

Annual Recertification

The family must complete Annual Reexaminations in accordance with Chapter 11 Part 1, of this Administrative Policy (Chapter 11 Part 1, Annual Reexaminations [24 CFR 982.516]) During each annual re-certification, the family is required to document that it is current on mortgage, insurance and utility payments.

Notice of Move-Out and Mortgage Default

The family must notify HACCC of its intent to move out of the home by supplying HACCC with an advanced written thirty-day notice.

The family will notify HACCC in advance if any family member who owns, in whole or in part, any ownership interest in the home moves out.

Changes in Family Income or Household Composition

The Family must inform HACCC of any changes in the sources and amounts of family income and notify HACCC of any changes in the family composition in accordance with Chapter 11, Part II of this Administrative Policy (Chapter 11 Part 2, Interim Reexaminations [24 CFR 982.516])

Refinancing

The family must obtain written approval from the HACCC before securing any refinance or equity loan.

During the time the family receives homeownership assistance, no family member may have any ownership interest in any other residential property.

Other Continued Family Obligations

The family must:

1. Sign a release allowing HACCC, counselors, realtors, and participating lenders to exchange information on the borrower.
2. Agree to maintain the condition of the home to comply with minimum HUD Housing Quality Standards (HQS).
3. Acknowledge that the termination of assistance shall be in accordance with program requirements and the Administrative Plan.
4. Acknowledge that the family is obligated for the whole mortgage payment in the event of termination of assistance.

5. Not sublease or assign the property.

~~5-6. Refinancing a mortgage to cash out equity that will be used to purchase a second home is prohibited for participants of the Homeownership Program.~~

15-VII.J. MAXIMUM TERM OF HOMEOWNER ASSISTANCE [24 CFR 982.634]

Except in the case of a family that qualifies as an elderly or disabled family, other family members (described below) shall not receive homeownership assistance for more than:

16-IX.F. TEMPORARY COVID-19 CHANGES TO THE ADMINISTRATIVE PLAN AND EMERGENCY RESPONSE ACTIONS

HOUSING CHOICE VOUCHER PROGRAM TEMPORARY CHANGES TO POLICIES AND PROCEDURES IN RESPONSE TO COVID-19

HUD has facilitated the adoption of specific waiver authority by PHAs in an effort to ensure operations are not impacted and families can continue to be served during the Shelter in Place Order by the Public Health Director and Emergency Declarations made by the Governor of California and the President of the United States.

Pursuant to PIH Notice 2020-05 issued on April 10, 2020, HACCC has adopted the following waivers and modified its policies and procedures to implement said waivers. These waivers were adopted effective April 14, 2020 and expire as indicated below.

1. PH & HCV - 3: Family Income and Composition; Annual Examination-Income Verification requirements

HUD is waiving the requirement that PHAs must use the income hierarchy described by PIH Notice 2018-18. HUD will allow PHAs to forgo third-party income verification requirements for annual reexaminations, including the use of EIV, if a PHA opts to conduct annual recertifications rather than delaying them. PHAs may consider self-certification as the highest form of income verification to process annual reexaminations. This may occur over the telephone (but must be documented for the written record by PHA staff), through an email or postal mail with a self-certification form by the tenant, or through other electronic communication. Income and family composition examinations and recertifications do not have to be conducted in-person.

Policy Change:

HACCC will consider written and verbal self-declarations submitted by household adults as primary verification of income and process reexaminations based on the self-certification. Where available, third-party verification will be accepted to augment or support the self-certification. The HUD Hierarchy and Techniques is suspended and will not be in effect during the HUD declared period.

Expires: July 31, 2020
Extended to 12/31/2021⁰

2. PH & HCV - 4: Family Income and Composition; Interim Examinations

HUD is waiving the requirements to use the income hierarchy described by PIH Notice 2018-18 and will allow PHAs to forgo third-party income verifications, including EIV. PHAs may consider self-certification as the highest form of income verification for interim reexaminations. Interim reexaminations are not required to be held in-person.

Policy Change:

HACCC will consider written and verbal self-declarations submitted by household adults as primary verification of income and process reexaminations based on the self-certification. Where available, third-party verification will be accepted to augment or support the self-

certification. The HUD Hierarchy and Techniques is suspended and will not be in effect during the HUD declared period.

Expires: July 31, 2020
~~Extended to 12/31/2021~~
~~Extended to 6/30/2024~~

3. PH & HCV - 5: Enterprise Income Verification (EIV) Monitoring

HUD is waiving mandatory EIV monitoring requirements found in PHH Notice 2018-18 through July 31, 2020.

Policy Change:

HACCC will not review EIV reports until the end of the waiver authority period. In the event of discrepancies, the family will be required to submit corroborating evidence of declarations.

Expires: July 31, 2020
~~Extended to 12/31/2021~~
~~Extended to 6/30/2024~~

4. PH & HCV - 6: Family Self-Sufficiency (FSS) Contract of Participation; Contract Extension

HUD will consider the circumstances surrounding COVID-19 to qualify as "good cause" to extend a family's contract of participation in the FSS program for no more than 2 years through December 31, 2020.

HACCC Policy:

As needed, HACCC shall extend FSS Contracts of Participation for a period of up to two years.

Expires: December 31, 2020
~~Extended to 12/31/2021~~
~~Extended to 6/30/2024~~

5. HQS - 1: Initial Inspection Requirements

A PHA may rely on the owner's certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit instead of conducting an initial inspection. A PHA may add other requirements or conditions to the owner's certification. The PHA is required to conduct an HQS inspection on the units as soon as reasonably possible, but no later than October 31, 2020. The waiver may also apply to PHA-owned units.

HACCC Policy:

HACCC shall continue to conduct in-person initial inspections where possible. If the owner or family refuses to grant access during COVID-19 restrictions, the owner and tenant will both be required to complete a self-certification of the condition of the unit. In addition,

where feasible, HACCC shall require that a video file be submitted as documentation of the condition of the unit. The alternative to a video file would be photo evidence of all rooms, and amenities in the unit. All files will be documented with the Certifications and an Inspection template, Form HUD 52580, remotely completed by staff. All Initial self-certification inspections shall be signed by the owner and tenant.

Once the COVID-19 restrictions are lifted, all self-certified initial inspections will be inspected in person by October 31, 2020 or by an alternative date determined by HUD.

Expires: July 31, 2020
~~Extended to 12/31/2021~~
~~Extended to 6/30/2021~~

6. HQS - 2: Project-Based Voucher (PBV) Pre-HAP Contract Inspections, PHA Acceptance of Complete Units

A PHA may rely on the owner's certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit. A PHA may add other requirements. The PHA must conduct an HQS inspection no later than October 31, 2020 but must do so as soon as reasonably possible. If there's a requirement under the Agreement to enter into a Housing Assistance Payment (HAP) contract for newly constructed or rehabilitated projects, the PHA may choose to allow the owner to certify that the PHA requirement has been met. The waiver may also apply to PHA-owned units, if the independent entity is unable to perform the inspection.

HACCC Policy:

HACCC shall continue to conduct in-person initial inspections where possible. If the owner or family refuses to grant access during COVID-19 restrictions, the owner and tenant will both be required to complete a self-certification of the condition of the unit. In addition, where feasible, HACCC shall require that a video file be submitted as documentation of the condition of the unit. The alternative to a video file would be photo evidence of all rooms, and amenities in the unit. All files will be documented with the Certifications and an Inspection template, Form HUD 52580, remotely completed by staff. All Initial self-certification inspections shall be signed by the owner and tenant.

Once the COVID-19 restrictions are lifted, all self-certified initial inspections will be inspected in person by October 31, 2020 or by an alternative date determined by HUD.

Expires: July 31, 2020
~~Extended to 12/31/2021~~
~~Extended to 6/30/2021~~

7. HQS - 5: Biennial Inspections

HUD is waiving the requirement that PHAs inspect the unit not less than biennially (certain small, rural PHAs may inspect units triennially). All delayed biennial inspections must be completed as soon as reasonably possible, but no later than October 31, 2020. This waiver

may be applied to PHA-owned units if the independent entity is unable to perform the inspection.

HACCC Policy:

All Annual/Biennial inspections will be postponed until COVID-19 restrictions are lifted. HACCC will document all tenant files with a flyer to document this delay. Once restrictions are lifted all delayed HQS inspections will be conducted by October 31, 2020 or alternative date as determined by HUD.

Expires: October 31, 2020

~~Extended to 6/30/2021~~ and all self-certification HQS must be inspected ~~by 12/31/2021~~ within one year of its original due date.

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8. HQS - 6: Interim Inspections

The waiver states that if an HQS reported deficiency is life-threatening, the PHA must notify the owner of the reported life-threatening deficiency and the owner must correct it within 24 hours of the PHA notification or provide documentation that the deficiency does not exist. For non-life-threatening deficiencies, the PHA must notify the owner within 30 days and the owner must either make the repair or document that the deficiency does not exist within 30 days of the PHA notification. The PHA may add other requirements. The PHA is not required to conduct an on-site inspection to verify the repairs have been made, but may rely on alternative verification methods (photos, tenant certification, etc.). This waiver may apply to PHA-owned units where the independent entity is unable to perform the inspection.

HACCC Policy:

HACCC shall continue to conduct in-person Interim inspections where possible. If the owner or family refuses to grant access during COVID-19 restrictions, the owner and tenant will be required to complete a self-certification of the condition of the unit. In addition, where feasible, HACCC shall require that a video file be submitted as documentation of the condition of the unit. The alternative to a video file would be photo evidence of all rooms, and amenities in the unit. All files will be documented with the Certifications and an Inspection template, Form HUD 52580, remotely completed by staff. All Initial self-certification inspections shall be signed by the owner and tenant.

If repairs to the unit are needed, the owner and/or tenant will be required to submit picture or video evidence of all corrected deficiencies along with any receipts for services or materials as applicable within 24 hours or 30 days, depending on the failed item. The tenant shall confirm the repairs are completed by certification or by verbal confirmation to staff who will document the conversation for the tenant file

Expires: July 31, 2020

~~Extended to 12/31/2021~~

~~Extended to 6/30/2021~~

9. HQS - 7: PBV Turnover Unit Inspections

The Department is waiving the regulation that requires a PBV unit inspection before the unit is leased to a new family. The PHA may rely on the owner's certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit. The PHA may add other requirements. The waiver may be applied to PHA-owned units if the independent entity is unable to complete inspections.

HACCC Policy:

HACCC shall continue to conduct in-person initial inspections where possible. If the owner or family refuses to grant access during COVID-19 restrictions, the owner and tenant will be required to complete a self-certification of the condition of the unit. In addition, where feasible, HACCC shall require that a video file be submitted as documentation of the condition of the unit. The alternative to a video file would be photo evidence of all rooms, and amenities in the unit. All files will be documented with the Certifications and an Inspection template, Form HUD 52580, remotely completed by staff. All Initial self-certification inspections shall be signed by the owner and tenant.

Once the COVID-19 restrictions are lifted, all self-certified initial inspections will be inspected in person by October 31, 2020 or alternative date determined by HUD.

Expires: July 31, 2020

~~Extended to 12/31/2021~~ ~~Extended to 6/30/2021~~ and all self-certification HQS must be inspected within one year of its original due date, by 12/31/2021

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10. HQS - 8: PBV HAP Contract – HQS Inspections to Add or Substitute Units

The Department is waiving the HQS inspection requirement when substituting or adding a new unit to a PBV HAP contract. Instead, the PHA may rely on the owner's certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit. The PHA may add other conditions. The waiver may also be applied to PHA-owned units.

HACCC Policy:

HACCC shall continue to conduct in-person initial inspections where possible. If the owner or family refuses to grant access during COVID-19 restrictions, the owner and tenant will both be required to complete a self-certification of the condition of the unit. In addition, where feasible, HACCC shall require that a video file be submitted as documentation of the condition of the unit. The alternative to a video file would be photo evidence of all rooms, and amenities in the unit. All files will be documented with the Certifications and an Inspection template, Form HUD 52580, remotely completed by staff. All Initial self-certification inspections shall be signed by the owner and tenant.

Once the COVID-19 restrictions are lifted, all self-certified initial inspections will be inspected in person by October 31, 2020 or by an alternative date determined by HUD.

~~Extended to 12/31/2021 and all self-certification HQS must be inspected within one year of its original due date.~~ ~~Extended to 6/30/2021 and all self-certification HQS must be inspected by 12/31/2021~~

11. HQS - 9: HQS Quality Control Inspections

HUD is waiving its supervisory quality control inspections until October 31, 2020.

HACCC Policy:

HACCC will not conduct monthly quality control inspections of completed inspections. HACCC will resume QC Inspections in November, 2020 or alternative date as determined by HUD.

Expires: October 31, 2020

~~Extended to 12/31/2021~~

~~Extended to 6/30/2021~~

12. HQS - 10: HQS Space and Security

HUD is waiving the regulation requiring one bedroom for every two people where the PHA wishes to assist a current participant that needs to add a member or members to the assisted household as a result of the COVID-19 emergency. This waiver does not apply to an initial or new lease.

HACCC Policy:

HACCC shall permit the addition of family members to existing tenancies even if it results in overcrowding. The family will not be issued a different-sized voucher to accommodate the change in the family size during or after COVID-19, but the added members will be permitted to live in the unit and the entire household's income will be included in calculation of the tenant rent portion. The tenant file will be documented that the over-crowded condition was a result of the COVID-19 response.

Expires: ~~Extended to 12/31/2021~~ ~~Extended to 6/30/2021~~ remains in effect 1 year from lease term or date of PHA Notice 20210-1422 (05/14/2021), whichever is longer

13. HQS - 11: Homeownership Option – Initial HQS Inspection

HUD is waiving the requirement for an initial HQS inspection before commencing monthly homeownership assistance payments. The family is still required to obtain an independent professional inspector and the PHA is still required to review the independent inspection and has discretion to disapprove the unit because of the contents of the inspection report.

HACCC Policy:

HACCC will continue to review the Home Inspection to ensure compliance to physical standards. However, HQS inspections will not be done by HACCC until HUD imposed expiration of this provision.

Expires: July 31, 2020

Extended to 12/31/2021
~~Extended to 6/30/2021~~

14. HCV - 1: Administrative Plan

HUD is waiving the requirement that a PHA's administrative plan must be formally adopted by a PHA's board. Must be formerly adopted as practicable following June 30, 2020, but no later than July 31, 2020.

HACCC Policy:

HACCC will update the Administrative Plan as needed and required by HUD where permitted without Board of Commissioners approval and will bring all changes implemented to the Board by the HUD determined deadline.

Expires: June 30, 2020 and must be presented to the Board by July 31, 2020.

Expires 3/31/2021 and policies must be presented to the Board by June 30, 2021

Expires 9/30/2021 and policies must be presented to the Board by December 31, 2021.

15. HCV - 2: Information When Family Is Selected – PHA Oral Briefing

HUD is waiving the requirement that the PHA must give an oral briefing to families in the HCV and PBV programs. The PHA must instead conduct the briefing by other means such as webcast, video call, expanded information packet. The PHA must ensure that the method of communication for the briefing effectively communicates with each family member, including those with vision, hearing, and other communication-related disabilities and those with persons with limited English proficiency.

HACCC Policy:

HACCC shall conduct briefings for new participants and households moving to other units by telephone or other electronic means and refer them to our website for the briefing packet or mail it to the family to have and follow along with staff during the phone briefing. The tenant file will be documented with the date and time of the remote briefing and how the briefing packet was provided to them.

Expires: July 31, 2020

Extended to 12/31/2021

~~Extended to 6/30/2021~~

16. HCV - 3: Term of Voucher – Extensions of Term

HUD is waiving the requirement the voucher term extensions must be in accordance with the PHA administrative plan.

HACCC Policy:

HACCC already has a liberal policy of granting voucher extensions especially as a result of its restrictive rental market. HACCC is waiving the requirement that the family provide evidence of their housing search in order to be granted an extension of their voucher search period.

Expires: July 31, 2020

~~Extended to 12/31/2021~~ ~~Extended to 6/30/2021~~

17. HCV - 4: PHA Approval of Assisted Tenancy – When HAP Contract is Executed

HUD is waiving the regulatory requirement that the HAP contract may not be executed 60 days after the lease term begins and will instead allow PHAs to execute the HAP contract after the 60-day deadline has passed and make housing assistance payments retroactive to the beginning of the lease term. However, the PHA and owner must execute the HAP contract no later than 120 days from the beginning of the lease term.

HACCC Policy:

HACCC will continue to require that contract be processed within 60 days after the lease begins. The waiver authority is being incorporated for special circumstances at the discretion of the Director of the Assisted Housing Programs.

Expires: July 31, 2020

~~Extended to 12/31/2021~~

~~Extended to 6/30/2021~~

18. HCV - 5: Absence From Unit

The Department is waiving the requirement that a voucher family may not be absent from a unit for a period of more than 180 consecutive calendar days. The PHA has discretion whether to continue the HAP contract in this situation and not terminate due to extenuating circumstances (e.g., hospitalization, extended stays at nursing homes, or caring for family members). The period of availability to continue making these HAP payments despite the family's absence ends on December 31, 2020. The PHA may not make payments after this date if the family is absent and the HAP contract will terminate.

HACCC Policy:

HACCC shall document the absence of any family member and indicate the expected return date of the absent family member(s). No action will be taken to remove the family member before the HUD expiration deadline. Thereafter, unless proper documentation is presented regarding extenuating circumstances, the HAP Contract will be terminated.

Expires: December 31, 2020

~~Extended to 12/31/2021~~

~~Extended to 6/30/2021~~

19. HCV - 6: Automatic Termination of HAP Contract

The Department is waiving the requirement to terminate a HAP contract 180 days after a housing assistance payment is reduced to \$0. This is in recognition that the COVID-19 emergency may cause the temporary addition of household members which causes the calculation of HAP to reach \$0. As an alternative requirement, the PHA, following a written notice to the owner and family, may extend the period of time following the last payment to the owner that triggers the automatic termination.

HACCC Policy:

HACCC shall not terminate HAP Contracts with \$0 subsidy for 6 months or more until the COVID-19 restrictions expire. Tenant files will be documented as deliberate non-terminations due to COVID-19 responses. Thereafter, all contracts that are at \$0 subsidy for 6 months or more will be reviewed to determine if extenuating circumstances exist to not terminate the HAP Contract.

Expires: December 31, 2020

~~Extended to 12/31/2021~~

~~Extended to 6/30/2021~~

20. HCV - 7: Increase in Payment Standard under HAP contract term

The Department is waiving the requirement that if a payment standard is increased during the term of a HAP contract, the increased payment standard shall not be effective until the family's first regular reexamination. Instead, the increased payment standard may be effective at any time (e.g., interim reexamination, owner rent increase) after the effective date as long as it is not later than the family's first regular reexamination.

HACCC Policy:

HACCC does not have a situation that would warrant changes as a result of an increase in the Payment Standard. However, due to a decrease in the payment standards effective April 1, 2019, for studio to three-bedroom units in all cities not in East County, it was anticipated that some families would experience increases in their tenant rent portion effective June 1, 2020, since this would be their second annual certification since the decrease in payment standard. HACCC has revised the Payment Standard for studio to three-bedroom units for all cities not in East County so that families will not experience a rent increase, as a result of the previously reduced payment standard, at their next annual recertification.

Expires: December 31, 2020

~~Extended to 12/31/2021~~

~~Extended to 6/30/2021~~

21. HCV – 14: Mandatory Removal of Unit from PBV HAP Contract

Under the PBV program, a PHA is required to remove a unit from a PBV HAP contract after 180 days of zero housing assistance payments to the unit owner on behalf of the family residing in the unit. This situation arises when the family increases its income to such an extent that it no longer requires housing assistance. In recognition that the COVID-19 pandemic is creating uncertainty for owners and families, HUD is waiving this requirement. As an alternative requirement, HUD is authorizing a PHA at its discretion to keep such units under contract for a period of time that exceeds 180 days but does not extend beyond June 30, 2021.

HACCC Policy:

HACCC shall not remove a unit from the HAP Contract if the family is at zero subsidy for a period of more than 180 days but no later than June 30, 2021 if they remain in occupancy of the PBV unit. HACCC shall resume housing assistance payments on behalf of a family residing in such a unit should the family's income change at any point during the period of time covered by the extension.

Expires: June 30, 2021.
Extended to 12/31/2021

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22. PHAS, SEMAP and Financial Reporting Standards (b): SEMAP (Section Eight Management Assessment Program)

HUD will not issue SEMAP scores that are pending or for fiscal years ending in 2020 unless a PHA requests a SEMAP score. HUD will, instead, carry forward the PHAs most recent SEMAP score on record.

HACCC Policy:

HACCC will not submit a SEMAP score for FY2020. It will request that HUD carry forward their SEMAP score from 2019 which indicated that HACCC was a High Performer for its Housing Choice Voucher Program.

Expires: March 31, 2021
Extended to 12/31/2021
~~Extended to 6/30/2021~~

23. Other Waivers (a): PHA Reporting Requirements on HUD Form 50058

HUD is waiving the requirement that PHAs must submit form HUD-50058 60 calendar days after any action recorded on line 2b for transactions impacted by implemented waivers and alternative requirements. Through December 31, 2020, PHAs will have 90 days to submit their form HUD-50058 after the effective date of action to HUD. Although the waiver provides up to 90 days to submit form HUD-50058, HUD encourages PHAs that have operational capacity to continue submitting form HUD-50058 within the normal 60-day timeframe. HUD will issue guidance in the near future that will provide PHAs with workarounds to ensure that the delayed submission of form HUD-50058 does not cause any fatal errors in the IMS-PIC system.

HACCC Policy:

HACCC will continue to submit data to the HUD PIC Database within 60 days after the completion of any transaction recorded in its system. However, if circumstances result in delays or overwhelm staffing capacity during the COVID-19 response period, HACCC will ensure that submissions are made within 90 days.

Expires: December 31, 2020
Extended to 12/31/2021
~~Extended to 6/30/2021~~

24. Repayment Agreements

Families are required to make repayments on unreported income or non-payment of rent on Repayment Agreements executed between the tenant and /or and HACCC. HACCC recognizes that COVID-19 has resulted in many households having their monthly income affected by loss of employment, layoff or reduction in hours worked.

HACCC Policy:

In the event of hardship, HACCC shall suspend a households repayment agreement until July 31, 2020 or alternative deadline for temporary waivers as determined by HUD.

Expires: July 31, 2020

~~Extended to 12/31/2021~~

~~Extended to 6/30/2021~~

25. MS – 03: Mainstream Age Eligibility to Enter HAP Contract Statutory Authority

As an alternative requirement, the PHA may choose to expand the definition of an eligible non-elderly family member to include those who were issued a voucher prior to turning 62 and were not yet 63 on the effective date of the HAP Contract.

HACCC Policy:

HACCC shall permit to lease into a unit any Mainstream participant who is less than 62 years of age when the voucher is issued and may be 62 but not 63 years of ~~age prior~~ age prior to the effective date of the HAP Contract.

Expires: June 30, 2021

~~Extended to 12/31/2021~~

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HUD McKinney-Vento Homeless Assistance Act as amended by the HEARTH Act and contained in the Continuum of Care at 24 CFR § 578.3. (50 Points)

Eligible in-place families as described as described in Section 17-VI.B. (200 Points);

Eligible households from the Housing Choice Voucher Wait List. (150 Points);

Current or former members of the U.S. Armed Forces, veterans, or surviving spouses of veterans (as required by state law) (1 Point);

~~Applicants who live, work or have been hired to work in the City wherein the housing units are located. (22 Points);~~

Applicants who live, work or have been hired to work in HACCC's jurisdiction (all of Contra Costa County) The use of a residency preference will not have the purpose or effect of delaying or otherwise denying admission to the program based on the race, color, ethnic origin, gender, religion, disability, or age of any member of an applicant family;

- Eligibility for this preference must be demonstrated by having a permanent physical residence within the jurisdictional area. Physical residence shall be defined as a domicile with a mailing address, other than a P.O. Box, for which the applicant can produce one or more of the following: a lease or purchase agreement, utility bills in their name showing the stated address, two pieces of ~~first-class~~first-class mail addressed to the applicant or a member of their household at the stated address. In certain circumstances of homelessness, third party verification from service agencies, clergy, merchants or other reliable source can be substituted subject to the approval of HACCC. (10 Points)

Applicants who have been involuntarily displaced from housing due to a federal or state declared disaster, government action (e.g., code enforcement, public improvement or development, Government action will also include participants in a witness protection program) or action by a housing owner that is beyond an applicant's ability to control and which occurs despite the applicant's having met all previous conditions of occupancy, and is other than a rent increase (e.g. conversion of a unit to non-rental or residential use, owner wants the property for personal use, foreclosure). If the owner is an immediate family relative and there has been no previous rental agreement and the applicant has been part of the owner's family immediately prior to application, the applicant will not be considered involuntarily displaced. To receive this preference, applicants must not be living in standard, permanent replacement housing. (~~state~~State law requires a preference in cases of displacement by public or private action) (20 Points);

Formerly homeless families who have graduated from a Contra Costa County Continuum of Care (COC) funded permanent supportive housing program, or another homeless housing program participating in the COC Coordinated Entry system, that partners with

Temporary Policy Supplement

EMERGENCY HOUSING VOUCHERS (EHVs)

INTRODUCTION

On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 (ARP) (P.L. 117-2). Section 3202 of the ARP appropriated \$5 billion for the creation, administration, and renewal of new incremental emergency housing vouchers (EHVs) and other eligible expenses related to COVID-19.

On May 5, 2021, HUD issued Notice PIH 2021-15, which described HUD's process for allocating approximately 70,000 EHVs to eligible PHAs and set forth the operating requirements for PHAs who administer them. Based on criteria outlined in the notice, HUD notified eligible PHAs of the number of EHVs allocated to their agency, and PHAs were able to accept or decline the invitation to participate in the program.

PHAs may not project-base EHVs. EHVs are exclusively tenant-based assistance.

All applicable nondiscrimination and equal opportunity requirements apply to the EHV program, including requirements that the PHA grant reasonable accommodations to persons with disabilities, effectively communicate with persons with disabilities, and ensure meaningful access for persons with limited English proficiency (LEP).

This chapter describes HUD regulations and PHA policies for administering EHVs. The policies outlined in this chapter are organized into seven sections, as follows:

Part I: Funding

Part II: Partnering Agencies

Part III: Waiting List Management

Part IV: Family Eligibility

Part V: Housing Search and Leasing

Part VI: Use of Funds, Reporting, and Financial Records

Except as addressed by this chapter and as required under federal statute and HUD requirements, the general requirements of the HCV program apply to EHVs.

PART I: FUNDING

TPS-1A. FUNDING OVERVIEW

The American Rescue Plan Act of 2021 (ARP) provides administrative fees and funding for the costs of administering emergency housing vouchers (EHVs) and other eligible expenses defined in Notice PHH 2021-15. These fees may only be used for EHV administration and other eligible expenses and must not be used for or applied to other PHA programs or vouchers. The PHA must maintain separate financial records from its regular HCV funding for all EHV funding.

Housing Assistance Payments (HAP) Funding

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

The initial funding term will expire December 31, 2022. HUD will provide renewal funding to the PHA for the EHVs on a calendar year (CY) basis commencing with CY 2023. The renewal funding allocation will be based on the PHA's actual EHV HAP costs in leasing, similar to the renewal process for the regular HCV program. EHV renewal funding is not part of the annual HCV renewal funding formula; EHVs are renewed separately from the regular HCV program. All renewal funding for the duration of the EHV program has been appropriated as part of the ARP funding.

Administrative Fee and Funding

The following four types of fees and funding are allocated as part of the EHV program:

- Preliminary fees support immediate start-up costs that the PHA will incur in implementing alternative requirements under EHV, such as outreach and coordination with partnering agencies:
 - \$400 per EHV allocated to the PHA, once the consolidated annual contributions contract (CACC) is amended.
 - This fee may be used for any eligible administrative expenses related to EHVs.
 - The fee may also be used to pay for any eligible activities under EHV service fees (TPS-1B).
- Placement fees/expedited issuance reporting fees will support initial lease-up costs and the added cost and effort required to expedite leasing of EHVs:
 - \$100 for each EHV initially leased, if the PHA reports the voucher issuance date in Public Housing Information Center-Next Generation (PIC-NG) system within 14 days of voucher issuance or the date the system becomes available for reporting.
 - Placement fees:
 - o \$500 for each EHV family placed under a HAP contract effective within four months of the effective date of the ACC funding increment; or
 - o \$250 for each EHV family placed under a HAP contract effective after four months but less than six months after the effective date of the ACC funding increment.

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o HUD will determine placement fees in the event of multiple EHV allocations and funding increment effective dates.

- Placement/expedited issuance fees only apply to the initial leasing of the voucher; they are not paid for family moves or to turnover vouchers.

• Ongoing administrative fees, which are calculated in the same way as the standard HCV program:

- PHAs are allocated administrative fees using the full column A administrative fee amount for each EHV under contract as of the first day of each month.

- Ongoing EHV administrative fees may be subject to proration in future years, based on available EHV funding.

• Services fees, which are a one-time fee to support PHAs' efforts to implement and operate an effective EHV services program in its jurisdiction (TPS-LB):

- The fee is allocated once the PHA's CACC is amended to reflect EHV funding.

- The amount allocated is \$3,500 for each EHV allocated.

TPS-LB. SERVICE FEES

Services fee funding must be initially used for defined eligible uses and not for other administrative expenses of operating the EHV program. Service fees fall into four categories:

• Housing search assistance

• Security deposit/utility deposit/rental application/holding fee uses

• Owner-related uses

• Other eligible uses such as moving expenses or tenant-readiness services

The PHA must establish the eligible uses and the parameters and requirements for service fees in the PHA's administrative plan.

HACCC Policy

The eligible uses for service fees include:

Housing search assistance, which may include activities such as, but not limited to, helping a family identify and visit potentially available units during their housing search, helping to find a unit that meets the household's disability-related needs, providing transportation and directions, assisting with the completion of rental applications and HACCC forms, and helping to expedite the EHV leasing process for the family.

Application fees/non-refundable administrative or processing fees/refundable application deposit assistance. HACCC may choose to assist the family with some or all these expenses.

Security deposit assistance. The amount of the security deposit assistance may not exceed the lesser of two months' rent to owner, the maximum security deposit allowed under applicable state and/or local law, the actual security deposit required by the owner or the per-household \$3,500 service fee. HACCC reserves the right to pay the security

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deposit assistance directly to the owner or may pay the assistance to the family. If paid to the family, the PHA will require documentation that the family paid the security deposit.

Utility deposit assistance/utility arrears. HACCC may provide utility deposit assistance for some or all of the family's utility deposit expenses. Assistance can be provided for deposits (including connection fees) required for the utilities to be supplied by the tenant under the lease. HACCC may pay the utility deposit assistance directly to the utility company or may pay the assistance to the family. If paid to the family, HACCC will require documentation the family paid the utility deposit. HACCC will require the utility supplier to return the utility deposit assistance to the family at such time the deposit is returned by the utility supplier (less any amounts retained by the utility supplier). In addition, some families may have large balances with gas, electric, water, sewer, or trash companies that will make it difficult if not impossible to establish services for tenant-supplied utilities. HACCC may also provide the family with assistance to help address these utility arrears to facilitate leasing. Utility deposit assistance returned to HACCC will be used for either services fee eligible uses or other FHV administrative costs, as required by HUD.

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

Tenant-readiness services. HACCC may use fees to help mitigate barriers that individual families may face in renting a unit with an FHV, such as negative credit, lack of credit, negative rental or utility history, or to connect the family to other community resources (including COVID-related resources) that can assist with rental arrears.

Essential household items. HACCC may use services fee funding to assist the family with some or all of the costs of acquiring essential household items such as tableware, cooking equipment, beds or bedding, and essential sanitary products such as soap and toiletries.

Any services fee assistance that is returned to HACCC after its initial or subsequent use may only be applied to the eligible services fee uses defined in Notice PHH 2021-15 (or subsequent notice) or other FHV administrative costs. Any amounts not expended for these eligible uses when the HACCC's FHV program ends must be remitted to HUD.

PART II: PARTNERING AGENCIES

TPS-II.A. CONTINUUM OF CARE (CoC)

PIAs that accept an allocation of EHV are required to enter into a Memorandum of Understanding (MOU) with the Continuum of Care (CoC) to establish a partnership for the administration of EHV.

PIA Policy

The PIA has entered into an MOU with the Department of Health, Housing and Homeless Services as custodian of the Continuum of Care of Contra Costa County to assist and provide services on behalf of EHV participating households. See Exhibit TPS-1 for a copy of the MOU.

TPS-II.B. OTHER PARTNERING ORGANIZATIONS

The PIA may, but is not required to, partner with other organizations trusted by persons experiencing homelessness, such as victim services providers (VSPs) and other community partners. If the PIA chooses to partner with such agencies, the PIA must either enter into an MOU with the partnering agency or the partnering agency may be added to the MOU between the PIA and CoC.

HACCC Policy

HACCC has not added any third-party service providers to the MOU between the HACCC and CoC as contributing partners to assist and provide services on behalf of EHV participating households at this time. See Exhibit TPS-1 for a copy of the MOU.

TPS-II.C. REFERRALS

CoC and Partnering Agency Referrals

The primary responsibility of the CoC under the MOU with the PIA is to make direct referrals of qualifying individuals and families to the PIA. The PIA must generally refer a family that is seeking EHV assistance directly from the PIA to the CoC or other referring agency for initial intake, assessment, and possible referral for EHV assistance. Partner CoCs are responsible for determining whether the family qualifies under one of the four eligibility categories for EHV. The CoC or other direct referral partner must provide supporting documentation to the PIA of the referring agency's verification that the family meets one of the four eligible categories for EHV assistance.

HACCC Policy

The CoC or partnering agency must establish and implement a system to identify EHV-eligible individuals and families within the agency's caseload and make referrals to the HACCC. The CoC or other partnering agency must certify that the EHV applicants they refer to HACCC meet at least one of the four EHV eligibility criteria. HACCC will maintain a copy of the referral or certification from the CoC or other partnering agency in the participant's file along with other eligibility paperwork. Homeless service providers shall use the certification form found in Exhibit TPS-2 of this chapter. Victim services

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providers shall use the certification form found in Exhibit TPS-3 of this chapter when identifying eligible families who qualify as victims of human trafficking.

As part of the MOU, HACCC and CoC or other partnering agency will identify staff positions to serve as EHV liaisons. These positions will be responsible for transmission and acceptance of referrals. The CoC or partnering agency must commit sufficient staff and resources to ensure eligible individuals and families are identified and determined eligible in a timely manner.

HACCC liaison responsible for acceptance of referrals will contact the CoC or partnering agency liaison via email indicating the number of vouchers available and requesting an appropriate number of referrals. No more than five business days from the date the CoC or partnering agency receives this notification, the CoC or partnering agency liaison will provide HACCC with a list of eligible referrals including the name, address, and contact phone number for each adult individual who is being referred; a completed release form for each adult family member; and a written certification for each referral indicating they are EHV-eligible.

HACCC and CoC have determined that the best approach to utilize the EHV is to create better flow and mobility within the supportive housing and sheltered community. Households who were initially directed to Permanent Supportive Housing (PSH) through the Coordinated Entry System or are eligible for Moving On prioritization would best be served ahead of all other categories. Households that are identified as no longer needing a higher level of care or services and ready to transition to a permanent assisted housing option using the EHV would be prioritized to move out of the PSH/RRH units and make them available for other families who need those service-enriched housing options. This would increase the flow of housing opportunities within the CoC and would also open up PSH/RRH slots for those who need the level of services and subsidy that come with PSH/RRH. In addition, as a third priority category, HACCC and the CoC will direct EHV to eligible homeless families pursuant to the HUD definition of homelessness indicated above.

A. Moving On

As part of its strategic priority to end homelessness, the Continuum of Care (CoC) has adopted Moving On strategies in the community for clients in permanent supportive housing (PSH) who may no longer need or want the intensive services offered in PSH but continue to need assistance to maintain their housing. Moving On strategies challenge a community to create partnerships between the CoC and mainstream housing programs such as the Housing Choice Voucher (HCV) program, and HUD-funded multifamily housing providers.

Moving On enables tenants to move on from supportive housing by offering affordable housing and connections to other resources. This may include a physical move to a new home, or a 'transition in place' arrangement where the services move on to another tenant. The decision to pursue Moving On is always voluntary and driven by the tenant.

B. Permanent Supportive Housing

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Permanent supportive housing is an intervention that combines affordable housing assistance with voluntary support services to address the needs of chronically homeless people. The services are designed to build independent living and tenancy skills and connect people with community-based health care, treatment and employment services.

Permanent supportive housing is permanent housing with indefinite leasing or rental assistance paired with supportive services to assist homeless persons with a disability or families with an adult or child member with a disability achieve housing stability.

C. Shelters

Shelters serve households who are literally homeless and offer an array of housing and case management services depending on the shelter provider. Many participants of shelter programs have income and have reached stability but need deeply affordable and subsidized housing. The lack of affordable housing options presents significant barriers for those in shelter to rapidly exit, and thereby reduces the number of beds available for new clients. Those who remain in the shelter for past 180 days are considered long term stayers and have significant challenges exiting to permanent housing.

Prioritization

As a result of defining the criteria of eligible households, the following prioritization system has been developed to memorialize the order in which households will be considered for an EHV.

Category 1 – PSH Moving On

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Qualifies under EHV Eligibility Category 4 Recently Homeless; Section 8 defines this as individuals and families who have previously been classified by the COC as homeless, but are not currently homeless as a result of homelessness assistance (financial or services), temporary rental assistance, etc. and where the COC or its designee determines that the loss of such assistance would result in a return to homelessness. Examples of such households may include (but are not limited to) participants in PSH.

1. PSH/Moving On + DV criteria (Fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking)
2. PSH/Moving On

Category 2 – Homeless/Sheltered Long Stayers

Qualifies under EHV Eligibility Category 1: Homeless.

3. Homeless - DV criteria AND highest length of time at shelter, basic income, needs few to no services (Long Term Stayer)
4. Homeless - AND highest length of time at shelter, basic income, needs few to no services (Long Term Stayer)

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TPS-II.D. REFERRAL PROCESS

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HACCC shall notify the CoC's Coordinated Entry System Administrator when EHV's become available. Within five (5) business days of being notified of the availability of EHV's, the CoC shall make every effort to make a referral to HACCC's point of contact.

For PSH clients that are interested in and eligible for Emergency Housing Vouchers through the Moving On Program, CE will convene the Housing Placement Committee to review the client's case history to discuss the key indicators of the client's capacity for the Moving On program. Among the indicators to be considered are as follows:

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- Housing History
- Financial Stability
- Service Needs and Supports (includes connections to health, mainstream resources, and family or other natural supports)
- Household Composition

Weighing these indicators, the Housing Placement Committee will make a determination as to whether the client should be recommended for an Emergency Housing Voucher. Recommended clients will be referred to the Housing Authority of Contra Costa County by CE once all eligibility documentation has been received.

Any and all grievances regarding the CoC process will be handled within the grievance procedures outlined in the CoC's written standards while any grievances regarding denial to participate or termination of assistance in the EHV Program shall be addressed through the HACCC Administrative Plan for the Housing Choice Voucher Program.

CE will only send HACCC referrals for the number of spaces that are open and will not send more than one referral per opening, unless requested by HACCC.

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Offers of Assistance with CoC Referral

HACCC may make an EHV available without a referral from the CoC or other partnering organization in order to facilitate an emergency transfer under VAWA in accordance with the HACCC's Emergency Transfer Plan (ETP) in Chapter 16.

HACCC must also take direct referrals from outside the CoC if:

- The CoC does not have a sufficient number of eligible families to refer to HACCC; or
- The CoC does not identify families that may be eligible for EHV assistance because they are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking.

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

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VAWA Direct Referral

Pursuant to guidance in PIH 2021-15, HACCC will also accept direct referrals for VAWA-eligible households who may be fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking.

HACCC shall execute separate MOUs with these entities to ensure proper HUD compliance. In addition, HACCC shall inform the CoC, through CES, in the event that an EHV household is assisted directly so that proper tracking and services are made available to the household.

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PART III: WAITING LIST MANAGEMENT

TPS-III.A. HCV WAITING LIST

The regulation that requires the PHA to admit applicants as waiting list admissions or special admissions in accordance with admission policies in Chapter 4 does not apply to PHAs operating the EHV program. Direct referrals are not added to the PHA's HCV waiting list.

The PHA must inform families on the HCV waiting list of the availability of EHV's by, at a minimum, either by posting the information to their website or providing public notice in their respective communities in accordance with the requirements listed in Notice PIH 2021-15.

HACCC Policy

HACCC will give public notice by publishing, on its website, a description of the eligible populations to which EHV's are limited;

- Clearly state that the availability of these EHV's is managed through a direct referral process;
- Advise the family to contact the CoC (or any other HACCC referral partner, if applicable) if the family believes they may be eligible for EHV assistance.

HACCC will ensure effective communication with persons with disabilities, including those with vision, hearing, and other communication-related disabilities in accordance with Chapter 2. HACCC will also take reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP) in accordance with Chapter 2.

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TPS-III.B. EHV WAITING LIST

The HCV regulations requiring the PHA to operate a single waiting list for admission to the HCV program do not apply to PHAs operating the EHV program. Instead, when the number of applicants referred by the CoC or partnering agency exceeds the EHV's available, the PHA must maintain a separate waiting list for EHV referrals, both at initial leasing and for any turnover vouchers that may be issued prior to September 30, 2023.

Further, the EHV waiting list is not subject to PHA policies in Chapter 4 regarding opening and closing the HCV waiting list. The PHA will work directly with its CoC and other referral agency partners to manage the number of referrals and the size of the EHV waiting list.

HACCC Policy

HACCC shall not establish and operate a separate waiting list for EHV eligible families for whom a voucher is not readily available. The CoC through CES will only refer applicants for available vouchers.

TPS-III.C. PREFERENCES

HCV Waiting List Preferences

If local preferences are established by the PHA for HCV, they do not apply to EHV's. However, if the PHA has a homeless preference or a VAWA preference for the HCV waiting list, the PHA must adopt additional policies related to EHV's in accordance with Notice PIH 2021-15.

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HACCC Policy

HACCC does not offer either a homeless or a VAWA preference for the HCV waiting list.

EHV Waiting List Preferences

With the exception of a residency preference, the PHA may choose, in coordination with the CoC and other referral partners, to establish separate local preferences for EHV. The PHA may, however, choose to not establish any local preferences for the EHV waiting list.

HACCC Policy

HACCC has not adopted any preferences for the EHV waiting list because it is choosing not to maintain an EHV wait list. CES will provide priority for households fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking.

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PART IV: FAMILY ELIGIBILITY

TPS-IV.A. OVERVIEW

The CoC or referring agency determines whether the individual or family meets any one of the four eligibility criteria described in Notice PIH 2021-15 and then refers the family to the PHA. The PHA determines that the family meets other eligibility criteria for the HCV program, as modified for the EHV program and outlined below.

TPS-IV.B. REFERRING AGENCY DETERMINATION OF ELIGIBILITY

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

- Homeless as defined in 24 CFR 578.3;
- At risk of homelessness as defined in 24 CFR 578.3;
- Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking (as defined in Notice PIH 2021-15), or human trafficking (as defined in the 22 U.S.C. Section 7102); or
- Recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability as determined by the CoC or its designee in accordance with the definition in Notice PIH 2021-15.

As applicable, the CoC or referring agency must provide documentation to the PHA of the referring agency's verification that the family meets one of the four eligible categories for EHV assistance. The PHA must retain this documentation as part of the family's file.

Detailed definitions of the four eligibility criteria can be found in the authorizing HUD Notice PIH 2021-15.

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TPS-IV.C. PHA SCREENING

Overview

HUD waived 24 CFR 982.552 and 982.553 in part for the EHV applicants and established alternative requirement for mandatory and permissive prohibitions of admissions. Except where applicable, PHA policies regarding denials in Chapter 3 of this policy do not apply to screening individuals and families for eligibility for an EHV. Instead, the EHV alternative requirement listed in this section will apply to all EHV applicants.

The mandatory and permissive prohibitions listed in Notice PIH 2021-15 and in this chapter, however, apply only when screening the individual or family for eligibility for an EHV. When adding a family member after the family has been placed under a HAP contract with EHV assistance, the regulations at 24 CFR 982.551(h)(2) apply. Other than the birth, adoption, or court-awarded custody of a child, the PHA must approve additional family members and may apply its regular HCV screening criteria in Chapter 3 in doing so.

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Mandatory Denials

Under alternative requirements for the EHV program, mandatory denials for EHV applicants include:

- 24 CFR 982.553(a)(1)(ii)(C), which prohibits admission if any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.
- 24 CFR 982.553(a)(2)(i), which prohibits admission to the program if any member of the household is subject to a lifetime registration requirement under a state sex offender registration program.

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

HACCC Policy

While HACCC will deny admission to the program if any adult member (or head of household or spouse, regardless of age) fails to sign and submit consent forms, HACCC will first notify the family of the limited EHV grounds for denial of admission as part of the notice of denial that will be mailed to the family.

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Permissive Denial

Notice PIH 2021-15 lists permissive prohibitions for which the PHA may, but is not required to, deny admission to EHV families. The notice also lists prohibitions that, while allowable under the HCV program, may not be used to deny assistance for EHV families.

If the PHA intends to establish permissive prohibition policies for EHV applicants, the PHA must first consult with its CoC partner to understand the impact that the proposed prohibitions may have on referrals and must take the CoC's recommendations into consideration.

HACCC Policy

In consultation with the CoC, HACCC will apply permissive prohibitions to the screening of EHV applicants. Determinations using permissive prohibitions will be made based on an individualized assessment of relevant mitigating information in accordance with policies in Section 3-III.E.

HACCC will establish the following permissive prohibitions:

If HACCC determines that any household member is currently engaged in, or has engaged in within the previous 12 months:

- Violent criminal activity
- Other criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity

If the family engaged in or threatened abusive or violent behavior toward HACCC personnel within the previous 12 months.

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HACCC will also deny assistance to household members already receiving assistance from another program in accordance with Section 9.h. of Notice PHH 2021-15.

Prohibitions based on criminal activity for the eligible EHV populations regarding drug possession will be considered apart from criminal activity against persons (i.e., violent criminal activity).

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In compliance with PHH 2021-15, HACCC will not deny an EHV applicant admission regardless of whether:

Any member of the family has been evicted from federally assisted housing in the last five years;

A PHA has ever terminated assistance under the program for any member of the family;

The family currently owes rent or other amounts to HACCC or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act;

The family has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease;

The family breached an agreement with HACCC to pay amounts owed to a PHA, or amounts paid to an owner by a PHA;

The family would otherwise be prohibited admission under alcohol abuse standards established by HACCC in accordance with 24 CFR 982.553(a)(3);

HACCC determines that any household member is currently engaged in or has engaged in during a reasonable time before the admission, drug-related criminal activity.

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TPS-IV.D. INCOME VERIFICATION AT ADMISSION

Self-Certification at Admission

The requirement to obtain third-party verification of income in accordance with Notice PHH 2018-18 does not apply to the EHV program applicants at admission, and alternatively, PHAs may consider self-certification the highest form of income verification at admission. As such, PHA policies related to the verification of income in Section 7-I.B. do not apply to EHV families at admission. Instead, applicants must submit an affidavit attesting to their reported income, assets, expenses, and other factors that would affect an income eligibility determination.

Additionally, applicants may provide third-party documentation that represents the applicant's income within the 60-day period prior to admission or voucher issuance but is not dated within 60 days of the PHA's request.

HACCC Policy

Any documents used for verification must be the original (not photocopies) and dated within the 60-day period prior to admission. The documents must not be damaged, altered, or in any way illegible.

Printouts from webpages are considered original documents.

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Any family self-certifications must be made in a format acceptable to HACCC and must be signed by the family member whose information or status is being verified.

HACCC will incorporate additional procedures to remind families of the obligation to provide true and complete information in accordance with Chapter 14. HACCC will address any material discrepancies (i.e., unreported income or a substantial difference in reported income) that may arise later. HACCC shall offer the family a repayment agreement in accordance with Chapter 16. If the family fails to repay the excess subsidy, HACCC will terminate the family's assistance in accordance with the policies in Chapter 12.

Any applicable exceptions made under the CARIS Act for the "regular" voucher program, will be applied to EIV participants.

Recently Conducted Income Determinations

PHAs may accept income calculations and verifications from third-party providers or from an examination that the PHA conducted on behalf of the family for another subsidized housing program in lieu of conducting an initial examination of income as long as:

- The income was calculated in accordance with rules outlined at 24 CFR Part 5 and within the last six months; and
- The family certifies there has been no change in income or family composition in the interim.

HACCC Policy

HACCC will accept income calculations and verifications from third-party providers provided they meet the criteria outlined above.

The family certification must be made in a format acceptable to HACCC and must be signed by all adult family members whose information or status is being verified.

At the time of the family's annual reexamination HACCC shall conduct the annual reexamination of income as outlined at 24 CFR 982.516 and HACCC's policies in Chapter 11.

EIV Income Validation

Once HUD makes the EIV data available to PHAs under this waiver and alternative requirement, the PHA must:

- Review the EIV Income and Income Validation Tool (IVT) reports to confirm and validate family-reported income within 90 days of the PIC submission date;
- Print and maintain copies of the EIV Income and IVT Reports in the tenant file; and
- Resolve any income discrepancy with the family within 60 days of the EIV Income or IVT Report dates.

Prior to admission, PHAs must continue to use HUD's EIV system to search for all household members using the Existing Tenant Search in accordance with PHA policies in Chapter 3.

If a PHA later determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program in accordance with Chapter 12.

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TPS-IV.E. SOCIAL SECURITY NUMBER AND CITIZENSHIP STATUS VERIFICATION

For the EHV program, the PHA is not required to obtain and verify SSN documentation and documentation evidencing eligible noncitizen status before admitting the family to the EHV program. Instead, PHAs may adopt policies to admit EHV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. As an alternative requirement, such individuals must provide the required documentation within 180 days of admission to be eligible for continued assistance, pending verification, unless the PHA provides an extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation.

If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

HACCC Policy

HACCC will not admit EHV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. HACCC will follow existing policies regarding the disclosure and documentation of these two factors of eligibility.

HACCC may provide an additional 60-day extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation.

If HACCC determines that an ineligible family received assistance, HACCC will take steps to terminate that family from the program in accordance with policies in Chapter 12.

Any applicable exceptions made under the CARES Act for the "regular" voucher program, will be applied to EHV participants.

TPS-IV.F. AGE AND DISABILITY VERIFICATION

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

If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

HACCC Policy

HACCC will follow existing policies regarding the disclosure and documentation of birth or disability status. Any applicable exceptions made under the CARES Act for the "regular" voucher program, will be applied to EHV participants.

If the PHA determines that an ineligible family received assistance, the PHA will take steps to terminate that family from the program in accordance with policies in Chapter 12.

TPS-IV.G. INCOME TARGETING

The PHA must determine income eligibility for EHV families in accordance with 24 CFR 982.201 and PHA policy in Chapter 3; however, income targeting requirements do not apply for EHV families. The PHA may still choose to include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted.

HACCC Policy

HACCC will not include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted.

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PART V: HOUSING SEARCH AND LEASING

TPS-V.A. INITIAL VOUCHER TERM

Unlike the standard HCV program, which requires an initial voucher term of at least 60 days, EHV vouchers must have an initial search term of at least 120 days. PHA policies on extensions as outlined in Section 5-11.F. will apply.

HACCC Policy

All EHV's will have an initial term of 120 calendar days.

The family must submit a Request for Tenancy Approval and proposed lease within the 120-day period unless the PHA grants an extension.

An extension of the search period will be determined on a case-by-case basis. All households will be asked to document their housing search to confirm that they made efforts to locate housing before any extension will be considered or granted.

TPS-V.B. HOUSING SEARCH ASSISTANCE

The PHA must ensure housing search assistance is made available to EHV families during their initial housing search. The housing search assistance may be provided directly by the PHA or through the CoC or another partnering agency or entity.

At a minimum, housing search assistance must:

- Help individual families identify potentially available units during their housing search, including physically accessible units with features for family members with disabilities, as well as units in low-poverty neighborhoods;
- Provide transportation assistance and directions to potential units;
- Conduct owner outreach;
- Assist with the completion of rental applications and PHA forms; and
- Help expedite the EHV leasing process for the family.

HACCC Policy

As identified in the MOU between HACCC and CoC, the following housing search assistance will be provided to each EHV family either directly or through a third party contracted by HACCC:

HACCC's Housing Search Assistance shall include the following:

- Conduct owner outreach in accordance with policies in Chapter 13
- Provide directions to potential units as part of the EHV briefing packet
- Expedite the EHV leasing process for the family to the extent practicable and in accordance with policies in this chapter

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- At least every 30 days, conduct proactive check-ins via email and telephone with families who are searching with an EHV and remind them of their voucher expiration date
- Assign a dedicated landlord liaison for EHV voucher families

The CoC shall further assist with the following:

- Help families identify potentially available units during their housing search, including physically accessible units with features for family members with disabilities, as well as units in low-poverty neighborhoods
- Provide transportation assistance to potential units when available
- Assist the family with the completion of rental applications and PHA forms

TPS-V.C. HOS PRE-INSPECTIONS

To expedite the leasing process, PHAs may pre-inspect available units that EHV families may be interested in leasing in order to maintain a pool of eligible units.

HACCC Policy

HACCC will not conduct any pre-inspections of available units. HACCC will make every effort to fast-track the inspection process, including adjusting the normal inspection schedule for any required re-inspections.

TPS-V.D. INITIAL LEASE TERM

Unlike in the standard the HCV program, EHV voucher holders may enter into an initial lease that is for less than 12 months, regardless of the PHA policy in Section 9-1.E., Term of Assisted Tenancy.

TPS-V.E. PORTABILITY

The normal HCV portability procedures and requirements outlined in Chapter 10 generally apply to EHV's. Exceptions are addressed below.

Nonresident Applicants

Under EHV, applicant families may move under portability even if the family did not have legal residency in the jurisdiction of the initial PHA when they applied, regardless of PHA policy in Section 10-11.B.

Billing and Absorption

A receiving PHA cannot refuse to assist an incoming EHV family, regardless of whether the PHA administers EHV's under its own ACC.

- If the EHV family moves under portability to another PHA that administers EHV's under its own ACC:
 - The receiving PHA may only absorb the incoming EHV family with an EHV (assuming it has an EHV voucher available to do so).

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- If the PHA does not have an EHV available to absorb the family, it must bill the initial PHA. The receiving PHA must allow the family to lease the unit with EHV assistance and may not absorb the family with a regular HCV when the family leases the unit.
- Regardless of whether the receiving PHA absorbs or bills the initial PHA for the family's EHV assistance, the EHV administration of the voucher is in accordance with the receiving PHA's EHV policies.
- If the EHV family moves under portability to another PHA that does not administer EHV under its own ACC, the receiving PHA may absorb the family into its regular HCV program or may bill the initial PHA.

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Family Briefing

In addition to the applicable family briefing requirements at 24 CFR 982.301(a)(2) as to how portability works and how portability may affect the family's assistance, the initial PHA must inform the family how portability may impact the special EHV services and assistance that may be available to the family.

The initial PHA is required to help facilitate the family's portability move to the receiving PHA and inform the family of this requirement in writing, taking reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP).

HACCC Policy

In addition to following HACCC's policy on briefings in Chapter 5, as part of the briefing packet for EHV families, the PHA will include a written notice that the PHA will assist the family with moves under portability.

For limited English proficient (LEP) applicants, HACCC provides interpretation services in accordance with the LEP plan (See Chapter 2).

Coordination of Services

If the portability move is in connection with the EHV family's initial lease-up, the receiving PHA and the initial PHA must consult and coordinate on the EHV services and assistance that will be made available to the family.

HACCC Policy

For EHV families who are exercising portability, when HACCC contacts the receiving PHA in accordance with Section 10-II.B, Preapproval Contact with Receiving PHA, HACCC will consult and coordinate with the receiving PHA to ensure there is no duplication of EHV services and assistance and ensure the receiving PHA is aware of the maximum amount of services fee funding that HACCC may provide to the receiving PHA on behalf of the family.

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Services Fee

Standard portability billing arrangements apply for HAP and ongoing administrative fees for EHV families.

For service fees funding, the amount of the service fee provided by the initial PHA may not exceed the lesser of the actual cost of the services and assistance provided to the family by the

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receiving PHA or \$1,750, unless the initial PHA and receiving PHA mutually agree to change the \$1,750 cap. Service fees are paid as follows:

- If the receiving PHA, in consultation and coordination with the initial PHA, will provide eligible services or assistance to the incoming EHV family, the receiving PHA may be compensated for those costs by the initial PHA, regardless of whether the receiving PHA bills or absorbs.
- If the receiving PHA administers EHV, the receiving PHA may use its own services fee and may be reimbursed by the initial PHA, or the initial PHA may provide the services funding upfront to the receiving PHA for those fees and assistance.
- If the receiving PHA does not administer EHV, the initial PHA must provide the services funding upfront to the receiving PHA. Any amounts provided to the receiving PHA that are not used for services or assistance on behalf of the EHV family must promptly be returned by the receiving PHA to the initial PHA.

Placement Fee/Issuance Reporting Fee

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

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TPS-V.F. PAYMENT STANDARDS

Payment Standard Schedule

For the EHV program, HUD has waived the regulation requiring a single payment standard for each unit size. Instead, the PHA may, but is not required to, establish separate higher payment standards for EHV. Lower EHV payment standards are not permitted. If the PHA is increasing the regular HCV payment standard, the PHA must also increase the EHV payment standard if it would be otherwise lower than the new regular HCV payment standard. The separate EHV payment standard must comply with all other HCV requirements with the exception of the alternative requirements discussed below.

Further, if the PHA chooses to establish higher payments standards for EHV, HUD has provided other regulatory waivers:

- Defining the "basic range" for payment standards as between 90 and 120 percent of the published Fair Market Rent (FMR) for the unit size (rather than 90 to 110 percent).
- Allowing a PHA that is not in a designated Small Area FMR (SAFMR) area or has not opted to voluntarily implement SAFMRs to establish exception payment standards for a ZIP code area above the basic range for the metropolitan FMR based on the HUD published SAFMRs. The PHA may establish an exception payment standard up to 120 percent (as opposed to 110 percent) of the HUD published Small Area FMR for that ZIP code area. The exception payment standard must apply to the entire ZIP code area.

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- The PHA must notify HUD if it establishes an EHV exception payment standard based on the SAFMR.

HACCC Policy

HACCC will implement higher payment standards for EHV's. The EHV payment standards will be set at 110% of the HUD-published Fair Market Rent (FMR).

At no time will the EHV payment standards fall below the HCV payment standards. If HACCC increases the HCV payment standard, HACCC will also increase the EHV payment standard if it would be otherwise lower than the new regular HCV payment standard.

Rent Reasonableness

All rent reasonableness requirements apply to EHV units, regardless of whether the PHA has established an alternative or exception EHV payment standard.

Increases in Payment Standards

The requirement that the PHA apply increased payment standards at the family's first regular recertification on or after the effective date of the increase does not apply to EHV. The PHA may, but is not required to, establish an alternative policy on when to apply the increased payment standard, provided the increased payment standard is used to calculate the HAP no later than the effective date of the family's first regular reexamination following the change.

HACCC Policy

HACCC will not establish an alternative policy for increases in the payment standard. HACCC policy in Section 11-11B, governing increases in payment standards will apply to EHV.

TPS-V.G. TERMINATION OF VOUCHERS

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

If an applicant family that was issued the EHV is unsuccessful in finding a unit and the EHV expires after September 30, 2023, the EHV may not be reissued to another family.

All EHV's under lease on or after October 1, 2023, may not under any circumstances be reissued to another family when the participant leaves the program for any reason.

An EHV that has never been issued to a family may be initially issued and leased after September 30, 2023, since this prohibition only applies to EHV's that are being reissued upon turnover after assistance to a family has ended. However, HUD may direct PHAs administering EHV's to cease leasing any unleased EHV's if such action is determined necessary by HUD to ensure there will be sufficient funding available to continue to cover the HAP needs of currently assisted EHV families.

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PART VI: USE OF FUNDS, REPORTING, AND FINANCIAL RECORDS

EHV funds allocated to HACCC for HAP (both funding for the initial allocation and HAP renewal funding) may only be used for eligible EHV HAP purposes. EHV HAP funding obligated to HACCC may not be used for EHV administrative expenses or the other EHV eligible expenses under this notice. Likewise, EHV administrative fees and funding obligated to HACCC are to be used for those purposes and must not be used for HAP.

The appropriated funds for EHV are separate from the regular HCV program and may not be used for the regular HCV program but may only be expended for EHV eligible purposes. EHV HAP funds may not roll into the regular HCV restricted net position (RNP) and must be tracked and accounted for separately as EHV RNP. EHV administrative fees and funding for other eligible expenses permitted by Notice PIH 2021-15 may only be used in support of the EHV and cannot be used for regular HCVs. EHV funding may not be used for the repayment of debts or any amounts owed to HUD by HUD program participants including, but not limited to, those resulting from Office of Inspector General (OIG), Quality Assurance Division (QAD), or other monitoring review findings.

HACCC must comply with EHV reporting requirements in the Voucher Management System (VMS) and Financial Data Schedule (FDS) as outlined in Notice PIH 2021-15.

HACCC must maintain complete and accurate accounts and other records for the program and provide HUD and the Comptroller General of the United States full and free access to all accounts and records that are pertinent to the administration of the EHV in accordance with the HCV program requirements at 24 CFR 982.158.

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Exhibit TPS-1: MEMORANDUM OF UNDERSTANDING (MOU)

Memorandum of Understanding

**Emergency Housing Vouchers (EHV)
Rental Assistance Program**

This Memorandum of Understanding (MOU) has been created and entered into on July 15, 2021 between the Housing Authority of the County of Contra Costa (HACCC) and the Contra Costa County Department of Health, Housing and Homeless Services (H3) in their capacity as administrators for the County Continuum of Care.

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I. Introduction and Goals:

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

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

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1. Increase the flow of households in and out of homeless shelters, Moving On, Rapid Rehousing and Permanent Supportive Housing situations by making permanent assisted housing options available to households ready to live independently.
2. Streamline solutions to victims who are fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking.
3. Increase the number of households placed in permanent housing from shelters, RRH, PSH or DV situations.
4. Full Utilization of allocated vouchers.

c. Identification of staff position at the HACCC and CoC who will serve as the lead EHV liaisons.

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Lead HCV Liaison:

Ingrid Layne, Director of Assisted Housing Programs

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The Lead HCV Liaison shall ensure that all program requirements are being met including referral and intake of eligible households; issuance of Emergency Housing Vouchers; providing housing search assistance to certified households; inspection of all dwelling units at initial and annual certifications; processing payments to landlords and providing on-going monitoring of participants for program compliance.

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Name and title of CoC staff position:

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Shelby Ferguson, Coordinated Entry Manager – Department of Health, Housing and Homeless Services

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The CoC EHV Liaison shall certify that all EHV referrals from the CoC to HACCC meet Coordinated Entry eligibility criteria specific to the identified and agreed upon priority categories identified in this MOU. All referrals will be tracked and monitored for quality assurance and compliance.

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II. Define the populations eligible for EHV assistance to be referred by CoC,

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

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

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A detailed description of each category can be accessed in HUD Notice PIH 2021-15.

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Prioritization of Eligible EHV Families

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HACCC and CoC have determined that the best approach to utilize the EHV's is to create better flow and mobility within the supportive housing and sheltered community. Households who were initially directed to Permanent Supportive Housing (PSH) or Rapid ReHousing (RRH) options through the Coordinated Entry System or are eligible for Moving On prioritization would best be served ahead of all other categories. Households that are identified as no longer needing a higher level of care or services and ready to transition to a permanent assisted housing option using the EHV would be prioritized to move out of the PSH/RRH units and make them available for other families who need those service-enriched housing options. This would increase the flow of housing opportunities within the CoC and would also open up PSH/RRH slots for those who need the level of services and subsidy that come with PSH/RRH. In addition, as a third priority category, HACCC and the CoC will direct EHV to eligible homeless families pursuant to the HUD definition of homelessness indicated above.

D. Moving On

As part of its strategic priority to end homelessness, the Continuum of Care (CoC) has adopted Moving On strategies in the community for clients in permanent supportive housing (PSH) who may no longer need or want the intensive services offered in PSH but continue to need assistance to maintain their housing. Moving On strategies challenge a community to

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create partnerships between the CoC and mainstream housing programs such as the Housing Choice Voucher (HCV) program, and HUD-funded multifamily housing providers.

Moving On enables tenants to move on from supportive housing by offering affordable housing and connections to other resources. This may include a physical move to a new home, or a 'transition in place' arrangement where the services move on to another tenant. The decision to pursue Moving On is always voluntary and driven by the tenant.

E. Rapid Rehousing

Rapid rehousing helps individuals and families to quickly exit homelessness by getting them housed. Rapid rehousing has three main components: Housing Identification, Rent and Move-In Assistance (financial assistance) and Case Management and services. Rapid rehousing programs help households to find appropriate rental housing. They also help the households to solve some of the common hurdles faced in finding housing. In addition, rapid rehousing programs help individuals and families pay for housing for a short period of time that enables them to move quickly out of homelessness and stabilize in permanent housing. Rapid re-housing (RRH) emphasizes housing search and relocation services and short- and medium-term rental assistance to move homeless persons and families (with or without a disability) as rapidly as possible into permanent housing.

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Rapid Rehousing programs also connect people to services like employment counseling and job trainings that help them retain their housing in the long term. It is not necessary that a household use all the three components of rapid rehousing – they can use the ones that are most relevant to them.

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F. Permanent Supportive Housing

Permanent supportive housing is an intervention that combines affordable housing assistance with voluntary support services to address the needs of chronically homeless people. The services are designed to build independent living and tenancy skills and connect people with community-based health care, treatment and employment services.

Permanent supportive housing is permanent housing with indefinite leasing or rental assistance paired with supportive services to assist homeless persons with a disability or families with an adult or child member with a disability achieve housing stability.

G. Shelters

Shelters serve households who are literally homeless and offer an array of housing and case management services depending on the shelter provider. Many participants of shelter programs have income and have reached stability but need deeply affordable and subsidized housing. The lack of affordable housing options presents significant barriers for those in shelter to rapidly exit, and thereby reduces the number of beds available for new clients. Those who remain in the shelter for past 180 days are considered long term stayers and have significant challenges exiting to permanent housing.

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Prioritization

As a result of defining the criteria of eligible households, the following prioritization system has been developed to memorialize the order in which households will be considered for an EHV.

Category 1 – PSH/RRH Moving On

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Qualifies under EHV Eligibility Category 4 Recently Homeless: Section 8 defines this as individuals and families who have previously been classified by the COC as homeless, but are not currently homeless as a result of homelessness assistance (financial or services), temporary rental assistance, etc. and where the COC or its designee determines that the loss of such assistance would result in a return to homelessness. Examples of such households may include (but are not limited to) participants in Rapid ReHousing or PSH.

1. RRH/Moving On + DV criteria (Fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking) + 62
2. RRH/Moving On + DV criteria
3. PSH/Moving On + DV criteria + 62
4. PSH/Moving On + DV criteria
5. RRH/Moving On + 62+
6. RRH/Moving On
7. PSH/Moving On + 62+
8. PSH/Moving On

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Category 2 – PSH/RRH Transfers

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Qualifies under EHV Eligibility Category 4 Recently Homeless: Section 8 defines this as individuals and families who have previously been classified by the COC as homeless but are not currently homeless as a result of homelessness assistance (financial or services), temporary rental assistance, etc. and where the COC or its designee determines that the loss of such assistance would result in a return to homelessness. Examples of such households may include (but are not limited to) participants in Rapid ReHousing or PSH.

9. RRH participant meeting DV criteria and 62+ and requests a transfer and does not otherwise meet Moving On criteria. * EHV's may also be used to facilitate an emergency transfer plan in accordance with the Violence Against Women Act (VAWA)
10. RRH participant meeting DV criteria and requests a transfer and does not otherwise meet Moving On criteria. * EHV's may also be used to facilitate an emergency transfer plan in accordance with the Violence Against Women Act (VAWA)
11. PSH participant meeting DV criteria and 62+ and requests a transfer and does not otherwise meet Moving On criteria. * EHV's may also be used to facilitate an emergency transfer plan in accordance with the Violence Against Women Act (VAWA)
12. PSH participant meeting DV criteria and requests a transfer and does not otherwise meet Moving On criteria. * EHV's may also be used to facilitate an emergency transfer plan in accordance with the Violence Against Women Act (VAWA)

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13. RRH participant 62 + who has been housed for a minimum of 1 year and requests a transfer due to special circumstances, and/or household change, etc but does not otherwise qualify for Moving On based on length of time in program. Client meets all other Moving On eligibility around basic income, rent payment.
14. PSH participant 62 + who has been housed for a minimum of 1 year and requests a transfer due to special circumstances, and/or household change, etc but does not otherwise qualify for Moving On based on length of time in program. Client meets all other Moving On eligibility around basic income, rent payment.
15. RRH participant who has been housed for a minimum of 1 year and request a transfer due to special circumstances, and/or household change, etc but do not otherwise qualify for Moving On based on length of time in program. Client meets all other Moving On eligibility around basic income, rent payment.
16. PSH participant who has been housed for a minimum of 1 year and request a transfer due to special circumstances, and/or household change, etc but do not otherwise qualify for Moving On based on length of time in program. Client meets all other Moving On eligibility around basic income, rent payment.

Category 3 – Homeless/Sheltered Long Stayers

Qualifies under EHV Eligibility Category 1: Homeless.

17. Homeless - DV criteria + 62 AND highest length of time at shelter, basic income, needs few to no services (Long Stayer)
18. Homeless - DV criteria AND highest length of time at shelter, basic income, needs few to no services (Long Stayer)
19. Homeless - 62+ AND highest length of time at shelter, basic income, needs few to no services (Long Stayer)

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Referral Process

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HACCC shall notify the CoC's Coordinated Entry System Administrator when EHV's become available. Within five (5) business days of being notified of the availability of EHV's, the CoC shall make every effort to make a referral to HACCC's point of contact.

For PSH/RRH clients that are interested in and eligible for Emergency Housing Vouchers through the Moving On Program, CE will convene the Housing Placement Committee to review the client's case history to discuss the key indicators of the client's capacity for the Moving On program. Among the indicators to be considered are as follows:

- Emotional independence
- Financial Capacity
- Housing history and length of time in program
- Intensity of service use
- Health/behavioral health
- Connection to mainstream resources
- Connection to family or other natural supports

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- Community living skills
- Activities of daily living skills

Weighing these indicators, the Housing Placement Committee will make a determination as to whether the client should be recommended for an Emergency Housing Voucher. Recommended clients will be referred to the Housing Authority of Contra Costa County by CE once all eligibility documentation has been received.

Any and all grievances regarding the CoC process will be handled within the grievance procedures outlined in the CoC's written standards while any grievances regarding denial to participate or termination of assistance in the EHV Program shall be addressed through the HACCC Administrative Plan for the Housing Choice Voucher Program.

CE will only send HACCC referrals for the number of spaces that are open and will not send more than one referral per opening, unless requested by HACCC.

Transfer Process

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The Transfer Process will be implemented as directed in the CoC written standards. The written standards are being amended to reflect permissions and variations to the CoC written standards invoked by the EHV program.

Shelter Long-term stayer process

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The Shelter Referral Process for long-term stayers will be implemented as directed in the CoC written standards. The referral process for long-term shelter stayers is being amended to reflect permissions and variations to the CoC written standards invoked by the EHV program.

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III. Services to be provided to eligible EHV families

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

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

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

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

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

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

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

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

IV. HACCC Roles and Responsibilities

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

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

3. Provide the necessary training to CoC staff necessary to assist in completing eligibility determination packages for all referrals;

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

5. Ensure families and individuals meet all EHV Program requirements as described in the Notice.

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

7. Perform initial, annual and Interim income certifications as needed.

8. Conduct initial, annual and special Housing Quality Standards inspections as needed.

9. Provide assistance with unit search.

10. Negotiate contract rents with landlords to ensure that rents are reasonable.

11. Execute Housing Assistance Payments (HAP) and Tenancy Addendums for all participants.

12. Process rent payments to landlords.

13. Provide participants who request one with security deposit grant of up to one month's rent. If a security deposit is provided, the participant shall be entitled to keep any proceeds returned by the owner after the tenancy ends.

14. Communicate problems with the application or client participation to the CES representative.

15. Provide a list, each month, of all clients leased under this program and a status report on the EHV wait list.

16. Perform any financial or program reporting required by HUD, except where provided by CoC's CES.

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17. HACCC will reimburse CES for all allowable activities under supportive services and administrative budget line items that are outside normal CES activities subject to funding limitations.
18. Meet regularly, but no less than quarterly, with CES staff to discuss program issues related to policy and procedures, funding levels, leasing goals, and any other issues related to the program.
19. Participate in periodic updates to the CoH by CES on the status of services offered by the CoC program, to discuss new program policies and to evaluate existing EHV policies. HACCC will also utilize CoH to become aware of new funding and service opportunities for the EHV program and clients.
20. Designate a staff to serve as the lead EHV liaison.
21. Comply with the provisions of this MOU.
22. Apply all Administrative Plan criteria as applicable.

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V. CoC Roles and Responsibilities

HACCC is partnering with the Contra Costa Continuum of Care to establish an EHV Program that takes referrals directly from the Contra Costa Coordinated Entry System. To identify potential participants, homeless service providers operating one or more HUD Continuum of Care Permanent Supportive Housing (PSH) programs or Rapid Rehousing (RRH) programs in Contra Costa County, will identify and assess as many eligible clients as possible who may be ready to "graduate" from PSH and RRH (i.e., are still in need of housing supports, but no longer in need of intensive services).

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1. Designate and maintain a lead EHV liaison to communicate with the HACCC.
2. Refer eligible individuals and families to HACCC using the community's coordinated entry system.
3. Refer at least (1) family for every EHV opening within 5 days of the referral request by the HACCC.
Referrals will be submitted using the authorized referral form.
4. Support eligible individuals and households in completing and applying for supportive documentation to accompany admissions application to the HACCC (i.e. self-certifications, birth certificate, social security card, etc.).
5. Attend EHV participant briefings when needed.
6. Assess all households referred for EHV for mainstream benefits and supportive services available to support eligible individuals and families through their transition.
7. Identify and provide supportive services to EHV families. (While EHV participants are not required to participate in services, the CoC should assure that services are available and accessible.)
8. Keep accurate records of the referrals made and make them available as necessary to the PHA, auditors etc. Make staff available to respond to questions from auditors, HUD etc. necessary to ensure HACCC's compliance with the EHV regulations
9. Provide HACCC with regular monthly reports of services provided to EHV families including demographics of families referred.

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10. Comply with the provisions of this MOU.

Continuum of Care Processes:

CES Policy is being amended to conform with EHV referral process.

CoC Policy is being amended to conform with EHV referral process.

VI. Third Party Entity Roles Responsibilities

Service Providers or CoC recipients it designates will fulfill each of the following responsibilities:

1. Attend initial meetings regarding the startup of the EHV's in the CoC's coverage area.
2. Designate and maintain a lead EHV liaison to communicate with HACCC and CoC.
3. Commit a sufficient number of staff and necessary resources to ensure that the application is completed in a timely manner.
4. Refer eligible individuals and families to the CoC using the Coordinated Entry System.
5. Support eligible individuals and households in completing and applying for supportive documentation to accompany admissions application to HACCC.
6. Secure other eligible funds for security deposit costs, as needed (i.e., I.S.G. ESG-CV)
7. Attend EHV participant briefings when needed.
8. Assess all households referred for EHV for mainstream benefits and supportive services available to support eligible individuals and families through their transition.
9. Conduct owner outreach and recruitment to ensure an adequate pool of rental units are available for individuals and families. This includes contacting current owners to inquire about availability of current units.
10. Identify and provide supportive services to EHV individuals and families throughout the first year of tenancy. (While EHV participants are not required to participate in services, the Service Provider should assure that services are available and accessible.)
11. Comply with the provisions of this MOU.

VII. Disputes

In the event of any controversy or dispute related to or arising out of this MOU, a Party shall notify the other Parties in writing. Within fifteen business (15) days of such notice, the Parties shall meet and confer in good faith to attempt to resolve the controversy or dispute without an adversarial proceeding. If the controversy or dispute is not resolved to the mutual satisfaction of the Parties at the initial meeting, the Parties will agree to meet and confer at least one (1) additional meeting prior to taking any additional action against any Party. If a controversy, claim, or dispute cannot be resolved by said process, a party may pursue its claims as allowed by law, and the prevailing party will be entitled to recover from the non-prevailing party or parties all of its reasonable

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expenses, including but not limited to reasonable attorneys' fees, accountants' fees, expert witness fees and court.

VIII. No Personal Liability

No officer, director, shareholder, employee, agent, or other person authorized to act on behalf of either party shall be personally liable for any obligation, expressed or implied, hereunder.

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IX. Non-Discrimination

In the performance of this MOU, the parties agree that they will not discriminate against any person because of race, color, religion, sex, national origin, age, or disabilities as defined in the Americans with Disabilities Act.

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X. No Third-Party Beneficiaries

This MOU is made and entered into for the sole protection and benefit of the Parties hereto and shall not create any rights in any third parties, including, but not limited to eligible HIV program participants or applicants. No other person or entity shall have any right of action based upon the provisions of this MOU.

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XI. Indemnification

Neither HACCC, the CoC nor third party agencies or any of their respective Board of Supervisors members, Board of Commissioners members, officers, directors, employees, or agents thereof shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by any other Party arising out of or related to any work, authority or jurisdiction delegated to a Party under this MOU. It is further agreed that pursuant to Government Code Section 895.4, each Party shall fully indemnify and hold the other Parties harmless from any liability imposed for injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by such Party arising out of or related to any work, authority or jurisdiction delegated to the Party under this MOU.

XII. Compliance with Laws and Regulations

By executing this MOU, County, and each Housing Authority agrees to comply with all applicable federal, state and local laws, regulations and ordinances, and Notice PIH 2021-15(HA), including any amendments, modifications or additions thereto.

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XIII. Independent Contractor

Each participating agency is not an employee of the other participating agencies. Nothing contained in this MOU will be deemed or construed to create an employee/employer relationship between the participating agencies. Each agency will have no authority to create any obligation or make representation or warranties binding on the other agencies. All personnel supplied or used by a named participating agency alone will not be considered employees, agents, or subcontractors of the other agencies for any purpose whatsoever. Each participating agency alone is responsible for its work, direction, compensation, and personal conduct. Nothing included in any provision of this MOU shall impose any liability or duty upon any participating agency in any capacity whatsoever, or make any participating agency

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liable for the acts, omissions, liabilities, or obligations, in whatsoever nature, of another participating agency or its personnel.

XIV. Amendments

In the event of any Party to the MOU desiring to amend the terms, a Party shall notify the other Parties in writing. Within fifteen business (15) days of such notice, the Parties shall meet and confer in good faith to discuss the desired amendment. If there is agreement, the Parties will draft an Amendment to be signed by all Parties and the Amendment will be attached to the original MOU.

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XV. Assignment

No Party shall delegate or assign its interest in this MOU, and shall not transfer any interest in the same, whether by operation of law or otherwise, without the prior written consent of the other Parties.

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XVI. Notices

Any notices, bills, invoices, or reports relating to this MOU, and any request, demand, statement or other communication required or permitted hereunder shall be in writing to the addresses set forth below and shall be deemed to have been received on (a) the day of delivery, if delivered by hand during regular business hours or by confirmed facsimile during regular business hours; or (b) on the third business day following deposit in the United States mail, postage prepaid:

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If to HACCC:

Ingrid Layne
Housing Authority of the County of Contra Costa
2870 Howe Rd.
Martinez, CA 94553

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If to CoC:

Lavonna Martin
Contra Costa County Department of Health, Housing and Homeless Services
2400 Bisso Lane, Suite D, 2nd Floor
Concord, CA 94520

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XVII. Entire Agreement

This MOU is intended by the Parties hereto as a final expression of their understanding with respect to the subject matter hereof and as a complete and exclusive statement of the terms and conditions thereof and supersedes any and all prior and contemporaneous MOU's and understandings, oral or written, in connection therewith. Any amendments to or clarification of this MOU shall be in writing and acknowledged by all Parties to the MOU.

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XVIII. Program Evaluation

The HACCC, and CoC or designated CoC recipient agree to cooperate with HUD, provide requested data to HUD or HUD-approved contractor delegated the responsibility of program

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evaluation protocols established by HUD or HUD-approved contractor, including possible random assignment procedures.

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Exhibit TPS-2: HOMELESS PROVIDER'S CERTIFICATION

HOUSING AUTHORITY
OF THE
COUNTY OF CONTRA COSTA



Emergency Housing Voucher (EHV)

HOMELESS CERTIFICATION

EHV Applicant Name _____

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

Number of persons in the household _____

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

Check only one box and complete only that section

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

- The person(s) named above is/are currently living in (or, if currently in hospital or other institution, was living in immediately prior to hospital/institution admission) a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus station, airport, or campground.

Description of current living situation.

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Homeless Street Outreach Program

Name _____

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

Authorized Agency Representative Signature _____

Date _____

Living Situation: Emergency Shelter

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

Emergency Shelter Program Name

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

Authorized Agency Representative Signature _____

Date _____

Living Situation: Recently Homeless

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

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Authorized Agency Representative Signature.

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

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

emergency shelter OR a place unfit for human habitation

Authorized Agency Representative Signature.

Date

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Exhibit TPS-3: VICTIM SERVICES PROVIDER'S CERTIFICATION

HOUSING AUTHORITY
OF THE
COUNTY OF CONTRA COSTA



Emergency Housing Voucher (EHV)

HUMAN TRAFFICKING CERTIFICATION

Purpose of Form:

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

Use of This Optional Form:

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

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

TO BE COMPLETED ON BEHALF OF HUMAN TRAFFICKING SURVIVOR

EHV Applicant Name _____

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

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

This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual(s) named above is/has been a victim of human trafficking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Authorized Agency Representative Signature: _____ Date: _____

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**First Amendment of the
Memorandum of Understanding**

**Emergency Housing Vouchers (EHV)
Rental Assistance Program**

This first amendment of the Memorandum of Understanding (MOU) for the Emergency Housing Voucher Program has been created and entered into on November 28, 2021 between the *Housing Authority of the County of Contra Costa (HACCC)* and the *Contra Costa County Department of Health, Housing and Homeless Services (H3)* in their capacity as administrators for the County Continuum of Care.

I. Introduction and Goals:

- a. HACCC and CoC's commitment to administering the EHV's in accordance with all program requirements.
- b. HACCC goals and standards of success in administering the program.
 - 1. All 201 vouchers are fully utilized by September 2023
 - 2. 75-80% of Coordinated Entry referrals accepted by HACCC
 - 3. Average length of time of 120 days from program enrollment to housing move in
 - 4. 95% of households referred from a permanent supportive housing program maintain their housing through September 2023
 - 5. 80% of households referred from emergency shelter maintain their housing through September 2023
- c. Identification of staff position at the HACCC and CoC who will serve as the lead EHV liaisons.

Lead HCV Liaison:

Ingrid Layne, Director of Assisted Housing Programs

The Lead HCV Liaison shall ensure that all program requirements are being met including referral and intake of eligible households; issuance of Emergency Housing Vouchers; Providing housing search assistance to certified households; inspection of all dwelling units at initial and annual certifications; processing payments to landlords and providing on-going monitoring of participants for program compliance.

Name and title of CoC staff position:

Shelby Ferguson, Coordinated Entry Manager – Department of Health, Housing and Homeless Services

The CoC EHV Liaison shall certify that all EHV referrals from the CoC to HACCC meet Coordinated Entry eligibility criteria specific to the identified and agreed upon priority categories identified in this MOU. All referrals will be tracked and monitored for quality assurance and compliance.

II. Define the populations eligible for EHV assistance to be referred by CoC.

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

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

A detailed description of each category can be accessed in HUD Notice PIH 2021-15.

Prioritization of Eligible EHV Families

HACCC and CoC have determined that the best approach to utilize the EHV's is to create better flow and mobility within the supportive housing and sheltered community. Households that are identified as no longer needing a higher level of care or services and ready to transition to a permanent assisted housing option ("Move On") would be prioritized to move out of the PSH units and make them available for other families who need those service-enriched housing options. This would increase the flow of housing opportunities within the CoC and would also open up PSH slots for those who need the level of services and subsidy that come with PSH. Households that are long stayers in shelter programs will also be prioritized for EHV to make shelter available to other households needing that support.

A. Move On

As part of its strategic priority to end homelessness, the Continuum of Care (CoC) has adopted Move On strategies in the community for clients in permanent supportive housing (PSH) who may no longer need or want the intensive services offered in PSH but continue to need assistance to maintain their housing. Move On strategies challenge a community to create partnerships between the CoC and mainstream housing programs such as the Housing Choice Voucher (HCV) program, and HUD-funded multifamily housing providers.

Move On enables tenants to move on from supportive housing by offering affordable housing and connections to other resources. This may include a physical move to a new home, or a 'transition in place' arrangement where the services move on to another tenant. The decision to pursue Move On is always voluntary and driven by the tenant.

B. Permanent Supportive Housing (PSH)

Permanent supportive housing is an intervention that combines affordable housing assistance with voluntary support services to address the needs of chronically homeless people. The services are designed to build independent living and tenancy skills and connect people with community-based health care, treatment and employment services.

Permanent supportive housing is permanent housing with indefinite leasing or rental assistance paired with supportive services to assist homeless persons with a disability or families with an adult or child member with a disability achieve housing stability. Those who remain in permanent supportive housing for more than 3 years are considered long stayers and ready to consider moving on.

C. Shelters

Shelters serve households who are literally homeless and offer an array of housing and case management services depending on the shelter provider. Many participants of shelter programs have income and have reached stability but need deeply affordable and subsidized housing. The lack of affordable housing options presents significant barriers for those in shelter to rapidly exit, and thereby reduces the number of beds available for new clients. Those who remain in the shelter for 180 consecutive days or more are considered long term stayers and have significant challenges exiting to permanent housing.

Prioritization

As a result of defining the criteria of eligible households, the following prioritization system has been developed to memorialize the order in which households will be considered for an EHV.

Category 1 – Permanent Supportive Housing (PSH) Moving On

Qualifies under EHV Eligibility Category 4 Recently Homeless: Section 8 defines this as individuals and families who have previously been classified by the COC as homeless, but are not currently homeless as a result of homelessness assistance (financial or services), temporary rental assistance, etc. and where the COC or its designee determines that the loss of such assistance would result in a return to homelessness. Examples of such households may include (but are not limited to) participants in PSH.

- PSH/Moving On + Length of most recent consecutive enrollment in HMIS-participating permanent supportive housing program (3 years or more)
 - o For individuals and families with identical lengths of stays in PSH:
 - PSH/Moving On + Current or previous experience of domestic violence (including dating violence, sexual assault, stalking, and/or human trafficking).
 - PSH/Moving On + Previous experience of eviction and/or involuntary displacement from applicant's primary place of residence.
 - PSH/Moving On + Poor (below 600) or no credit.

- PSH/Moving On + Previous experience with the criminal legal system (e.g., detention by law enforcement, arrest, prosecution, incarceration, community supervision).

Category 2 – Homeless/Sheltered Long Stayers

Qualifies under EHV Eligibility Category 1: Homeless.

- Sheltered Long Stayer + Length of most recent consecutive enrollment in HMIS-participating emergency shelter program or local domestic violence shelter (180 days or more)
- For individuals or families with identical lengths of stay:
 - Sheltered Long Stayer + Current or previous experience of domestic violence (including dating violence, sexual assault, stalking, and/or human trafficking).
 - Sheltered Long Stayer + Previous experience of eviction and/or involuntary displacement from applicant’s primary place of residence.
 - Shelter Long Stayer + Poor (below 600) or no credit.
 - Shelter Long Stayer + Previous experience with the criminal legal system (e.g., detention by law enforcement, arrest, prosecution, incarceration, community supervision).

Referral Process

HACCC shall notify the CoC’s Coordinated Entry System Administrator when EHV’s become available. Within five (5) business days of being notified of the availability of EHV’s, the CoC shall make every effort to make a referral to HACCC’s point of contact.

For PSH clients that are interested in and eligible for Emergency Housing Vouchers through the Moving On Program, CE will convene the Housing Placement Committee to review the client’s case history to discuss the key indicators of the client’s capacity for the Moving On program. Among the indicators to be considered are as follows:

- Housing History
- Financial Stability
- Service Needs and Supports (includes connections to health, mainstream resources, and family or other natural supports)
- Household Composition

Weighing these indicators, the Housing Placement Committee will make a determination as to whether the client should be recommended for an Emergency Housing Voucher. Recommended clients will be referred to the Housing Authority of Contra Costa County by CE once all eligibility documentation has been received.

Any and all grievances regarding the CoC process will be handled within the grievance procedures outlined in the CoC’s written standards while any grievances regarding denial to participate or termination of assistance in the EHV Program shall be addressed through the

HACCC Administrative Plan for the Housing Choice Voucher Program. The CoC Complaint Policy and Form are publicly available on the CoC website.

CE will only send HACCC referrals for the number of spaces that are open and will not send more than one referral per opening, unless requested by HACCC.

Coordinated Entry Referral Process

The Coordinated Entry Referral Process for long-stayers in emergency shelter and permanent supportive housing will be implemented as directed in the addendum to the CoC Coordinated Entry Policies and Procedures entitled “EHV Coordinated Entry Policies.” The referral process was developed in alignment with local community processes and includes variations invoked by the EHV program.

VAWA Direct Referral

Pursuant to guidance in PIH 2021-15, HACCC will also accept direct referrals for VAWA-eligible households who may be fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking.

HACCC shall execute separate MOUs with these entities to ensure proper HUD compliance. In addition, HACCC shall inform the CoC, through CES, in the event that an EHV household is assisted directly so that proper tracking and services are made available to the household.

III. Services to be provided to eligible EHV families

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

1. Referring agencies will explain the EHV Program to eligible clients and the risks and benefits associated with client participation using communication materials provided by H3 and HACCC.
2. Referring agencies will work with the eligible and interested client to complete the EHV Screening Tool, PSH or ES Certification Form, and Candidate Interest Form in HMIS.
3. Referring agencies will attend the Housing Placement Committee to determine if the client will be recommended for EHV referral through Coordinated Entry.
4. Referring agencies will complete any other necessary documentation to complete the referral process to HACCC.
5. Referring agencies will complete an Individualized Transition Plan with each client
6. Referring agencies will connect clients to new or existing Community Supports that are not dependent on the client’s housing status (e.g., behavioral health, physical health, veterans’ affairs, IHSS, support groups, recovery groups, family, friends, faith community).
7. Referring agencies will assist clients with practicing and mastering activities of daily living.
8. Referring agencies will check-in with clients after they have moved into an EHV unit and continue to work on the goals outlined in the Individualized Transition Plan.
9. Partnering agencies (EHV Navigators) will provide housing navigation or location assistance to EHV program participants.

10. Partnering agencies (EHV Navigators) will provide 30 days of light-touch post-move in support to program participants. This support will primarily focus on relationships with the landlord, resolving issues with the financial components of the EHV, and accessing flexible housing funds as needed and appropriate.
11. Partnering agencies (EHV Navigators) will cultivate relationships with landlords and provide housing search support for EHV clients.
12. Partnering agencies (EHV Navigators) will support lease negotiation, signing, and move in logistics.
13. Partnering agencies (EHV Navigators) will provide expedited access to flexible housing funds to support move-in (i.e., funds may be used for security deposits, application fees, credit checks, etc.).
14. HACCC will establish windows of time for EHV applicants to complete intake interviews for EHV.

IV. HACCC Roles and Responsibilities

1. Coordinate and consult with the CoC in developing the services and assistance to be offered under the EHV services fee.
2. Accept direct referrals for eligible individuals and families through the CoC Coordinated Entry System.
3. Provide the necessary training to CoC staff necessary to assist in completing eligibility determination packages for all referrals;
4. Commit a sufficient number of staff and necessary resources to ensure that the application, certification, and voucher issuance processes are completed in a timely manner.
5. Ensure families and individuals meet all EHV Program requirements as described in the Notice.
6. Commit a sufficient number of staff and resources to ensure that inspections of units are completed in a timely manner.
7. Perform initial, annual and Interim income certifications as needed.
8. Conduct initial, annual and special Housing Quality Standards inspections as needed.
9. Provide assistance with unit search.
10. Negotiate contract rents with landlords to ensure that rents are reasonable.
11. Execute Housing Assistance Payments (HAP) and Tenancy Addendums for all participants.
12. Process rent payments to landlords.
13. Provide participants who request one with security deposit grant of up to one month's rent. If a security deposit is provided, the participant shall be entitled to keep any proceeds returned by the owner after the tenancy ends.
14. Communicate problems with the application or client participation to the CES representative.
15. Provide a list, each month, of all clients leased under this program and a status report on the EHV wait list.
16. Perform any financial or program reporting required by HUD, except where provided by CoC's CES.
17. HACCC will reimburse CES for all allowable activities under supportive services and administrative budget line items that are outside normal CES activities subject to funding limitations.

18. Meet regularly, but no less than quarterly, with CES staff to discuss program issues related to policy and procedures, funding levels, leasing goals, and any other issues related to the program.
19. Participate in periodic updates to the CoH by CES on the status of services offered by the CoC program, to discuss new program policies and to evaluate existing EHV policies. HACCC will also utilize CoH to become aware of new funding and service opportunities for the EHV program and clients.
20. Designate a staff to serve as the lead EHV liaison.
21. Comply with the provisions of this MOU.
22. Apply all Administrative Plan criteria as applicable.

V. CoC Roles and Responsibilities

HACCC is partnering with the Contra Costa Continuum of Care to establish an EHV Program that takes referrals directly from the Contra Costa Coordinated Entry System. To identify potential participants, homeless service providers operating one or more HUD Continuum of Care Permanent Supportive Housing (PSH) programs in Contra Costa County, will identify and assess as many eligible clients as possible who may be ready to “move on” from PSH (i.e., are still in need of housing supports, but no longer in need of intensive services) or transition out of shelter after a long stay.

1. Designate and maintain a lead EHV liaison to communicate with the HACCC.
2. Refer eligible individuals and families to HACCC using the community’s coordinated entry system.
3. Refer at least (1) household for every EHV opening within 5 days of the referral request by the HACCC.
Referrals will be submitted using the authorized referral form.
4. Support eligible individuals and households in completing and applying for supportive documentation to accompany admissions application to the HACCC (i.e. self-certifications, birth certificate, social security card, etc.).
5. Attend EHV participant briefings when needed.
6. Assess all households referred for EHV for mainstream benefits and supportive services available to support eligible individuals and families through their transition.
7. Identify and provide supportive services to EHV families. (While EHV participants are not required to participate in services, the CoC should assure that services are available and accessible.)
8. Keep accurate records of the referrals made and make them available as necessary to the PHA, auditors etc. Make staff available to respond to questions from auditors, HUD etc. necessary to ensure HACCC’s compliance with the EHV regulations
9. Provide HACCC with regular monthly reports of services provided to EHV families including demographics of families referred.
10. Comply with the provisions of this MOU.

Continuum of Care Processes:

CES Policy has been amended to conform with EHV referral process.
CoC Policy has been amended to conform with EHV referral process.

VI. Third Party Entity Roles Responsibilities

Service Providers or CoC recipients it designates will fulfill each of the following responsibilities:

1. Attend initial meetings regarding the startup of the EHV's in the CoC's coverage area.
2. Designate and maintain a lead EHV liaison to communicate with HACCC and CoC.
3. Commit a sufficient number of staff and necessary resources to ensure that the application is completed in a timely manner.
4. Refer eligible individuals and families to the CoC using the Coordinated Entry System.
5. Support eligible individuals and households in completing and applying for supportive documentation to accompany admissions application to HACCC.
6. Secure other eligible funds for security deposit costs, as needed (i.e., ESG, ESG-CV)
7. Attend EHV participant briefings when needed.
8. Assess all households referred for EHV for mainstream benefits and supportive services available to support eligible individuals and families through their transition.
9. Conduct owner outreach and recruitment to ensure an adequate pool of rental units are available for individuals and families. This includes contacting current owners to inquire about availability of current units.
10. Identify and provide supportive services to EHV individuals and families throughout the first year of tenancy. (While EHV participants are not required to participate in services, the Service Provider should assure that services are available and accessible.)
11. Comply with the provisions of this MOU.
12. Comply with CES and CoC Policy regarding the EHV program.

VII. Disputes

In the event of any controversy or dispute related to or arising out of this MOU, a Party shall notify the other Parties in writing. Within fifteen business (15) days of such notice, the Parties shall meet and confer in good faith to attempt to resolve the controversy or dispute without an adversarial proceeding. If the controversy or dispute is not resolved to the mutual satisfaction of the Parties at the initial meeting, the Parties will agree to meet and confer at least one (1) additional meeting prior to taking any additional action against any Party. If a controversy, claim, or dispute cannot be resolved by said process, a party may pursue its claims as allowed by law, and the prevailing party will be entitled to recover from the non-prevailing party or parties all of its reasonable expenses, including but not limited to reasonable attorneys' fees, accountants' fees, expert witness fees and court.

VIII. No Personal Liability

No officer, director, shareholder, employee, agent, or other person authorized to act on behalf of either party shall be personally liable for any obligation, expressed or implied, hereunder.

IX. Non-Discrimination

In the performance of this MOU, the parties agree that they will not discriminate against any person because of race, color, religion, sex, national origin, age, or disabilities as defined in the Americans with Disabilities Act.

X. No Third-Party Beneficiaries.

This MOU is made and entered into for the sole protection and benefit of the Parties hereto and shall not create any rights in any third parties, including, but not limited to eligible EHV program participants or applicants. No other person or entity shall have any right of action based upon the provisions of this MOU.

XI. Indemnification

Neither HACCC, the CoC nor third party agencies or any of their respective Board of Supervisors members, Board of Commissioners members, officers, directors, employees, or agents thereof shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by any other Party arising out of or related to any work, authority or jurisdiction delegated to a Party under this MOU. It is further agreed that pursuant to Government Code Section 895.4, each Party shall fully indemnify and hold the other Parties harmless from any liability imposed for injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by such Party arising out of or related to any work, authority or jurisdiction delegated to the Party under this MOU.

XII. Compliance with Laws and Regulations.

By executing this MOU, County, and each Housing Authority agrees to comply with all applicable federal, state and local laws, regulations and ordinances, and Notice PIH 2021-15(HA), including any amendments, modifications or additions thereto.

XIII. Independent Contractor

Each participating agency is not an employee of the other participating agencies. Nothing contained in this MOU will be deemed or construed to create an employee/employer relationship between the participating agencies. Each agency will have no authority to create any obligation or make representation or warranties binding on the other agencies. All personnel supplied or used by a named participating agency alone will not be considered employees, agents, or subcontractors of the other agencies for any purpose whatsoever. Each participating agency alone is responsible for its work, direction, compensation, and personal conduct. Nothing included in any provision of this MOU shall impose any liability or duty upon any participating agency in any capacity whatsoever, or make any participating agency liable for the acts, omissions, liabilities, or obligations, in whatsoever nature, of another participating agency or its personnel.

XIV. Amendments

In the event of any Party to the MOU desiring to amend the terms, a Party shall notify the other Parties in writing. Within fifteen business (15) days of such notice, the Parties shall meet and confer

in good faith to discuss the desired amendment. If there is agreement, the Parties will draft an Amendment to be signed by all Parties and the Amendment will be attached to the original MOU.

XIV. Assignment.

No Party shall delegate or assign its interest in this MOU, and shall not transfer any interest in the same, whether by operation of law or otherwise, without the prior written consent of the other Parties.

XVI. Notices

Any notices, bills, invoices, or reports relating to this MOU, and any request, demand, statement or other communication required or permitted hereunder shall be in writing to the addresses set forth below and shall be deemed to have been received on (a) the day of delivery, if delivered by hand during regular business hours or by confirmed facsimile during regular business hours; or (b) on the third business day following deposit in the United States mail, postage prepaid:

If to HACCC:

Ingrid Layne
Housing Authority of the County of Contra Costa
2870 Howe Rd.
Martinez, CA 94553

If to CoC:

Christine Saxton
Contra Costa County Department of Health, Housing and Homeless Services
2400 Bisso Lane, Suite D, 2nd Floor
Concord, CA 94520

XVII. Entire Agreement.

This MOU is intended by the Parties hereto as a final expression of their understanding with respect to the subject matter hereof and as a complete and exclusive statement of the terms and conditions thereof and supersedes any and all prior and contemporaneous MOU's and understandings, oral or written, in connection therewith. Any amendments to or clarification of this MOU shall be in writing and acknowledged by all Parties to the MOU.

XVIII. Program Evaluation

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

SIGNATURES ON FOLLOWING PAGES

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

Joseph Villarreal, Executive Director

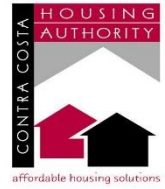
Date

Christine Saxton, Interim Director
Health, Housing and Homeless Services

Date

Attachment 3 - Homeless Provider's Certification

**HOUSING AUTHORITY
OF THE
COUNTY OF CONTRA COSTA**



Emergency Housing Voucher (EHV)

HOMELESS CERTIFICATION

EHV Applicant Name: _____

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

Number of persons in the household: ____

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

Check only one box and complete only that section

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

- The person(s) named above is/are currently living in (or, if currently in hospital or other institution, was living in immediately prior to hospital/institution admission) a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus station, airport, or camp ground.

Description of current living situation:

Homeless Street Outreach Program

Name: _____

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

Authorized Agency Representative Signature: _____

Date: _____

Living Situation: Emergency Shelter

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

Emergency Shelter Program Name:

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

Authorized Agency Representative Signature: _____

Date: _____

Living Situation: Recently Homeless

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

Authorized Agency Representative Signature:

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

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

emergency shelter OR a place unfit for human habitation

Authorized Agency Representative Signature: _____

Date: _____

Attachment #4 Victim Services Provider's Certification

HOUSING AUTHORITY OF THE COUNTY OF CONTRA COSTA



Emergency Housing Voucher (EHV)

HUMAN TRAFFICKING CERTIFICATION

Purpose of Form:

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

Use of This Optional Form:

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

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

TO BE COMPLETED ON BEHALF OF HUMAN TRAFFICKING SURVIVOR

EHV Applicant Name: _____

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

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

This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual(s) named above is/has been a victim of human

trafficking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Authorized Agency Representative Signature: _____ **Date:** _____

GLOSSARY

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A. ACRONYMS USED IN THE HOUSING CHOICE VOUCHER (HCV) PROGRAM

AAF	Annual adjustment factor (published by HUD in the <i>Federal Register</i> and used to compute annual rent adjustments)
ACC	Annual contributions contract
ADA	Americans with Disabilities Act of 1990
AIDS	Acquired immune deficiency syndrome
BR	Bedroom
CDBG	Community Development Block Grant (Program)
CES	<u>Coordinated Entry System</u>
CFR	Code of Federal Regulations (published federal rules that define and implement laws; commonly referred to as “the regulations”)
CoC	<u>Continuum of Care</u>
CPI	Consumer price index (published monthly by the Department of Labor as an inflation indicator)
RAD	Rental Assistance Demonstration Program
EHV	<u>Emergency Housing Vouchers</u>
EID	Earned income disallowance
EIV	Enterprise Income Verification
FDIC	Federal Deposit Insurance Corporation
FHA	Federal Housing Administration (HUD Office of Housing)
FHEO	Fair Housing and Equal Opportunity (HUD Office of)
FICA	Federal Insurance Contributions Act (established Social Security taxes)
FMR	Fair market rent
FR	Federal Register
FSS	Family Self-Sufficiency (Program)
FY	Fiscal year
FYE	Fiscal year end
GAO	Government Accountability Office
GR	Gross rent

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