

# Eugene/Springfield/Lane County Continuum of Care Technical Guidance

**General and Project Specific Policies and Procedures for Providing Direct  
Assistance and Services to CoC and ESG Project Participants**

**NOT SUBJECT TO APPROVAL**

**REMOVED FROM WRITTEN STANDARDS**

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**Introduction: This Document contains technical guidance regarding CoC and ESG programs serving homeless and low-income households in Lane County. The guidance contained in this document is developed based on HUD guidance, and staff and program feedback.**

***Policy 1: Topic Family Reunification and Coordinated Entry Referrals to McKenzie Transitions– Households who have had their children removed by DHS***

With Department of Human Services (DHS) written documentation of imminent reunification (within 30-45 days), a Household (HH) may be enrolled in a CoC funded program (i.e. McKenzie Transitions, Emerald Options). The HH will be enrolled in ServicePoint as a HH with no children. At the time of family reunification (when the children have been returned to the home), the children should be added to the HH in Service Point (thus becoming a HH with children). DHS written documentation of imminent reunification must be kept in the HH's file.

For providers who by contract serve only HH with children, a HH waiting for reunification may be enrolled in the CoC program if they have written documentation of imminent reunification. The HH will be enrolled as a HH with no children. At the time of family reunification (when the children have been returned to the home), the children should be added to the HH in Service Point (thus becoming a HH with children). If the reunification is delayed or does not occur, the provider agency will not be penalized for serving the HH nor should they exit the HH from the program based solely on the failed reunification. The provider agency must keep DHS written documentation of imminent reunification and any documentation concerning a delay or failed reunification in the HH's file.

If a reasonable period passes and it is clear that there is little hope for imminent re-unification, then the HH will look for a housing unit to accommodate a HH without children.

***Policy 2 Topic: Use of Supportive Services Funds for Health, Mental health and Substance Abuse Services Issue: What activities are eligible?***

These supportive services are:

- linked to an assessment that identifies the need for the services related to obtaining and maintaining housing,
- provided by a licensed medical professional, and
- fall into one of the regulatory categories below
  - Health:
    - Providing an analysis or assessment of an individual's health problems and the development of a treatment plan;
    - Assisting individuals to understand their health needs;
    - Providing directly or assisting individuals to obtain and utilize appropriate medical treatment;
    - Preventive medical care and health maintenance services, including in home health services and emergency medical services;
    - Provision of appropriate medication;
    - Providing follow-up services; and
    - Preventive and non-cosmetic dental care.
  - Mental health:
    - Direct outpatient treatment of mental health conditions that are provided by licensed professionals.
      - Crisis interventions
      - Counseling; individual, family, or group therapy sessions;

- Prescription of psychotropic medications or explanations about the use and management of medications; and
- Combinations of therapeutic approaches to address multiple problems.
- Substance abuse:
  - Program participant intake and assessment
  - Outpatient treatment, group and individual counseling, and
  - Drug testing
  - Inpatient detoxification and other inpatient drug or alcohol treatment are ineligible.

**Policy 3 Topic: Termination and Re-enrollment Policies Issue:** Can a household only be served by CoC housing only once or for maximum of 24 months (TH) over their lifetime? Or can they be served by a transitional housing program more than once as long as each individual episode is not more than 24 months?

**Termination of assistance to program participants (Interim Rule 578.91)**

(a) Termination of assistance. The recipient or sub recipient may terminate assistance to a program participant who violates program requirements or conditions of occupancy. Termination under this section does not bar the recipient or sub recipient from providing further assistance at a later date to the same individual or family.

In addition, CoC recipients and sub recipients may tailor their RRH and TH rental assistance programs by specifying in their respective written standards:

- The maximum amount or percentage of rental assistance that a program participant may receive
- The maximum number of months that a program participant may receive rental assistance
- The maximum number of times that a program participant may receive rental assistance
- The extent to which a program participant must share the cost of rent

Yes, they can receive assistance if they have left the program, return, and meet the eligibility criteria, but the recipient/grantee should have a policy in place that determines how many times a client is eligible and the assessment should help determine if the client may need longer term assistance if they continue to cycle in and out of TH and RRH assistance.

\*\*\*Note that the CoC TH rule: A homeless individual or family may remain in transitional housing for a period longer than 24 months, if permanent housing for the individual or family has not been located or if the individual or family requires additional time to prepare for independent living. However, HUD may discontinue assistance for a transitional housing project if more than half of the homeless individuals or families remain in that project longer than 24 months.

**Policy 4 Topic: Termination Policies** Termination Due to Lack of Participation or Engagement Project Specific: Shankle Safe Haven (formulated in consultation with HUD representative) If a program participant is inactive for 60 days from the Shankle Safe Haven Day Program, they may be terminated, knowing that they can always be re-enrolled when ready for to resume services.

**Policy 5 Topic: Termination Due to Significant Income Change**

Issue: When a Shankle Safe Haven Permanent Housing participant in leased units, has a significant income change, do they need to be reassessed for services? Is the participant still eligible for services as their mental health status and homelessness eligibility is unchanged?

The participant doesn't lose their eligibility and it would only affect the rent payment standard. It is important question the current "need" for the assistance, but a participant can't be terminated based on a significant income change.

A project can assist a participant for up to 6 months with supportive services if they move and no longer need the leasing assistance.

Program standards determine when a recertification is completed. If it's the program's policy that a recertification be done if income is increased that's a program standard to develop. If the policy states they will be conducted annually a participant can't be required to be re-certified before its established project policy timeline.

Income is not part of program eligibility. Income, however, should be reviewed at least annually and does play a part in the participant's contribution toward the rent payment.

**Policy 6 Topic: Additions to Households**

*(i) Vacancies. If a unit assisted under this section is vacated before the expiration of the lease, the assistance for the unit may continue for a maximum of 30 days from the end of the month in which the unit was vacated, unless occupied by another eligible person. No additional assistance will be paid until the unit is occupied by another eligible person. Brief periods of stays in institutions, not to exceed 90 days for each occurrence, are not considered vacancies.*

**Policy 7 Temporary Housing Vacancies Topic: Payment on Vacant Units Issue:** What should a case manager do when a participant leaves the unit to go into an institution and what documentation should be provided every time the agency pays for a vacant unit?

The Case Manager should provide specific dates on **when the participant left the unit, when they returned, and case notes concerning if and when the client would be returning while the agency was paying for the vacant unit.** This can be key to documenting the client's intent to come back to the unit within the 90 days, or if they possibly came back for a short period during the 90 days.

According to the Interim Rule: The recipient or sub recipient must provide leasing assistance funds as set forth in §578.49. Occupancy agreements and subleases are required as specified in § 578.77(a).

The recipient or sub recipient or rental assistance administrator **cannot make rental assistance payments on a vacant unit except as provided in § 578.51(i)**

*(i) Vacancies. If a unit assisted under this section is vacated before the expiration of the lease, the assistance for the unit may continue for a maximum of 30 days from the end of the month in which the unit was vacated, unless occupied by another eligible person. No additional assistance will be paid until the unit is occupied by another eligible person. Brief periods of stays in institutions, not to exceed 90 days for each occurrence, are not considered vacancies.*

**Payment on vacant units under leasing assistance** is not specified in the regulations, but the Transition Guidance (attached) clearly states that leasing funds can pay rent if in institution for **up to 90 days.**

**Under leasing assistance** is not specified in the regulations, but the Transition Guidance clearly states that leasing funds can pay rent if in institution for **up to 90 days**.

**Future Guidance and Policy** All leasing and rental assistance provided under the interim rule is required to follow the 90 day vacancy guidance.

Lane County Vacancy Policy will help ensure compliance with the interim rule and appropriate management.

**Policy 8 Family Reunification Policy Topic:** Family Reunification and CE Referrals to McKenzie Transitions– HH who have had their children removed by DHS (Continuum of Care Policy 11/15/13)

With DHS written documentation of imminent reunification (within 30-45 days), a HH may be enrolled in a CoC funded program (i.e. McKenzie Transitions, Emerald Options). The HH will be enrolled in ServicePoint as a HH with no children. At the time of family reunification (when the children have been returned to the home), the children should be added to the HH in Service Point (thus becoming a HH with children). DHS written documentation of imminent reunification must be kept in the HH's file.

For providers who by contract serve only HH with children, a HH waiting for reunification may be enrolled in the CoC program if they have written documentation of imminent reunification. The HH will be enrolled as a HH with no children. At the time of family reunification (when the children have been returned to the home), the children should be added to the HH in Service Point (thus becoming a HH with children). If the reunification is delayed or does not occur, the provider agency will not be penalized for serving the HH nor should they exit the HH from the program based solely on the failed reunification. The provider agency must keep DHS written documentation of imminent reunification and any documentation concerning a delay or failed reunification in the HH's file.

If a reasonable period passes and it is clear that there is little hope for imminent re-unification, then the HH will look for a housing unit to accommodate a HH without children.

**Policy Topic 9: Renting from Relatives (Policy Update Recommended by the Continuum of Care Providers Meeting, March 18<sup>th</sup> 2014)**

The CoC Program Interim Rule does not specifically disallow this situation; therefore, it is permissible to provide rent for a program participant to a program participant's family member. However, since this type of arrangement has a high potential for fraud, it is important that the sub-recipient document that all program requirements have been met in the program participant's case file. Participants and their perspective landlords must also sign the Conflict of Interest Landlord/Tenant Agreement form attesting that there is no conflict of interest and that the participant is not receiving any benefits from the rental situation.

Some particular program requirements to which recipients and sub-recipients should pay particular attention are:

-ELIGIBILITY - All individuals and families received assistance under the CoC Program must meet the eligibility requirements for the project in which they will be receiving assistance. This means that the individual or family must meet the definition of homeless set forth in section 578.3 of the CoC Program interim rule and meet any additional eligibility criteria set forth in the FY NOFA under which the project was funded. Recipients and sub-recipients should pay particular attention to individuals and families qualifying as homeless under Category 2 and

Category 4, as these categories require the household to certify that they lack the resources and support networks needed to obtain other permanent housing. If a household is going to rent a unit or room from a family member, the sub-recipient must document how that family member is not considered a resource or support network for obtaining other permanent housing.

-LEASES - All program participants in permanent housing projects must be the tenant on a lease for a term of at least one year that is terminable only for cause and that can be renewed for terms that are a minimum of one month long. All program participants in transitional housing must have a signed lease, sublease, or occupancy agreement for a term of at least one month that ends in 24 months (see section 578.3 of the CoC Program interim rule for more information).

-FMR and RENT REASONABLENESS - As indicated in section 578.51(g) of the CoC Program interim rule, the recipient or sub-recipient must determine whether the rent charged for the unit receiving rental assistance is reasonable in relation to rent being charged for comparable unassisted units taking into account the location, size, type, quality, amenities, facilities, and management and maintenance of each unit. Reasonable rent may not exceed rents currently being charged by the same owner for comparable unassisted units.

-HOUSING STANDARDS - All units that receive rental assistance through the CoC Program must meet the requirements and standards included in Sections 578.75(b) and (c) of the CoC Program interim rule. Section 578.75(b) states that housing leased with CoC program funds, or for which rental assistance payments are made must meet applicable housing quality standards under 24 CFR 982.401. Section 578.75(c) states that all dwelling units must have at least one bedroom or living/sleeping room for each two persons.

-CONFLICT OF INTEREST - The sub-recipient must comply with all conflict of interest provisions set forth in section 578.95 of the CoC Program interim rule.

-WRITTEN STANDARDS FOR ADMINISTERING ASSISTANCE - The sub-recipient must follow the written standards for providing assistance under CoC Program in compliance with the written standards established by the CoC (see section 578.7(a)(9) of the CoC Program interim rule for more information).

***Policy Topic 10: Utility Payments in Arrears (Policy Update Recommended by the Continuum of Care Providers Meeting, March 18th 2014)***

The ESG manual allows “utility payments (per service), including up to 6 months of arrears, with the total utility payments not exceeding 24 months within any 3-year period”

The maximum payment allowable for utilities in arrears is to be calculated by taking the utility allowance for the unit the client is moving into and multiplying it by 6 and cannot exceed \$1,500.

This payment is allowed if the bill that is in arrears is a barrier to the participant securing housing.

***Policy Topic 11: Transitional Housing Extensions (Policy Update Recommended by the Continuum of Care Providers Meeting, March 18th 2014)***

§ 578.79 Limitation on transitional housing.

A homeless individual or family may remain in transitional housing for a period longer than 24 months, if permanent housing for the individual or family has not been located or if the individual or family

requires additional time to prepare for independent living. However, HUD may discontinue assistance for a transitional housing project if more than half of the homeless individuals or families remain in that project longer than 24 months.

Extensions beyond the 24 months of Transitional Housing assistance are allowed in situations where households are unable to pay their own rent and move off of the Transitional Housing program due to circumstances outside of their control. This includes loss of employment or income or sudden medical bills or health issues. An extension may also be allowable to bridge a participant from a Temporary Housing Program to a Permanent Housing Program.

Requests for extension must be submitted to Lane County Human Services Division Staff and must include a description of the issue(s) preventing the participant from leaving the program and a plan of action developed with the program participant describing what steps will be taken to move this client off of the Transitional Housing program. Extensions will be granted for 6 month periods and will be submitted to HUD. No more than half of the participants in Transitional Housing will be granted extensions at any time.

***Policy Topic 12: Security Deposit Returns (Policy Update Recommended by the Continuum of Care Providers Meeting, March 18th 2014)***

Security deposits will be returned to the holder of the lease or rental agreement. In the case of Rental Assistance Grants, program participants hold the lease or rental agreement and any deposits will be returned to the program participant. In the case of Leasing Grants the sub-recipient holds the lease and any deposits will be returned to the sub-recipient. Any deposits returned to the sub-recipient are considered program income and must be used for eligible activities. See below for the rule.

§ 578.97 Program income.

(a) Defined. Program income is the income received by the recipient or sub-recipient directly generated by a grant-supported activity. (b) Use. Program income earned during the grant term shall be retained by the recipient, and added to funds committed to the project by HUD and the recipient, used for eligible activities in accordance with the requirements of this part. Costs incident to the generation of program income may be deducted from gross income to calculate program income, provided that the costs have not been charged to grant funds. (c) Rent and occupancy charges. Rents and occupancy charges collected from program participants are program income. In addition, rents and occupancy charges collected from residents of transitional housing may be reserved, in whole or in part, to assist the residents from whom they are collected to move to permanent housing.

***Policy Topic 13: Rent Assistance Contribution (Policy Update Recommended by HSD staff, July 1<sup>st</sup> 2014)***

Beginning July 1st 2014, participants enrolled in Homeless Prevention or Rapid Re-housing programs receiving rental assistance will contribute 30% of their income toward the rent with the agency providing the difference.

For all rental assistance programs, the Human Services Division has implemented the Household Income Model. This pertains to all Homeless Prevention and Rapid Re-housing rental assistance, regardless of the funding source.

Reminder: HUD funded Continuum of Care Rental Assistance programs also require a contribution toward rent of 30% of participant income as stated in the Interim Rule. HUD funded Continuum of Care Leasing programs do not include a required tenant contribution.

***Policy Topic 14: Homeless Prevention Household Prioritization (Policy Update Recommended by HSD staff, July 1<sup>st</sup> 2014)***

Homeless Prevention Funds are to be used only to serve households who meet the definition of Imminent Risk. Households who are Imminent Risk and who have an eviction that forces them to relocate, will be prioritized over households who could use Homeless Prevention funds to remedy their eviction and therefore remain in their current unit.

***Policy Topic 15: Rapid Rehousing Move in Costs for Permanent Supportive Housing Policy (Policy Update Recommended by HSD staff, July 1<sup>st</sup> 2014)***

Rapid Rehousing funds may be used for move-in costs for a household entering a Permanent Supportive Housing Program. This is allowable if the Permanent Supportive Housing Program is unable to pay for move-in costs and no other subsidy is paying for these costs. Providers should look to the Permanent Supportive Housing Program and to other programs before using Rapid Rehousing Funds. Rapid Rehousing funds should be used as a last resort for move-in costs. The household must be literally homeless at program entry, living in a place not meant for human habitation, sleeping on the streets, or residing in an emergency shelter or transitional housing program, and meet all of the applicable ESG Rapid Re-Housing requirements.

***Policy Topic 16: Documentation of Homeless Status (Policy Update Recommended by HSD staff, October 30, 2014)***

Sub-recipients are required to document each Household's homeless status and program eligibility at intake. This documentation must be maintained in the household's file and must be made available for annual program monitoring.

Preferred Documentation is as follows in order of preference:

1. Third Party

- Signed and dated letter on agency letterhead with the dates the household was homeless or;
- HMIS street outreach service record or emergency shelter stay or;
- Recorded oral statements by intake staff of a 3rd party agency providing verification signed and dated by intake staff as true and complete

2. Intake Staff Observations

- Intake staff notes on their observations and assessments signed and dated by intake staff as true and complete

3. Self-Certification

Individual/Head of Household Statement

- Written statements certified (signed and dated) as true and complete

Self-Certification must also include:

- Description of efforts to obtain third party documentation
  - Phone logs, email correspondence, copies of certified letters etc.
- Description of outcome of effort, including obstacles
- Signed and dated by intake staff as true and complete

***Policy Topic 17: Determination of Length of Rapid Rehousing Rent Assistance (Policy Update Recommended by HSD staff, May 21, 2015)***

Continuum of Care and Emergency Solutions Grant Rapid Rehousing provides rent assistance for short term (1-3 months) or medium term (4-24 months). Case managers meet with participant households on a regular basis to assess and determine the appropriate length of rental assistance for the household.

***Policy Topic 18: ESG Outreach Plan (Policy Update Recommended by HSD staff, June 17, 2015)***

ESG subrecipients are required to comply with ESG Interim Rule 24 CFR 576.407(b). Subrecipients must make known that use of the facilities, assistance, and services are available to all on a nondiscriminatory basis. If it is unlikely that the procedures that the recipient or subrecipient intends to use to make known the availability of the facilities, assistance, and services will reach persons of any particular race, color, religion, sex, age, national origin, familial status, or disability who may qualify for those facilities and services, the recipient or subrecipient must establish additional procedures that ensure that those persons are made aware of the facilities, assistance, and services. The subrecipients must take appropriate steps to ensure effective communication with persons with disabilities including, but not limited to, adopting procedures that will make available to interested persons information concerning the location of assistance, services, and facilities that are accessible to persons with disabilities. Consistent with Title VI and Executive Order 13166, subrecipients are also required to take reasonable steps to ensure meaningful access to programs and activities for limited English proficiency (LEP) persons. It is known that the use of facilities, assistance and services are available to all on a non-discriminatory basis.

**ServicePoint Instructions: One Time Rental or Utility Deposit payment**

This is a one-time service kind of project  
Process (and step order matters):

1. Rapid Rehousing (RRH) project staff collect entry info on the HUD Intake form for each person in the household. All fields need to be completed.
2. RRH project staff create an entry/exit (HUD-type) for the household via ClientPoint.
3. RRH project staff add the service transactions of rental deposit assistance (and utility deposit assistance and rental application fee if applicable)  
Can also pay utility bill arrearages and rent arrearages. (use "Rent Payment Assistance" or "Utility Service Payment Assistance" with "Month(s) Rent Arrearage(s)" or "Month(s) Utility Arrearage(s)".)  
Start and end date of any of services is always the same date and probably the same date as the entry/exit entry and exit date too.

4. Funding Source is that which funds the Rapid ReHousing project (“ESG” and “EHA – State Fund” are most common) (see attachment on ClientPoint Payments w Fund Sources)
5. Exit the household from the Rapid Rehousing project  
Reason: “Completed Program”  
Destination: “Permanent Supportive Housing for Formerly Homeless Persons”

Forms and Instructions on HSC web site:

<http://www.lanecounty.org/Departments/HHS/HSC/Pages/hmis.aspx>

***Policy Topic 19: Coordinated Entry Prioritization of Chronically Homeless Households (Policy Update Recommended by Staff, October 8, 2015)***

In compliance with HUD orders described in Notice CPD-14-012: *Prioritizing Persons Experiencing Chronic Homelessness in Permanent Supportive Housing and Recordkeeping Requirements for Documenting Chronic Homeless Status*, Chronically Homeless households are prioritized for all Permanent Supportive Housing programs in the Lane County Continuum of Care. Chronically Homeless Households are prioritized on the Central Wait List and are referred to Permanent Supportive Housing programs before households who are not Chronically Homeless. Households are first prioritized by Chronically Homeless Status and then prioritized based on vulnerability using the Vulnerability Index Service Prioritization Decision Assistance Tool (VI-SPDAT) as recommended by HUD. Permanent Supportive Housing providers document Chronically Homeless Status as required by the HUD Interim Rule and Notice CPD-14-012.

***Policy Topic 20: Emergency Services Grant Participation in Coordinated Entry***

Each of our Emergency Services Grant (ESG) funded providers participate in Lane County’s Coordinated Entry system. These agencies attend Coordinated Entry Meetings and provide Front Door services to the community. As a Front Door, each agency provides referrals directly to the Coordinated Entry Central Wait List. As households present to Front Doors they are referred to emergency shelter programs and the Central Wait List as appropriate. Staff at Front Door agencies complete the Coordinated Entry Comprehensive Assessment and refer participants to the wait list as appropriate. Coordination for our Homeless Prevention program is provided by Community Service Centers serving specific geographic areas, Eugene and North Central Lane County, Springfield and East Lane County, South Lane County and West Lane County. Our Community Service Centers are also front doors to our Central Wait List. They too expedite referrals from their Community Service Centers into Homeless Prevention services.

***Policy Topic 21: Emergency Services Grant Consultation with Continuums of Care***

We use ESG funds in conjunction with Continuum of Care funds to create a more comprehensive continuum of housing and supportive services for individuals and families who are homeless or at risk of homelessness. Contract deliverables for ESG programs include coordination with Mainstream Resources. ESG funds provide emergency shelter, homeless prevention, and rapid rehousing to individuals and families. We currently fund two emergency shelter providers and two homeless prevention and rapid rehousing providers. We also use ESG funds to support our HMIS data collection system to have a clearer picture of demographics and outcomes measured. ESG monitoring includes reviewing for adherence to ESG performance standards and the corresponding outcome measures that are included in sub recipient contracts. ESG providers must participate in HMIS. Performance based reports are run from this system to evaluate program outcomes.