Emergency Solutions Grant (ESG) Violence Against Women Act Compliance Policy**

Please review the table below to determine whether a given project is required to maintain participant data in HMIS or an HMIS comparable database.

	Organization is a VSP	Organization is <u>not</u> a VSP
Project serves victims of domestic violence	HMIS comparable database	HMIS
Project does not serve victims of domestic violence	HMIS comparable database	HMIS

**C. 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.

**D. 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.

**E. 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 at the following internet web address: <https://www.hud.gov/sites/documents/5380.DOCX>

**F. 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 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.

## APPENDIX E: Emergency Solutions Grant (ESG) Violence Against Women Act Compliance Policy

### G. 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 rental assistance agreements and leases for units that receive ESG-funded short-term or medium-term rental assistance.

If a landlord-provided lease includes all protections listed in 24 CFR Part 5, Subpart L, subrecipients do not need to take any further action. Under most circumstances, however, subrecipients will need to provide and require a lease amendment including the necessary language. Subrecipients may choose between two options for VAWA lease amendments:

- Subrecipients may use the sample “Lease Addendum” (HUD-90167), provided at the following internet web address:  
<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

Subrecipients should define their approach to ensuring VAWA protections are included in all rental assistance agreements and leases in their project policies and procedures.

### H. 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 at the following internet web address:  
<https://www.hud.gov/sites/documents/5381.docx>

In addition to the requirements above, subrecipients are encouraged to create ETPs that are integrated with the CoC’s coordinated entry process and that do not contract and are substantially similar to the CoC’s ETP for CoC Program projects.

As part of the ETP creation process, subrecipients are also encouraged to consult with the CoC’s permanent housing providers, including those funded by the CoC and SSVF Programs, and with the CoC’s victim services providers to ensure ETP provisions are correctly tailored to permanent housing availability and to the specific needs of victims of domestic violence.



## APPENDIX F: EDUCATIONAL ASSURANCES PLAN

### **Purpose:**

The purpose of this document is to outline the intent of the IVCCC to meet the educational needs of the homeless youth and families that they serve. The CoC believes that success in education can lead to positive outcomes and the avoidance of negative behaviors such as drug and/or alcohol abuse or other high-risk behaviors. Success in school enhances social growth and has positive physical, emotional and mental outcomes.

The IVCCC is committed to ensuring that the educational needs of homeless youth and their families are met.

Pursuant to McKinney-Vento Homeless Assistance Act a homeless child is defined as a child who does not have a fixed, regular, and adequate nighttime residence or whose primary nighttime location is in a public or private shelter designated to provide temporary living accommodations, or a place not designed for, or ordinarily used as regular sleeping accommodations for human beings. This definition includes a child who is:

- Sharing the housing of other persons due to loss of housing, economic hardship or similar reason (sometimes referred to as double-up);
- Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
- Living in a car, park, public space, abandoned building, substandard housing, bus or train stations or similar settings;
- Abandoned in hospitals;
- A migratory child who qualifies as homeless because he or she is living in circumstances described above;
- An unaccompanied youth is a homeless child not in the physical custody of a parent or guardian who is in a living situation described above.

### **CoC Responsibilities**

The CoC will collaborate with local education agencies (schools districts) to:

- Assist in the identification of homeless families;
- Inform homeless families and youth of their eligibility for McKinney-Vento education services;
- Encourage programs within the CoC to develop procedures to meet the educational needs of children when families are placed in emergency or transitional shelter;
- Encourage programs to place families with children as close as possible to their school of origin, as appropriate, so as not to disrupt the children's education;

### **Program Responsibilities**

Programs within the CoC that serve children/youth will be encouraged to adopt the following practices for serving homeless students. Programs should:

- Educate all relevant staff on the rights of students experiencing homelessness as outlined in McKinney-Vento legislation.
- Annually provide information to school principals, counselors, and McKinney-Vento liaisons about services the agency provides.
- Connect regularly with McKinney-Vento liaisons in surrounding school districts.

## APPENDIX F: EDUCATIONAL ASSURANCES PLAN

- Develop policies and practices that are consistent with, and do not restrict the exercise of rights provided by the education subtitle of the McKinney-Vento Act, and other laws relating to the provision of educational and related services to individuals and families experiencing homelessness.
- Designate a staff person to ensure that children are enrolled in school and connected to the appropriate services within the community, including early childhood programs such as Head Start, Part C of the Individuals with Disabilities Education Act, and McKinney-Vento education services.
- Encourage parental involvement and educate parents on the importance of involvement in their children's education, including:
  - Connecting parents with the local school liaison.
  - Informing parents on homeless children's rights
  - Communication and partnership with schools
  - Providing proper nutrition
- Offer after-school programs on site or make referrals to other programs.
- Highly encourage school attendance and will work with households to address any barriers to regular school attendance.
- Maintain documentation in the participant's case file to demonstrate that these requirements have been met and that applicants and participants understand their rights.

## **APPENDIX G: Duplication of Benefits (DOB) Emergency Solutions Grant (ESG) Policy**

Imperial Valley Continuum of Care Council (IVCCC) referred to as Continuum of Care (CoC) receives Emergency Solutions Grant Coronavirus (ESG-CV) funds allocated under the 2020 CARES Act and governed by CPD Notice 21-08 and 24 CFR § 576.

All California ESG-CV subrecipients are required to complete a Duplication of Benefits (DOB) analysis for assisted activities to demonstrate that no duplication of benefits occurred as defined by the State of California's ESG-CV Duplication of Benefits Policy.

To comply with this requirement, the IVCCC, and its service providers will demonstrate that the amount of funds allocated to each activity do not exceed the total need for that activity and no service provider or program participant received duplicative assistance. To document this, the CoC shall maintain records of compliance with mandatory duplication of benefits requirements described in CPD Notice 21-08.

All service providers and other entities receiving ESG-CV assistance are responsible for complying with the requirements set forth in these policies and procedures, the State of California's ESG-CV Duplication of Benefits Policy and CPD Notice 21-08.

### **Responsibilities**

#### **CoC**

As the subrecipient of ESG-CV funds, the CoC is responsible for evaluating each subaward made to service providers or local units of government to ensure that a duplication of benefits does not exist for the entity receiving that award.

If the CoC is carrying out activities directly, it is responsible for evaluating these activities to ensure that a duplication of benefits does not exist for the overall activity being carried out.

The CoC is also responsible for monitoring to ensure that activities carried out by service providers do not result in a duplication of benefits for the program participant in instances when the program participant is receiving financial assistance for housing relocation and stabilization services (24 CFR 576.105(a) as amended by CPD Notice 21-08 and any other activities that the CoC determines may result in a potential duplication at the program participant level.

The CoC is responsible for ensuring that any person or entity receiving ESG-CV assistance agrees to repay assistance that is determined to be duplicative. In instances where financial assistance is made on behalf of a program participant (e.g., making rental payments) and a payment is determined to be duplicative, the CoC (or its provider) must collect the duplicated payment from the actual recipient of the payment (e.g., the landlord) and cannot collect the duplicated payment from the program participant without prior written authorization from the State.

As requested by the State, the CoC will provide a summary of the duplication of benefits analysis at the activity and program participant level.

## **APPENDIX G: Duplication of Benefits (DOB) Emergency Solutions Grant (ESG) Policy**

### **Service Provider**

The service provider, or entity carrying out ESG-CV activities, is responsible for evaluating that housing relocation and stabilization services financial assistance (24 CFR 576.105(a) as amended by CPD Notice 21-08) and any other activities that the CoC determines may result in a potential program participant duplication of benefits do not result in such a duplication. The service provider, as part of the evaluation and corresponding re-evaluations of program participant eligibility, shall require a certification to be completed by each program participant as a condition for receiving ESG-CV assistance. The service provider is responsible for assessing each application to determine if any ESG-CV assistance will or is likely to duplicate financial assistance that has already been received or is likely to be received by the program participant. If it is determined that a landlord or property manager received a duplicative payment on behalf of a program participant, the service provider is responsible for recapturing the duplication of benefit from the landlord or property manager.

### **Duplication of Benefits (DOB) Analysis**

#### Duplication of Benefits Analysis Steps – Activity Level

1. Assess Need for the Activity:
  - Determine the total amount of need for the activity (e.g., Emergency Shelter, Temporary Emergency Shelter, Street Outreach, Rapid Re-housing, Homelessness Prevention, HMIS, Administration).
    - Need can be assessed for the entire jurisdiction or for each project
2. Determine Assistance:
  - Determine the amount of funding that has or will be provided from all non-ESG-CV funding sources to pay for the activity cost(s).
3. Calculate Maximum Level of Award:
  - Compare the amount of assistance (Step 2) to the total need (Step 1) to determine the maximum possible ESG-CV award.
4. Document DOB analysis:
  - Document steps 1-3 and ESG-CV award amount to verify that the amount of ESG-CV award is equal to or lower than the maximum level of award.

#### Duplication of Benefits Analysis Steps – Housing Relocation and Stabilization Services (program participant) Level

1. Assess Need:
  - Determine the total amount of financial assistance needed by the program participant (for the cost types that will be paid in full or in part with ESG-CV funds).
2. Determine Assistance:
  - Determine the amount of funding that has or will be provided from all non-ESG-CV funding sources to pay for the cost(s).
3. Calculate Maximum Level of Award:
  - Compare the amount of assistance (Step 2) to the total need (Step 1) to determine the maximum possible ESG-CV award.

## **APPENDIX G: Duplication of Benefits (DOB) Emergency Solutions Grant (ESG) Policy**

### 4. Document DOB analysis:

- Document steps 1-3 and ESG-CV award amount to verify that the amount of ESG-CV award is equal to or lower than the maximum level of award.

### **Recordkeeping**

All activity and program participant information, including the intake checklist, shall be retained in compliance with HUD's record retention requirements.

## APPENDIX H: Personally Identifying Information (PII) ESG Policy

The Emergency Solutions Grant (ESG) Program is a federal program operated by the U.S. Department of Housing and Urban Development (HUD) to make grants available to states, local governments, and territories for the purposes of funding activities that directly serve people experiencing homelessness, including people at risk of homelessness. The IVCCC is a subrecipient of the California Department of Housing and Community Development (CA HCD). CA HCD is a direct recipient of ESG from HUD. CA HCD administers an annual allocation of ESG and additional allocation(s) of ESG made available under the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

For the purposes of this document, “annual ESG” refers to CA HCD’s annual allocation of ESG, “ESG-CV” refers to CA HCD’s allocation(s) of CARES Act ESG, and “ESG” refers to the program in general and to aspects of the program that apply to both annual ESG and ESG-CV.

This ESG Personally Identifying Information Policy (the “Policy”) provides comprehensive guidance for ESG projects.

- Annual ESG
- ESG-CV

### Requirements

The ESG Program’s primary regulatory body is 24 CFR Part 576, the ESG Program Interim Rule.<sup>6</sup> The ESG Program Interim Rule requires that recipients (e.g. CA HCD) and subrecipients (including ‘sub-subrecipients) ensure the following:<sup>7</sup>

- All records containing personally identifying information [PII] [...] of any individual or family who applies for and/or receives ESG assistance will be kept secure and confidential;
- The address or location of any domestic violence, dating violence, sexual assault, or stalking shelter project assisted under ESG will not be made public except with written authorization of the person responsible for the operation of the shelter;
- The address or location of any housing of a program participant will not be made public, except as provided under a preexisting privacy policy of the recipient or subrecipient and consistent with state and local laws regarding privacy and obligations of confidentiality.

This requirement’s functional impact is recipients and subrecipients must develop confidentiality policies and procedures in writing to keep confidential every ESG applicant’s or participant’s personally identifiable information (PII) they receive for any reason, including participant housing locations/addresses, as well as the locations/addresses of any domestic violence shelters.

IVCCC’s ESG subrecipients must agree to adopt these PII policies and procedures in their entirety to receive ESG funding.

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<sup>6</sup> <https://www.hudexchange.info/resource/1927/hearth-esg-program-and-consolidated-planconforming-amendments/>

<sup>7</sup> 24 CFR 576.500(x)

## APPENDIX H: Personally Identifying Information (PII) ESG Policy

### Defining and Identifying Personally Identifying Information (PII)

PII is defined by OMB M-07-116, Memorandum for the Heads of Executive Departments and Agencies, as follows:

“Information which can be used to distinguish or trace an individual's identity, such as their name, social security number, biometric records, etc. alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual.”

PII is sometimes also called “personally identifiable information,” “personal protected information” or PPI, and other similar terms and acronyms.

Some examples of PII include:

Considered PII with information only	Considered PII when combined with other information
Name	Date and Place of Birth
Social Security Numbers	Race or Ethnicity
Driver License/ Identification Number	Religion
Patient ID Number	Geographical Indicators
Addresses	Financial Information
Personal Telephone numbers	
Biometric Data	

Further, sensitive personally identifying information (SPII) is defined in HUD's April 2015 “Protecting PII: Capacity Building Guidance on Protecting Privacy Information” as follows:

“PII that when lost, compromised or disclosed could substantially harm an individual.”

Some examples of SPII include social security numbers, medical records, credit/debit/bank account information, immigration status, criminal records, medical information, and any information that could be used to locate a person fleeing domestic violence.

**There is no comprehensive list of every piece of information that is PII or SPII.** Instead, recipients, subrecipients, sub-subrecipients and their respective subcontractors must assess each participant record to determine whether it contains information that, either alone or when combined with other information in the record, constitutes PII or SPII. Sub-subrecipients (local homelessness response system service providers) are responsible for ensuring that their subcontractors abide by these PII policies and procedures.

Confidentiality protections in this policy do not extend to employees whose salary is paid for by ESG. Staff information, including names and salaries, is commonly shared between recipients and subrecipients, including during the grant application, contracting, and reimbursement request processes.

## APPENDIX H: Personally Identifying Information (PII) ESG Policy

### Locating Personally Identifying Information

PII can be found in any record containing participant information, and those records can in theory be found, stored, or accidentally left in any physical or digital location. For the purposes of the ESG program, PII is most often located in one of the following places:

- In HMIS;
- In a physical participant file;
- On a computer or other digital media (e.g. thumb drives, external hard drives);
- In long-term physical storage.

However, PII is PII no matter where it is located, how you store it, or how well you secure it. Recipients and subrecipients must assess each ESG program record they generate or receive to determine whether they contain PII.

For service providers, the most common PII collection points are:

- Upon first contact with a participant
- At project in take
- At lease-up
- During the case management process(e.g. case notes)
- At lease renewal and recertification
- At project exit

### Protecting Personally Identifying Information

IVCCC has adopted the following principles to protect PII of all people served:

1. Limit Collection
  - ✓ Do not collect PII unless you need it to meet a requirement.
  - ✓ When you collect PII, only collect the information you need.
  - ✓ Make sure you are authorized to collect the PII you are collecting. Authorization can come either from an internal authority (e.g. your supervisor), an external authority (e.g. a statute or regulation, written standards), or your organizational obligations (e.g. contracts, non-disclosure and confidentiality agreements).
2. Manage Access
  - ✓ Never discuss or release PII without authorization.
  - ✓ Before discussing PII over the telephone or a video call, confirm that you are speaking to the right person and inform them that the conversation will include PII.
  - ✓ Avoid discussing PII if there are people around who aren't authorized to hear it
  - ✓ Hold meetings where PII might be discussed in secure spaces.
  - ✓ Treat meeting minutes and notes as confidential until and unless you can verify that they do not contain PII.
  - ✓ For meetings that do include PII: record their date, time, place, subject, chair, and attendees.
  - ✓ Do not leave PII in a voicemail.
  - ✓ Do not text PII.



## APPENDIX H: Personally Identifying Information (PII) ESG Policy

- ✓ Do not send PII via unencrypted email or between email servers that do not share security protocols.
3. Protecting Physical Files
- ✓ Clearly label all files containing PII.
  - ✓ Store all files in lockable storage containers (e.g. lockable file cabinets). Lock them when not in use.
  - ✓ Do not leave PII in open areas unattended
  - ✓ Do not access records containing PII except in work areas that are secure.
  - ✓ Develop a centralized record of where PII is stored. Develop a policy that specifies when and how you will periodically check that the storage is secure and the record is correct.
  - ✓ Treat external digital media (e.g. thumb drives, external hard drives) the same as physical files.
4. Protecting Electronic Files
- ✓ Develop a policy that specifies where files containing PII will be stored in your digital filing system. Include information regarding when and how you will periodically check that PII is being stored in accordance with the policy.
  - ✓ Clearly distinguish between files that do and do not contain PII.
  - ✓ Consult with your organization's information technology experts to deploy appropriate security measures (e.g. file and digital media encryption, two-factor authentication, limiting which users can access files containing PII).
5. Additional File Protection Guidance
- ✓ Do not remove PII from authorized facilities without approval from an appropriate party (preferably in writing).
  - ✓ Do not use interoffice or translucent envelopes to send PII within or between agency facilities; instead, use sealable (and sealed) envelopes marked to the recipient's attention.
  - ✓ Double-wrap any envelopes sent via the United States Postal Service (USPS) or equivalent service and mark them as confidential to the recipient's attention.
  - ✓ Require a signature from the recipient when sending PII via courier or equivalent service.
6. Electronic Transmissions of PII
- ✓ When faxing PII: use date stamps, confirm the recipient's fax number, confirm the recipient is available to receive the fax, and confirm that they receive the fax. Also, ensure that your fax machine does not store a record of the transmission that renders PII retrievable, shred your physical copy of the transmission once you have confirmed it arrived, and, whenever possible, use a fax machine with a secure transmission line.
  - ✓ When emailing PII: confirm the recipient's email address, confirm receipt of the email, and whenever possible, send PII exclusively between two secure (encrypted) email servers. (Consult with your organization's information technology experts if you are not sure.)

## **APPENDIX H: Personally Identifying Information (PII) ESG Policy**

- ✓ If you must send PII to an unencrypted email server, ensure that the PII is contained within an encrypted file attached to the email.
  - ✓ Do not store PII on shared drives, calendars, your intranet, or any unsecured or publicly accessible location on the internet.
7. Record Management, Retention and Disposal
- ✓ Do not maintain records for longer than required (by statute, regulation, or contract) unless there is a compelling reason to do so and unless the extended period of retention is approved by the appropriate person within your agency. (For the record retention period for ESG participant information, refer to 24 CFR 576.500(x-z).)
  - ✓ Once you have determined that a record can be disposed of, destroy the record permanently. Physical records should be shredded. Electronic records should be permanently erased; for more information about how to permanently erase an electronic record, consult with your information technology experts.
8. Data Breach Response
- ✓ A data breach means that PII has been viewed by, leaked to, or accessed by someone who was not authorized to view, access, or receive it.
  - ✓ Responses will depend on the nature or severity of the breach, but in general and at minimum should involve re-securing the information.
  - ✓ HUD requests that ESG recipients and subrecipients report any breaches or suspected breaches of SPII within the ESG program to HUD's National Help Desk at 1-888-297-8689.

### **Requirement for IVCCC subrecipients**

IVCCC subrecipients and subcontractors shall adopt, at a minimum, this PII Policy and Procedures as a baseline. Further, IVCCC subrecipients may develop their own PII policies and procedures as long as it contains, at the very minimum, the requirements of the policy and does not conflict with this Policy.