



# GUILFORD COUNTY CONTINUUM OF CARE

Working to End Homelessness in Guilford County

## GUILFORD COUNTY CONTINUUM OF CARE (NC 504) WRITTEN STANDARDS

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## **INTRODUCTION**

The Continuum of Care (CoC) is responsible for coordinating and implementing a system to meet the needs of the population and subpopulations experiencing homelessness within a given geographic area, which for the NC-504 CoC includes the following geographic areas: Guilford County, including the Cities of Greensboro and High Point. Both the Emergency Solutions Grant (ESG) Program Interim Rule and the Continuum of Care (CoC) Program Interim Rule state that the CoC, in consultation with recipients and subrecipients of ESG Program funds within the geographic area, are responsible to (1) establish and consistently follow written standards for providing Continuum of Care assistance, (2) establish performance targets appropriate for population and program type, and (3) monitor recipient and sub-recipient performance.

These written standards have been established to ensure that those persons at risk or experiencing homelessness who enter homeless services and housing program throughout the CoC will be given similar information, services, and support to access and maintain permanent housing. All programs that receive ESG, City of Greensboro homeless assistance funds, or CoC funding are required to abide by these written standards. Agency program procedure should reflect the policies and procedures described in this document. The CoC strongly encourages homeless programs that do not receive these funding sources to accept and utilize these written standards.

Many of these standards are based on the ESG and/or the CoC Program Interim Rules. There are additional standards that have been established by the CoC to assist programs in meeting and exceeding performance outcomes that will help to reach the goal of ending homelessness.

The Guilford County Continuum of Care Written Standards will include policies and procedures for:

- Evaluating individuals' and families' eligibility for assistance
- Standards for determining what percentage and amount of rent each household must pay while receiving rapid re-housing (RRH) assistance.
- Performance measurements and benchmarks.

These standards are in place to:

- Establish community-wide expectations on the operations of homeless assistance projects within the community.
- Ensure that the homeless service system is transparent to users and operators.
- Establish a minimum set of standards and expectations of the quality of homeless assistance projects.
- Ensure the CoC priorities are transparent to recipients and sub-recipients of funds.
- Ensure consistency and coordination between the CoC, recipients' and sub-recipients' of homeless assistance projects.

These written standards have been developed in conjunction with CoC and ESG recipients and sub- recipients and with service providers. Thus, the implementation reflects the perspectives of those organizations that are directly providing homeless housing and services, including Homelessness Prevention (HP), Street Outreach (SO), Emergency Shelter (ES), Transitional Housing (TH), Rapid Re-Housing (RRH), Transitional Housing/Permanent Housing-Rapid Re-Housing (TH/PH-RRH), and Permanent Supportive Housing (PSH).

## **STANDARDS FOR ALL PROGRAMS**

### **Drug Free Workplace**

Recipients and subrecipients of federal, state, and local government funds must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 CFR part 2429, which adopts the governmentwide implementation (2 CFR part 182) of sections 5152-5158 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 701-707). A Drug Free Workplace policy must be clearly noted in an agencies personnel policies and procedures.

### **Housing First & Low Barriers**

All CoC-funded programs must adopt the Housing First and Low Barriers approach. The Housing First approach has several key features: few programmatic prerequisites, admission policies that support low barriers to access, rapid and streamlined entry into permanent housing, voluntary and engaging supportive services, and a focus on housing stability. As such, CoC-funded projects should allow entry to program participants regardless of their lack of income, current or past substance use, criminal records, or history of domestic violence. The CoC will authorize limited exceptions for projects in the adoption of a housing first model where it conflicts with funder requirements or local/state law (e.g., restrictions on serving people who are listed on sex offender registries).

### **Trauma-Informed Care**

NC 504 promotes a communitywide commitment to the goal of ending homelessness and promotes funding for efforts by community partners to assist homeless individuals, families, persons fleeing domestic violence and/or victimization, and unaccompanied youth while minimizing the trauma experienced by persons experiencing homelessness. CoC agencies, staff, volunteers, and contractors must recognize that Trauma-Informed practices are policies, procedures, interventions, and interactions among program participants and staff that recognize the likelihood that a person receiving services, residing in a shelter, assisted in housing, or living unsheltered, has experienced trauma or violence. For effective service delivery and crisis stabilization, organizations, and agencies must understand the impact of trauma on individuals and families and learn how to effectively minimize its effects and respond appropriately with cultural awareness and competence with a trauma informed approach. Providers should adopt a Trauma-Informed approach throughout the agencies' policies and procedures and train staff and volunteers in Trauma-Informed Care to ensure safe and effective delivery of services, shelter, and housing support.

### **Access to Mainstream Resources**

The CoC expects that every agency that is funded through the CoC or ESG will coordinate with and access mainstream resources and other targeted homeless assistance. Providers should assess and assist participants with obtaining any mainstream resources for which they may be

eligible, including: TANF, Public Assistance, Veterans Health Care, Supplemental Nutrition Assistance Program (SNAP), Medicaid, Medicare, SSI/SSDI, and Vocational Rehabilitation (VR). Where possible, providers should streamline processes that include applying for mainstream benefits such as the use of a singular form to apply for benefits or collecting all necessary information in one step. The SSI/SSDI Outreach Access and Recovery (SOAR) process is encouraged to speed up the SSI/SSDI process.

### **Non-Discrimination, Fair Housing, Equal Access, and Reasonable Accommodations**

The Guilford County COC affirmatively markets housing and supportive services to eligible persons regardless of race, color, national origin, religion, sex, age, familial status, handicap or who are least likely to apply in the absence of special outreach. As such, providers must comply with non-discrimination, fair housing, equal access, and reasonable accommodations laws including the Fair Housing Act, Section 504 of the Rehabilitation Act, Title VI of the Civil Rights Act, and Titles II and III of the Americans with Disabilities Act. Each provider must have policies that speak to how the agency and specific programs will comply with these laws.

The Guilford CoC, represented by Guilford County Continuum of Care member agencies receiving CoC funding are committed to complying with all requirements regarding the HUD Equal Access Rule and all other all federal, state, and local non-discrimination and privacy laws.

This policy will be followed by the CoC, all CoC-funded agencies within the CoC and the Coordinated Assessment system (together, “CoC agencies”), and CoC agency and Coordinated Assessment staff, volunteers, and interns (referred to, jointly, as “agency staff” herein).

### **Fair Housing Act and Affirmatively Furthering Fair Housing**

The Fair Housing Act promotes housing that is accessible to and usable by persons with disabilities. Providers must comply with the non-discrimination requirements of the Fair Housing Act, which prohibits discrimination in all housing transactions based on race, national origin, sex, color, religion, disability status, and familial status. The rule implements the Fair Housing Act’s statutory mandate to affirmatively further fair housing (AFFH), which directs HUD to ensure that the agency and its program participants proactively take meaningful actions to overcome patterns of segregation, promote fair housing choice, eliminate disparities in opportunities, and foster inclusive communities free from discrimination. (See 42 U.S.C title 42, Chapter 45, Subchapter 1- Fair Housing) (See 24 CFR Parts 5, 91, 92, 93, 570, 574, 576, 903 and 983 for Affirmatively Furthering Fair Housing)

### **Equal Access Policy**

CoC-funded providers shall not discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, age, gender, LGBT status, or marital status. CoC-funded housing shall be made available to all otherwise eligible

individuals regardless of actual or perceived sexual orientation, gender identity, or marital status. The CoC and CoC agencies will ensure equal access to programs, for all individuals and their families; provide housing, services, and/or accommodations in accordance with a program participants' gender identity; and determine eligibility without regard to actual or perceived sexual orientation, gender identity, or marital status.

### **Equal Access Procedures for Guilford County CoC**

- The CoC will provide annual and as needed training to CoC agencies and agency staff regarding the Equal Access Rule and related requirements.
- The CoC and CoC agencies will use appropriate, inclusive language in communications, publications, trainings, personnel handbooks, and other policy documents that affirms the CoC's commitment to serving all eligible program participants in adherence with the HUD Equal Access Rule.
- The CoC and CoC agencies will continue to develop partnerships with organizations that can provide expertise around the process of changing gender markers on identification and benefit applications or will ensure subject matter expertise among staff.
- The CoC and CoC agencies support all program participants in understanding their privacy rights and the implication of releasing information.

### **Equal Access Procedures for Agencies**

- CoC agencies will ensure that staff, volunteers, and contractors understand that a program participant may not present as the way they identify.
- CoC agencies will ensure all staff, volunteers and contractors maintain the confidentiality of a program participant's legal name and gender at birth and understands the potential impact that disclosure can have on a program participant's progress to self-sufficiency.
- When possible, CoC agencies will ensure that construction or property rehabilitation includes and promotes privacy and safety in sleeping area, bathrooms, and showers.
- If a CoC program only offers congregate bathrooms or showers, all urinals/toilets and shower heads will have individual stalls to support the program participant safety.
- CoC agencies will offer individual gender-neutral bathrooms and gender-neutral shower rooms, where feasible.
- CoC agencies will mediate and resolve conflicts between program participants in a way that is respectful, fair, and equitable.
- CoC agencies will take immediate action to resolve inappropriate behavior, harassment, or equal access issues by any person (staff, volunteers, contractors, or program participants).

### **Equal Access Procedures for Agency Staff**

- Agency staff shall not consider a program participant or potential program participant ineligible because their appearance or behavior does not conform to gender stereotypes and will serve all individuals that are eligible for the project/program.

- Agency staff shall not ask questions or seek information concerning a person's anatomy or medical history beyond elements necessary for the purpose of providing services.
- If a program participant needs to be moved for harassment and safety concerns, agency staff will have a preference to move the program participant with a bias (e.g., move the individual who is having concerns towards the person who may not conform to mainstream gender expression/identity.)
- Agency staff will honor the request of an individual for a private space to complete intake and data collection.
- Agency staff will honor the request of an individual for accommodations based on their personal safety and privacy concerns, whenever feasible. An "accommodation" will not be given as a "requirement."
- Gender identity is not required to match the gender listed on the ID or documents.
- Agency staff will assist the program participants without identification documents to understand the resources available to obtain identification documents.
- Agency intake materials will allow for program participants to indicate their legal name and the name they prefer to be called.
- Program participants with prescribed hormones or other medications as part of their gender-affirming healthcare regime will have access to those medications.
- Agency staff and program participants will use program participant's preferred gender and pronoun and support the program participant's gender identity.
- Agency staff will be alert to and correct any misinformation or inaccurate conclusions that transgender program participants threaten the health or safety of other program participants solely based on their nonconforming gender identity/expression during risk-based conversations.
- Agency staff will keep a program participant's transgender status confidential unless the program participant gives permission to share this information.
- Agency staff will ensure that only essential staff, identified by administrators, are told about a program participant's transgender status to ensure equal access and safety.
- Agency staff will ensure that when a program participant's gender identity and sex assigned at birth differ, that difference is treated as confidential medical information and may not be disclosed without specific, time-limited written program participant's consent. Similarly, a program participant's legal name will be treated as confidential information.

["Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity"](#) (24 CFR Parts 5, 200, 203, 236, 400, 570, 574, 882, 891, and 982) This Rule requires that a determination of eligibility for housing that is assisted by HUD or subject to a mortgage insured by HUD shall be made available without regard to actual or perceived sexual orientation, gender identity, or marital status. The rule includes a definition for sexual orientation and gender identity and expands the definition of family in most of HUD's programs. See also [Equal Access to Housing in HUD's Native American and Native Hawaiian Programs-Regardless of Sexual Orientation or Gender Identity](#).



["Equal Access in Accordance with an Individual's Gender Identity in Community Planning and Development Programs Rule"](#) ( 24 CFR Part 5) This Rule ensures that all individuals have equal access to the Department's core programs, including shelters and other buildings and facilities, in accordance with their gender identity and in a manner that affords equal access to the individual's family. Providers that operate single-sex projects using funds awarded through the Office of Community Planning and Development (CPD) are required by the rule to provide all individuals, including transgender individuals and other individuals who do not identify with the sex they were assigned at birth, with access to programs, benefits, services, and accommodations in accordance with their gender identity without being subjected to intrusive questioning or being asked to provide documentation. This requirement includes tenant selection and admission preferences. The rule also amended the original EAR definitions for sexual orientation and gender identity.

### **Reasonable Accommodations and Modifications**

The Fair Housing Act requires housing providers to make reasonable accommodations in rules, policies, practices, or services to allow a handicapped person equal opportunity to use and enjoy the dwelling unit, including public and common use spaces. An accommodation must be made unless it would impose undue financial or administrative burden on a housing program or requires a fundamental alteration in the nature of the program. The owner/manager can request verification that the applicant is disabled and needs the accommodation, but cannot request information about the nature, extent, or severity of a person's disability.

### **Section 504 of the Rehabilitation Act of 1973**

Section 504 (29 U.S.C. § 794) and HUD's implementing regulations (24 C.F.R. part 8) prohibits discrimination based on disability in any program or activity receiving federal financial assistance. Recipients of federal financial assistance may not deny a qualified individual with disabilities the opportunity to participate in or benefit from housing, or an aid, benefit, or service. Recipients must provide equal benefits to individuals with disabilities. Recipients may not provide different or separate benefits to individuals with disabilities, unless necessary to provide such individuals with benefits that are equally effective to those provided other persons. Recipients must administer programs and activities receiving Federal financial assistance in the most integrated setting appropriate to the needs of qualified individuals with disabilities. Section 504 applies to actions taken directly and actions taken through contractual arrangements.

Under Section 504, recipients must provide reasonable accommodations for persons with disabilities. A reasonable accommodation is a change, adaptation, or modification to a policy, program, service, or workplace which will allow a qualified person with a disability to participate fully in a program, take advantage of a service, or perform a job.

Recipients must also take appropriate steps to ensure effective communication with applicants, beneficiaries, and members of the public, such as providing auxiliary aids and services, including American Sign Language interpreters and alternate format documents (e.g., Braille, large print, accessible electronic communications) for persons with disabilities.

### **Age Discrimination Act of 1975**

The Age Discrimination Act of 1975 (the Act) prohibits discrimination on the basis of age in programs or activities receiving Federal financial assistance. The Act, however, permits federally assisted programs and activities and recipients of Federal funds to continue to use certain age distinctions and factors other than age which meet the requirements of the Act and this part.

Each recipient has primary responsibility to ensure that its programs and activities that receive Federal financial assistance from HUD comply with the provisions of the Act, the government-wide regulation, and this part, and shall take steps to eliminate violations of the Act. A recipient also has responsibility to maintain records, provide information, and to afford HUD access to its records to the extent HUD finds necessary to determine whether a program or activity receiving Federal financial assistance from HUD is in compliance with the Act and this part.

### **Prohibition Against Involuntary Family Separation**

Persons who present together for assistance, regardless of age or relationship, are considered a household and are eligible for assistance as an eligible household under HUD, Continuum of Care, and Emergency Solutions Grant-funded projects and programs. Projects that serve families with children must serve all types of families with children regardless of composition and age of household members. If a project targets a specific population (e.g., women with children), these projects must serve all families with children that are otherwise eligible for assistance, including families with children that are headed by a single adult or consist of multiple adults that reside together. In an effort to maintain family unity, for housing serving families with children, the age and gender of a child under age 18 shall not be used as a basis for denying any family's admission to an emergency shelter that provides shelter to families with children under age 18 years of age or for any services. (See, 24 CFR 576.102 4(b) 24 CFR § 578.93 (e), Prohibition Against Involuntary Family Separation). This prohibition states that the age and gender of a child under age 18 years must not be used as a basis for denying any family's admission into a housing project. (See also Section 404 of the HEARTH Act and 24 CFR 578.93(c) for specific Affirmatively Furthering Fair Housing requirements).

## **Improving Access to Services for Persons with Limited English Proficiency**

Title VI of the Civil Rights Act reads “No person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” In addition, Executive Order 13166 (65 CFR 50121) mandates improved access to federally assisted programs and activities for individuals who, because of national origin, are limited in their English proficiency. Therefore, all agencies that receive federal funds must develop a plan for persons of different national origins that cannot speak or read English to ensure they have meaningful access to all portions of their program or activity, not just those portions that receive HUD funding. Agencies are required to make reasonable efforts to provide language assistance to ensure meaningful access for LEP persons to the recipient’s programs and activities.

## **Accessible Technology and Communication**

HUD recipients and subrecipients must assure their program and activities are carried out in compliance with applicable requirements in Section 504 of the Rehabilitation Act, HUD’s implementing regulations in 24 CFR part 8, and, where applicable, the Americans with Disabilities Act. When developing, procuring, maintaining, or using electronic and information technology (EIT), recipients and subrecipients must ensure access and use of EIT for persons with disabilities comparable to those without disabilities. These statutes also require effective communication with individuals with disabilities and prohibit electronic and information technology-imposed barriers to access information, programs, and activities for persons with disabilities.

## **Equal Participation of Faith-Based Organizations**

Organizations that are religious or faith-based are eligible to participate in CoC and ESG programs. Recipients and sub-recipients must not discriminate against a program participant or prospective program participant on the basis of religion, religious belief, or absence thereof. In providing program assistance, CoC and ESG funded agencies and staff shall not discriminate against a prospective participant or program participant on the basis of religion or religious belief a refusal to hold a religious belief or any refusal to attend or participate in any religious practice (See, 24 CFR § 5.109, 24 CFR 576.406, and 24 CFR 578.87).

A faith-based organization may not use direct financial assistance from HUD to support or engage in any explicitly religious activities except where consistent with the Establishment Clause and any other applicable requirements. Such an organization also may not, in providing services funded by HUD, discriminate against a beneficiary or prospective program beneficiary based on religion, religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice.

## **Separation of Religious Activities-Explicitly Religious Activities**

Recipients and sub-recipients of CoC or ESG funds that engage in explicitly religious activities such as worship, religious instruction, or proselytization, must offer these services separately, in time or location, from the programs or services funded through CoC or ESG. Participation in any such explicitly religious activities must be made clear to be voluntary, not compulsory, for program participants.

A faith-based organization that is a recipient or sub-recipient of CoC or ESG program funds may continue to carry out its faith mission, including the definition, development, practice, and expression of religious beliefs, provided that it does not use direct program funds to support or engage in any explicitly religious activities. Faith-based organizations may use space in their facilities to provide program-funded services, without removing or altering religious art, icons, scriptures, or other religious symbols and may retain religious terms in the organization's name, select its board members on a religious basis, and include religious references in its organization's mission statements and other governing documents.

## **Alternative Provider**

In the event a program participant or prospective program participant objects to the religious character of an organization that provides services or housing under the CoC or ESG program, that organization shall, within a reasonably prompt time after the objection, undertake reasonable efforts to identify and refer the program participant to an alternative provider in the Guilford County CoC to which the prospective program participant has no objections and that provides comparable programs. Recipients and sub-recipients shall document any objections from program participants and prospective program participants and any efforts to refer such participants to alternative providers shall be documented.

## **Services for Special Sub-Populations**

Services for special sub-populations include services for homeless youth, victim services, and services for people living with HIV/AIDS, LGBTQ populations, persons with mental illness, and disabled persons. The term victim services mean services that assist program participants who are victims of domestic violence, dating violence, sexual assault, or stalking, including services offered by rape crisis centers and domestic violence shelters, and other organizations with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

## **COORDINATED ENTRY PARTICIPATION**

All CoC-funded and ESG-funded projects are required to participate in the CoC's Coordinated Entry (CE) System. Participation requires following all established policies and procedures as set forth in the Coordinated Entry Policy and Procedures. Guilford County's Coordinated Entry Policies and Procedures will govern the implementation, governance, and evaluation of coordinated entry process in Guilford County including standardized access, assessment, and referral. The Coordinated Entry System will cover the geographic boundaries of Guilford County. These policies may only be changed by the Continuum of Care (CoC) Board based on recommendations from the Coordinated Entry Committee.

According to the National Alliance to End Homelessness, Coordinated Entry is a process that ensures that all people experiencing a housing crisis in a defined geographic area have fair and equal access to the Coordinated Entry System and are quickly identified, assessed for, referred, and connected to housing and homeless assistance based on their needs and strengths no matter where or when they present for services. The Guilford County CoC Coordinated Entry System uses standardized tools and practices. It also incorporates a system-wide Housing First approach, participant choice, and coordinates housing and homeless assistance such that people experiencing homelessness are prioritized based on the severity of their needs.

Coordinated Entry, also known as coordinated assessment or coordinated intake, is intended to pave the way for more efficient homeless assistance systems by:

- Helping people move through the system faster (by reducing the amount of time people spend moving from program to program before finding the right match);
- Reducing new entries into homelessness (by consistently offering prevention and diversion resources upfront, reducing the number of people entering the system unnecessarily); and
- Improving data collection and quality and providing accurate information on what kind of assistance consumers need.

Refer to Appendix G for the Guilford County's Coordinated Entry Policies and Procedures.

## **HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS) PARTICIPATION**

All CoC-funded and ESG-funded projects are required to participate in the Homeless Management Information System (HMIS) except for victim services providers (defined by Violence Against Women Reauthorization Act of 2013). Instead, victim services providers must use a comparable database to collect required program participant-level data and be able to present this data to the System Performance and Evaluation Committee as needed. The CoC actively encourages non-CoC/ESG providers to participate in HMIS. All HMIS participating agencies should meet the minimum data quality standards and follow the current HMIS Policies and Procedures.

Refer to Appendix H for the Guilford County's HMIS Policies and Procedures.

## **CONFIDENTIALITY**

The housing agency will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives the agency written permission to release the information on a time-limited basis, or disclosure of the information if required by law or required for use in an eviction proceeding or hearing regarding termination of assistance from the program. This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault or stalking against the tenant.

## **RECORD KEEPING REQUIREMENTS FOR ALL PROJECTS**

- Participant Recordkeeping Requirements include:
- All records containing personally identifying information must be kept secure and confidential.
- Programs must have a written confidentiality/privacy notice, provided to the participant if requested.
- Documentation of homelessness and chronic homelessness (following HUD guidelines)
- A record of services and assistance provided to each participant.
- Documentation of any applicable requirements for providing services/assistance
- Documentation of use of the coordinated entry system
- Documentation of use of HMIS
- Records must be retained for the appropriate amount of time per HUD guidance:
- Documentation for all costs charged to the grant.
- Documentation that funds were spent on allowable costs.
- Documentation of the receipt and use of program income
- Documentation of compliance with expenditure limits and deadlines
- Retain copies of all procurement contracts as applicable
- Documentation of amount, source, and use of resources for each match contribution

## **EDUCATIONAL LIAISON & EARLY CHILDHOOD SERVICES, EDUCATION OF CHILDREN AND YOUTH**

The Guilford County Continuum of Care (CoC) requires that all agencies receiving federal and/or state-based funding act in accordance with the McKinney-Vento Act. The McKinney-Vento Act is a federal law established to ensure that homeless and/or transient youth and families are aware of educational rights and protections that impact those who are school-aged.

The purpose of this policy is to ensure that children and youth who enter into the homeless service system are enrolled in Guilford County School, as appropriate; to ensure all families with children and unaccompanied homeless youth know of their academic rights; to ensure that children are connected to and enrolled in early childhood educational programs as available; to ensure that all homeless children are provided the resources necessary to stabilize their housing, support their growth and development; and to minimize the trauma of homelessness.

This purpose is achieved via partnerships between the Guilford County CoC, Guilford County Schools, Guilford County Child Protective Services, and other similarly situated agencies that work with children and/or families. Where applicable, this policy obligates service providers to assess the needs of program participants and their children to refer and/or connect them to all early intervention and educational supports available, and to assist guardians in advocating for their rights under the McKinney-Vento program.

The Guilford County CoC governs itself in accordance with the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act related to education assurance, school enrollment, transportation arrangements, absences, etc.

All agencies will be expected to adhere to the following process to ensure that they are acting in accordance with the McKinney-Vento Act:

- Agencies should post Guilford County School posters informing families and youth of their educational rights in a conspicuous location where families and youth will see it.
- As part of program intake/entry educational rights should be discussed with the family and/or any unaccompanied youth.
- The Guilford County Schools Homeless Liaison should be contacted within 48 hours of program admission to arrange collaboration and needed services (i.e., transportation) with Guilford County Schools. This correspondence should be documented in the program participant's file.
- The agency providing services to the family should contact available early childhood educational programs (i.e., Head Start) and assist families with accessing these programs.

## **VIOLENCE AGAINST WOMEN ACT (VAWA) and EMERGENCY TRANSFERS**

VAWA 2022 makes changes to the McKinney-Vento Homeless Assistance Act Definition of Homelessness for purposes of programs such as the Emergency Solutions Grants and Continuum of Care Programs. VAWA 2022 amended Section 103(b) of the McKinney-Vento Homeless Assistance Act to require HUD to consider homeless any individual or family who—

- a) is experiencing trauma or a lack of safety related to, or fleeing or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous, traumatic, or life-threatening conditions related to the violence against the individual or a family member in the individual's or family's current housing situation, including where the health and safety of children are jeopardized.
- b) has no other safe residence; and
- c) lacks the resources to obtain other safe permanent housing.

Rulemaking will be necessary to require Emergency Solutions Grants (ESG) recipients and subrecipients, Continuums of Care (CoC) and CoC Program recipients and subrecipients to make corresponding changes to the applicable written standards, coordinated entry policies, and documentation policies used to qualify individual and families as homeless under the CoC Program. That said, because HUD must recognize as “homeless” families and individuals who meet the new statutory criteria as of October 1, 2022, ESG and CoC recipients may implement the new definition prior to HUD rulemaking, provided that ESG recipients and CoCs update their relevant written standards and policies as needed to reflect the new statutory criteria.

Projects should provide, when possible, emergency transfers for victims of domestic violence, dating violence, sexual assault or stalking to ensure their safety.

The regulatory basis for and requirements of this Policy and Plan are identified in 24 CFR 5.2005, 2007, & 2009; 24 CFR 91.520; 24 CFR 92.253, 359, 504 & 508; 24 CFR 576.105, 106, 400, 409, & 500.

### **Emergency Transfers Eligibility and Priority**

A tenant who is a victim of a domestic violence, dating violence, sexual assault, or stalking, as provided in HUD's regulations at 24 CFR part 5, subpart L is eligible for emergency transfer, if; the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit. If the tenant is a victim of sexual assault, the tenant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding the request for an emergency transfer.

A tenant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described below. Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.



To the extent permitted by local, state, and federal law, tenants requesting an emergency transfer under this Plan shall have priority over other tenants seeking transfers and individuals seeking placement on waiting lists.

### **Emergency Transfer Request Documentation**

To request an emergency transfer, the tenant shall submit a written request to their landlord. Within forty-eight (48) hours, the landlord shall notify Guilford County of all requests received under this plan. All notifications to the County shall abide by the confidentiality requirements of this plan.

The tenant's written request must include the tenant's name, safe contact information, and one of the following:

- A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant were to remain the same dwelling unit; or
- A statement that the tenant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding a request for an emergency transfer.

The housing provider may request, in writing, documentation of the incident from the applicant or tenant. It is at the discretion of the applicant or tenant what documentation to provide. The applicant or tenant shall have a minimum of 14 days to provide documentation. The housing provider is in no way required to request documentation. The following are acceptable forms of documentation:

The Certification Form; or

- A document (i) signed by the applicant or tenant, (ii) signed by an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional from whom the victim has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, and (iii) that specifies, under penalty of perjury, that the professional believes in the occurrence of the incident of domestic violence, dating violence, sexual assault or stalking that is the ground for protection and remedies under this subpart, and that the incident meets the applicable definition of domestic violence, dating violence, sexual assault or stalking under [24 CFR 5.2003](#).
- A record of a federal, state, tribal, territorial, or local law enforcement agency, court, or administrative agency; or
- A statement or other evidence provided by the applicant or tenant

The housing provider may request third-party documentation if conflicting documentation is received after the original request for documentation. The applicant or tenant shall have 30 days to provide the documentation in such a situation.

## **SECURITY AND SAFETY OF TENANTS**

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the tenant should be urged to take all reasonable precautions to be safe. Tenants who are or have been victims of domestic violence, sexual assault, stalking, or human trafficking are encouraged to contact Family Service of the Piedmont's Crisis Line:

**Greensboro (336) 273-7273**

**High Point (336) 889-7273**

The complete VAWA Policies and Procedures are included in Appendix F.

## **TERMINATION OF ASSISTANCE AND PROVIDER'S GRIEVANCE POLICY**

All CoC and ESG Funded Agencies should not terminate program participants regardless of whether they participate in supportive services, make progress on a service plan, lose their income, or based on other activities not covered in a lease agreement typically found for an unassisted person in the project's geographic area.

The provider may terminate assistance to a program participant who violates program requirements. However, the provider must exercise judgment and examine all extenuating circumstances in determining when violations warrant termination so that a program participant's assistance is terminated only in the most severe cases. Providers should provide special consideration and examination of extenuating circumstances when considering termination of assistance for difficult-to-house populations, such as those individuals residing in permanent supportive housing projects. Services should be terminated for only the most egregious behaviors such as matters of violence or serious threats (including sexual violence), major theft, major property damage, and/or possessing illegal substances on the facility premises. Domestic Violence shelters have legal obligations that allow for additional rules for termination of services. Providers must have a written termination policy outlining program rules and termination processes including a formal grievance process. For all CoC projects and for ESG-funded rental assistance and housing relocation and stabilization services, the termination policy must include, at a minimum:

1. Providing the program participant with a written copy of the program rules, the termination process, and the appeals process including with who, how and when the appeal can be filed before the participant begins to receive assistance;
2. Written notice to the program participant containing a clear statement of the reasons for termination and the agency's appeals process;
3. A review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision; and
4. Prompt written notice of the final decision to the program participant.

See 24 CFR 576.402 and 24 CFR 578.91.

### **PARTICIPANT TERMINATION of ASSISTANCE APPEALS PROCESS**

If a participant is terminated from a covered program and a participant believes themselves to be otherwise eligible, the applicant/participant may appeal, either orally or in writing, within 5 days after the occurrence/denial. The appeal must provide specific evidence of a Continuum of Care policy or a regulatory violation. The appeal is filed with the provider's Executive Director, copied to the NC 504 CoC Board Chair, The SPEC Chair, and The CoC Lead. The SPEC Ad Hoc Grievance Committee will review the appeal and respond in writing to the participant within 5 business days. All CoC/ESG project program participants and family members involved in service delivery and coordination, shall have a right to voice concerns. A participant can ask anyone they choose to assist them in their appeal and if a participant needs assistance in the process and/or if unable to read or write and requires assistance, the participant may notify the agency's Executive Director and/or their designee, another staff

member, or the CoC Lead. Reasonable steps will be taken to ensure effective communication with persons with disabilities, including procedures that will make information accessible and to ensure meaningful access to programs and activities for Limited English Proficiency Persons (LEP). If the appellant is not satisfied with the response of the SPEC Ad hoc Grievance Committee, a participant may appeal to HUD directly by contacting the North Carolina HUD Field Office directly for assistance at: (336) 547-4000.

## **GRIEVANCE PROCESS**

### **Participant Grievances**

Each CoC/ESG funded agency shall adopt a grievance procedure allowing each program participant an opportunity to file a complaint related to service delivery and/or housing assistance without retaliation. Retaliation includes, but is not limited to harassment, intimidation, violence, program dismissal, refusing to provide services, use of profane or derogatory language to or in reference to the complainant, or breach of contract. The program participants shall be given an opportunity submit their grievances to the agency either in written or oral form. Program participants must be informed of the agencies grievance process at Intake and provided a copy of the process by the agency. The agency must clearly document in the case file any grievances and the resolution. Grievances for program participants will be managed by the agencies documented internal process.

### **Provider Grievances**

All CoC and ESG Funded Agencies should bring any concerns about the Coordinated Entry and the Assessment System to the Collaborative Applicant/CoC Lead, unless the provider believes a participant is being put in immediate or life-threatening danger by delay, in which case they should deal with the situation immediately. A summary of the concern(s) should be provided via the Collaborative Applicant/CoC Lead via email who will schedule a coordinated meeting with the provider's representative within 7 business days to discuss resolution of the matter. If the issue needs immediate resolution, the Collaborative Applicant/CoC Lead in conjunction with the CoC Chair or designee will determine the best course of action to resolve the issue and provide a written recommendations/guidance with the action steps and/or findings, if applicable.

Written or verbal grievances can be submitted to the Guilford County Collaborative Applicant/CoC Lead Agency at [infoCoC@guilfordcountync.gov](mailto:infoCoC@guilfordcountync.gov) or 336-641-7196.

NOTE: Complaints related to ESG or CoC funding applications or CoC funding awards are handled through a separate appeals process.

## **HOUSING STANDARDS**

### **Minimum Habitability Standards**

ESG funded programs are required to meet Minimum Habitability Standards for emergency shelter and permanent housing (24 CFR 576.403). HUD establishes minimum standards for safety, sanitation, and privacy in emergency shelters funded with ESG, and minimum habitability standards for permanent housing funded under the Rapid Re-housing and Homelessness Prevention components of ESG. Accompanying the habitability standards are checklists, which offer an optional format for documenting compliance with the appropriate standards.

### **Housing Quality Standards**

All units paid for with CoC leasing or rental assistance funds must meet certain basic housing inspection standards per the funding source prior to expending CoC funds on that unit. All units must additionally meet state and local codes.

- The recipient or subrecipient must physically inspect all units prior to expending CoC funds and must continue to do so annually throughout the grant period (see Housing Inspection Checklist). The annual review can take place during lease renewal.
- Inspectors do not need to be certified.
- The owner of the unit has 30 days to address and correct any deficiencies in the unit.
- The recipient or subrecipient must maintain documentation of compliance with HQS, including inspection reports.

### **Lead-Based Paint and the Lead Safe Housing Rule**

CoC and ESG funded emergency shelters and assisted housing occupied by program participants must adhere to the requirements of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821-4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851-4856), and implementing regulations in 24 CFR part 35, subparts A, B, H, J, K, M, and R, as applicable. All HUD-funded programs with housing units occupied by participants, are required to incorporate lead-based paint disclosure, notice, visual inspection, and remediation requirements and procedures in operating policies. Generally, these provisions require the owner/property manager to screen for, disclose the existence of, and take reasonable precautions regarding the presence of lead-based paint in leased or assisted units constructed prior to 1978, with exceptions noted in 24 CFR part 35.115(a). Additionally, all participants moving into units built before 1978, must be provided information on Lead-Based Paint and Lead Hazards, receive the “Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards” and have the HUD Lead Addendum attached to the unit lease. Recipients and subrecipients must ensure that owners/managers of properties built before 1978, provide notice to prospective and current tenants. Such notification shall point out the hazards of lead-based paint and explain the symptoms, treatment and precautions that should be taken when dealing with lead-based paint poisoning and availability of blood

lead-level screening for children. Housing providers must also ensure that the year a unit was constructed is documented and confirm the year is noted in the required inspection forms. A visual assessment of the stability of painted surfaces must be conducted prior to initial occupancy and annually thereafter during the financial assistance period for a covered dwelling unit built before 1978. All deteriorated paint identified during the visual assessment must be appropriately repaired, in accordance with the regulatory requirements, prior to clearing the unit for financial assistance.

If a notice is received by a recipient or subrecipient from a public health department or other medical care provider indicating a child of less than six (6) years of age living in a unit funded by HUD funded rental assistance has an elevated blood lead level, the response process established at 24 CFR 35.1225 takes effect, which includes an environmental investigation of the assisted dwelling unit (regardless of whether the child still resides in the dwelling unit), a risk assessment, interim controls, information exchange with the health department, and timely notification requirements to the HUD Field Office. (See, 24 CFR 35.730)

### **Environmental Reviews**

CoC and ESG-assisted projects are required to comply with the National Environmental Policy Act (NEPA) to determine the potential environmental impacts of a project or, if applicable, by documenting its categorical exclusion or exemption from this requirement under 24 CFR part 50. Agencies should retain a copy on file of the HUD Nationwide Programmatic Environmental Review for soft costs associated with a CoC-funded project. Additionally, for each CoC project type with associated hard costs not covered by the Nationwide Programmatic Environmental Review, the applicable Environmental Review must be conducted prior to committing or expending CoC Program funds on any eligible program activity such as leasing/rental assistance, project-based housing or acquiring, rehabilitating, converting, leasing, repairing, disposing of, demolishing, or constructing property. Only a unit of general state or local government with land use authority over the project site(s) may act in the capacity of Responsible Entity. Therefore, nonprofit recipients/subrecipients must work with their state or local governments to complete the required environmental reviews for their CoC activities not covered under the CoC Nationwide Environmental Review. A CoC Environmental Review Record (ERR) is valid for a period of up to five years. All ESG-funded activities must also meet requirements for Environmental Review (24 CFR 576.407(d)). However, ESG funds are directly awarded only to government entities, which are then required to assume the role of the Responsible Entity in conducting an Environmental Review. For this reason, environmental reviews for the ESG Program are always conducted under 24 CFR Part 58 by the state or local government recipient acting as the Responsible Entity. Finally, records of completed Environmental Reviews must be retained in accordance with the record-keeping requirements found at 24 CFR 578.103(a), and 576.500.

## HOUSING and SERVICES

### HOMELESSNESS PREVENTION (HP)

The Guilford County CoC Homelessness Prevention (HP) program provides supportive services to prevent persons from becoming homeless in a shelter or an unsheltered situation. Funding may also be used to help such persons regain stability in their current housing or other permanent housing.

#### **Eligibility:**

The household must receive at least an initial consultation and eligibility assessment with a case manager or other authorized representative who can determine prevention assistance eligibility and the appropriate type of assistance needed. Program participants must meet one of the following HUD definitions of homelessness:

- At imminent risk of homelessness
- Fleeing/attempting to flee domestic violence.
- At Risk of Homelessness

**Income:** The household's total income must be at or below 30 percent of the Area Median Income (AMI).

**Housing Status:** Case files must document the current eligibility status of the household at enrollment. Housing status will be verified through third party verification whenever possible. Agencies must follow the order of priority and recording keeping requirements for documenting at risk or at imminent risk of homelessness.

**Prevention Assistance:** Prevention assistance is available for up to 12 months and income must be reassessed for every household member at least once every 90 days or per the funder's requirements. Payments are made to the vendor/landlord, not the program participant and units must be at or below the Fair Market Rent (FMR) for ongoing prevention financial assistance. No more than 6 months or rent/utility arrears can be provided to a household.

**Guilford County Residency:** All households receiving prevention assistance must be residents of Guilford County at time of application.

**Lack of identifiable financial resources and/or support networks:** To receive prevention assistance, applicants must also demonstrate the following:

1. No appropriate subsequent housing options have been identified;
2. The household lacks the financial resources to obtain immediate housing or remain in existing housing; and
3. The household lacks support networks needed to obtain immediate housing or remain in existing housing.

## Case Management:

- ESG Prevention Assistance must be entered into HMIS/comparable database. Other locally funded prevention assistance providers are encouraged to enter homelessness prevention assistance into HMIS/comparable database. Entering information helps to ensure coordination between service providers through the Coordinated Entry System while avoiding duplication of services and program participant data and provides an opportunity to document homelessness prevention.
- Help individuals and families at risk or at imminent risk of homelessness identify and select among various permanent housing options based on their unique needs, preferences, and financial resources available.
- Help individuals and families at risk or at imminent risk of homelessness address issues that may impede access to permanent housing (such as credit history, arrears, and legal issues).
- Help individuals and families at risk or at imminent risk of homelessness negotiate manageable and appropriate lease agreements with landlords/property managers. Ensure appropriate communication and follow-up with Landlords/Property Managers.
- Make appropriate and time-limited services and supports available to families and individuals to allow them to stabilize quickly in permanent housing.
- Monitor participants' housing stability and be available to resolve crises, at a minimum during the time prevention assistance is provided.
- Provide the program participant with appropriate resources and referrals based on their needs.
- Ensure that services provided are program participant-directed, respectful of individuals' right to self-determination, and voluntary. Unless basic, program-related case management is required by statute or regulation, participation in services should not be required to receive prevention assistance.
- Utilize an Individual Service Plan (ISP) to outline the steps, goals, monthly budget, activities, actions, anticipated outcomes, and timelines of the case management supports. An ISP should:
  - Be program participant driven and reflect the household's needs and goals. A Case Manager should not include any activities, directives, or requirements that the program participant has not consented to in the ISP.
  - Be quickly expedited after program admission. An ISP should be written within two weeks of admission and should be focused on Housing Stability; Relationships; Basic Needs; Supports and Safety. ISPs shall include outcomes that measure changes in skill, knowledge, behavior, stability, sustainability, quality of life, etc.
  - Be updated as the needs and/or goals of the program participant change or become better defined and/or as outcomes are achieved.
  - Be updated at least every 90 days or more frequently as appropriate.
  - Be program participant approved. Program participants must sign the ISP and be provided a copy of the final document.
  - Identify a discharge plan for housing stabilization, ensuring rent is current, and household has ability to maintain housing at exit from the program.



See 24 CFR 576 for additional guidance and requirements.

## **STREET OUTREACH (SO)**

Street Outreach is designed to engage unsheltered people at non-traditional settings such as campsites, public parks, libraries, or other places. Outreach workers may also engage people at basic needs organizations such as meal distribution centers, day centers, or other public assistance sites. Street Outreach in Guilford County serves as the front door for unsheltered individuals and families to access shelter, housing, and other needed services.

### **Eligibility**

- Unsheltered homeless, living in places not meant for human habitation such as campsites, abandoned buildings, in cars, in bridges, or other places.
- Eligibility will be determined by using the definition of unsheltered homelessness and documenting eligibility as required by HUD. Evidence of homelessness will be obtained in accordance with the HUD preferred ordered for documentation. The best documentation to use is written and/or 3rd party documentation. This is followed by oral 3rd party, intake staff observations, and lastly, Self-Certification by the project participant.
- All individuals and families served through Street Outreach will be assessed using a comprehensive, universal assessment tool. The assessment tool will assist in making an informed and objective decision regarding the level of need, recommended housing intervention of each family, and streamline eligibility determinations. Street Outreach is required to enter program participants in HMIS. This helps to ensure coordination between service providers through Coordinated Entry System while avoiding duplication of services and program participant data and provides an opportunity to document homelessness.

### **Engagement Standards**

Street Outreach staff must provide supplies to program participants to meet basic and/or hygiene 's needs, information on area resources and mainstream benefits. The following best practices are required for Street Outreach activities:

- Rapport building
- Trauma-informed Care
- Motivational interviewing techniques
- Meeting the participant at least weekly where they are currently located, when appropriate
- Making an initial assessment of needs and eligibility
- Providing crisis counseling and support
- Addressing urgent physical needs, such as providing meals, blankets, clothes, or toiletries.
- Actively connecting and providing information and referrals to programs targeted to homeless people and mainstream social services and housing programs, including emergency shelter, transitional housing, community-based services, permanent

supportive housing, and rapid re- housing programs.

### **Staff Engagement and Safety Protocols**

Unsheltered persons are engaged through Street Outreach for the purpose of providing immediate support, intervention, and connections with homeless assistance programs and/or mainstream social services and housing programs.

Street Outreach staff must engage clients with teams of no less than two persons to ensure safety of both street outreach personnel and program participants. Staff must have an operational cell phone in case of an emergency and adhere to their agency's safety protocols.

### **Case Management**

Case management includes assessing housing and service needs, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant. Documentation of enrollment must be completed within the number of identified days prescribed by the program requirements.

Eligible services and activities are as follows:

- Using Guilford County Coordinated Entry System
- Conducting the initial assessment, obtaining legal name/alias name, DOB, and demographic information, identification if available, and any other relevant information about the household (i.e., pet information)
- Verifying and documenting program eligibility
- Obtaining sources of income, if applicable
- Counseling/Mental Health
- Developing, securing, and coordinating services
- Obtaining Federal, State, and local benefits
- Monitoring and evaluating program participant progress.
- Providing information and referrals to other providers (i.e., legal, healthcare, substance use)
- Developing an individualized housing and service plan, including planning a path to permanent housing stability.
- By the second contact, establish collateral locations and/or contacts, if any.
- Discharge after 90 days of no contact

To prevent duplication of services, agencies should coordinate with other agencies doing Street Outreach, when appropriate. Agencies may conduct a follow-up with the HMIS Lead regarding enrollment status of a given household, if needed.

Agencies must ensure initial and annual trainings for Street Outreach staff to ensure effective outreach throughout the community. Trainings can include but not limited to trauma informed care, motivational interviewing, client centered counseling, and SOAR training.

## **Emergency Health Services**

Emergency health services include direct outpatient treatment of medical conditions and are provided by licensed medical professionals operating in community-based settings, including streets, parks, and other places where unsheltered homeless people are living. ESG funds may be used only for these services to the extent that other appropriate health services are inaccessible or unavailable within the area.

Eligible treatment consists of:

- Assessing a program participant's health problems and developing a treatment plan
- Assisting program participants to understand their health needs.
- Providing directly or assisting program participants to obtain appropriate emergency medical treatment.
- Providing medication and follow-up services

All Emergency Solution Grant (ESG) Street Outreach activities must follow local/state funders and HUD Regulations.

Agencies that do not receive federal or state funding for Street Outreach activities are encouraged to adopt these standards as best practices.

Refer to 24 CFR Part 576 for additional guidance.

## **EMERGENCY SHELTER (ES)**

Emergency Shelter funding and activities are designed to improve the quantity and quality of temporary shelters provided to homeless people, through the renovation of existing shelters or conversion of buildings to shelters, paying for the operating costs of shelters, and providing essential services.

### **Eligibility**

- Households must meet the HUD definition of homelessness.
- CoC funded programs must follow any additional eligibility criteria set forth in the CoC and ESG through which a project was funded and the grant agreement.
- Programs may not establish additional eligibility requirements beyond those specified here and those required by funders.

### **Minimum Standards for Assistance**

- Interventions with an attempt to divert and prevent homelessness.
- Provide immediate (same day) admission to shelter.
- ES should prioritize beds based on (1) length of time homeless; (2) chronic status; and (3) unsheltered to the best of their ability.

Homeless individuals/families seeking shelter must be provided shelter. Shelter stays should be avoided, if possible, and when not possible, limited to the shortest time necessary to help participants regain permanent housing. If there are no appropriate or available beds immediately available for the project participant at the location, he/she is seeking assistance, then the agency must collaborate with another provider to place the program participant into another appropriate shelter.

Shelters must meet or exceed minimum habitability standards specified in CFR 576.403 that covers the building structure and materials, access, space and security, interior air quality, water supply, sanitary facilities, environmental temperatures, light and electricity, food preparation, sanitary conditions, and fire safety.

There is no imposed limit on the length of stay. It is the discretion of the agency and program providing shelter services to set limits, if any, on the length of stay depending on the target population, program participant's barriers to obtain permanent housing, and other circumstances the program participant is facing. Households should only be referred to emergency shelters after exhausting all available options for diversion. Emergency shelter programs should be closely linked to the Coordinated Entry System (CES) to ensure program participants are referred to the most appropriate housing resources including, but not limited to, rapid re-housing and permanent supportive housing. Linkages should also be made to applicable mainstream resources.

Per HUD, sheltered families with children cannot be separated. If no shelter is available on-site, an alternative living arrangement must place the family together which may include placement at another shelter/ housing provider that can house families, or hotel-motel rooms (only in areas where no other appropriate shelter is available).

Providers should aim to have program participants leave the program into a permanent and stable housing situation. This can be placement into supportive housing, or the program participant may become self-sufficient and able to maintain his/her own housing with a stable source in income.

If the program participant leaves the program and is not stably housed, all efforts should be made to place the program participant into another more appropriate shelter/ housing situation.

Vulnerable populations seeking shelter need access to appropriate shelter that is safe, sanitary, and meets or exceeds minimum habitability standards. This population includes victims of domestic violence, youth, people with special needs, the elderly, medically frail, mentally ill, and victims of human trafficking. Upon intake and if necessary, the program participant may be referred and sheltered elsewhere in a more appropriate location. Emergency shelters that provide housing to victims of domestic violence must have an appropriate security system in place to protect housed victims of domestic violence from their perpetrators. There is no time limit on their length of stay. Program participants are not discharged back out to the street or into unsafe living conditions, but if necessary are referred to another appropriate housing program.

Refer to 24 CFR 576 for additional guidance.

## **TRANSITIONAL HOUSING (TH)**

Transitional Housing is designed to provide homeless individuals and families with interim stability and support to successfully move into and maintain permanent housing.

### **Eligibility**

- Households must meet the HUD definition of homelessness under categories 1, 2 and 4,
- CoC funded programs must follow any additional eligibility criteria set forth in the CoC and ESG through which a project was funded and the grant agreement.
- Programs may not establish additional eligibility requirements beyond those specified here and those required by funders.

### **Minimum Standards for Assistance**

- Maximum length of stay cannot exceed 24 months.
- Assistance in transitioning to permanent housing must be made available/provided.
- Support services must be provided throughout the duration of stay in transitional housing.

Program participants in transitional housing must enter a lease, sublease, or occupancy agreement for a term of at least one month and that ends in 24 months and cannot be extended. The lease with program participant must be automatically renewable upon expiration, except on prior notice by either party, up to a maximum term of 24 months.

All CoC funded Transitional Housing programs will prioritize referrals from the weekly Coordinated Workgroup meeting and will follow the Coordinated Entry Policies and Procedures. If beds are not filled at the weekly Coordinated Entry Workgroup meeting, the transitional program can fill those beds outside of the Coordinated Entry System.

Refer to 24 CFR 578 for additional guidance.

## **RAPID RE-HOUSING (RRH)**

Rapid Re-Housing is an intervention designed to help individuals and families exit homelessness quickly by returning to permanent housing without preconditions (including, but not limited to, sobriety, employment, absence of a criminal record, or income). Additionally, the resources and services provided are tailored to the unique needs of the household receiving assistance.

For administrative ease and when possible, HUD developed consistent eligible costs and program requirements for rapid re-housing for the two programs. However, some significant differences remain in the eligible costs and requirements for RRH activities administered under the ESG and CoC programs. This guidance document summarizes the significant similarities and differences between RRH assistance under the CoC program versus under the ESG program.

### **Core RRH Components**

There are three core components that constitute a rapid re-housing program, all of which must be available to qualify as a rapid re-housing program. Although RRH programs must have each of the three components available, it is not required that a single entity provides all three services. Similarly, it is also not required that any one household utilize all three to be considered a recipient of rapid re-housing.

Rapid Re-housing core components include the following: Housing Identification, Rent/Move-In Assistance (Financial) and Rapid Re-housing Case Management and Services.

### **Eligibility**

- Participants in ESG funded RRH programs must meet HUD's Category 1 definition of homelessness; and CoC funded RRH programs must meet the HUD Category 1 or 4 definition of homelessness. Participants can qualify under the Category 3 definition for unaccompanied youth under the age 25.
- CoC funded programs must follow any additional eligibility criteria set forth in the NOFO through which a project was funded and the grant agreement.
- Programs may not establish additional eligibility requirements beyond those specified here and those required by funders.
- For ESG funded programs, program participant household's annual income should be at or below 30% Area Median Income (AMI) at annual re-evaluation.
- All RRH programs will prioritize referrals provided at the weekly Coordinated Workgroup meetings. RRH will be targeted toward those who cannot get out of homelessness without the assistance.

### **Minimum Standards of Assistance**

Program participants are required to meet with a case manager not less than once per month.



- For ESG funded RRH programs, supportive services are limited to housing relocation and stabilization services (24 CFR 576.10). ESG RRH programs may provide housing stability case management assistance not more than 30 days during the period in which the program participant is seeking permanent housing and may not exceed 24 months during the period in which the program participant is living in permanent housing.
- For CoC-RRH funded programs, supportive services include a wide range of services outlined in 24 CFR 578.53. CoC-RRH programs may provide supportive services until 6 months after rental assistance stops.
- CoC funded RRH programs: participants must enter into a lease agreement for a term of at least one year, which is terminable only for cause. The lease must be automatically renewable upon expiration for a minimum term of one month. (24 CFR 578.37)
- ESG funded RRH programs: participants must enter a lease for an initial term of one year for project-based rental assistance, there is no minimum lease period for tenant based rental assistance. The only exception is for rental assistance provided solely for arrears. (24 CFR 576.104)

To continue to receive ESG and CoC RRH assistance, a program participant's reevaluation must demonstrate eligibility based on: 1) Lack of sufficient resources and support networks to retain housing without the program assistance. 2) The ESG or CoC funded program must determine the amount and type of assistance that the individual or family will need to (re)gain stability in permanent housing at minimum every 3 months, preferably monthly.

#### **Housing Identification:**

- Recruit landlords to provide housing opportunities for individuals and families experiencing homelessness.
- Address potential barriers to landlord participation such as a concern about the short-term nature of rental assistance and tenant qualifications.
- Assist households to locate and secure appropriate housing.

#### **Rent/Move-In Assistance:**

- Provide financial assistance (typically 6 months or less) necessary to allow individuals and families to move immediately out of homelessness and to stabilize in permanent housing.
- Eligible costs for financial assistance for ESG funded programs include:
  - rental application fees
  - rental assistance
  - security deposits (up to 2 months)
  - last month's rent
  - utility deposits and payments (up to 24 months, including up to 6 months for payments in arrears)

- moving costs

Eligible costs for financial assistance for CoC funded programs include:

- security deposits (up to 2 months)
- first and last month's rent
- rental assistance
- property damage
- rental application fees
- utility deposits/assistance
- moving cost

### **Assistance Limits**

- Financial assistance is available for maximum 24 months. However, it is expected that program participants will only receive the level of assistance necessary to be stably housed for the long term.
- The maximum amount of rent that a participant can pay will be 100% of the rental amount.
- Typically, at the beginning of assistance, RRH program will be paying 100% of the rent or utility. Participant's responsibility of rent/utility should be reviewed, determined, and explained to the participants by the RRH program and will gradually be increased to 100% within a determined timeframe.
- A household can only be eligible for RRH programs within the CoC geographic area no more than 2 times in 3 years.
- The rent charged for an ESG unit must be at or below the area Fair Market Rent (FMR) and reasonable in relation to rents currently being charged for comparable units in the private unassisted market and must not be in excess of rents currently being charged by the owner for comparable unassisted units. Rent reasonableness must be documented.
- The rent charged for a CoC unit must be reasonable in relation to rents currently being charged for comparable units in the private unassisted market and must not be in excess of rents currently being charged by the owner for comparable unassisted units. Rent reasonableness must be documented.
- Rental assistance cannot be provided to a program participant who is already receiving rental assistance or living in a housing unit receiving rental assistance or operating assistance through other federal, State, or local sources.

### **Case Management and Wrap Around Services**

The Case Management staff are expected to:

- Housing Stability Plan- Each agency should develop a plan with the client to identify short and long-term barriers to obtaining and maintaining permanent housing. These barriers will be the basis for creating goals to reduce those barriers and open a pathway for stable permanent housing. The plan should include housing goals and

long and short-term goals with clear timelines that move the client closer to their housing goals. The goals always include income and budgeting as a focus to ensure housing stability. The plan will also address other obstacles to housing such as arrears, legal issues, credit history, etc.) This plan will be updated as the client moves into housing to focus on housing stability.

- Connect the participants to Federal, State, and local resources and benefits to address the goals in the Housing Stability Plan.
- Assist the participant in finding and securing permanent housing. The Case Manager will help the client to find decent, safe, and affordable housing by:
  - Identifying barriers to housing including tenant, criminal and credit screenings.
  - Assist in conducting housing search to help individuals/families identify, select housing options based on their unique needs, preferences, and resources.
  - Provide and negotiate with landlords.
  - Assist in completing rental applications.
  - Provide tenant counseling (including how to talk to landlords, understanding the lease – including tenant and landlord responsibilities, securing utilities, etc.)
  - Assist in application for the local furniture bank.
  - Arrange for the moving of furniture and other belongings.
  - Monitor participant progress to ensure they are housing stable and to address any issues communicated by the client or landlord.

### **Case Closure and Termination of Assistance**

RRH Programs should work to prevent an early termination or dismissal as much as possible, with the goal of ensuring clients have the tools and resources to maintain housing stability. Programs should make every effort to use assertive engagement and build rapport with clients that leads to supportive case management relationships. Programs should always consider alternatives to termination such as supporting the client to relocate to more suitable housing and/or connect with mental health or substance abuse services.

Below are reasons a RRH client could be exited or terminated:

- Client has completed services with these indicators:
  - Rent: Income is sufficient to pay rent (despite rent burden) or a housing subsidy has been secured.
  - Lease: Client is not in violation of the lease and has no rent arrears.
  - Linkages: Client is connected to resources necessary to sustain housing.
- Client is voluntarily leaving the program.
- Client has reached the maximum time allowed.
- Client has not had contact with the program staff in over 90 days and the program is unaware of the client's whereabouts. The staff must document at least 6 attempted contacts including calling, texting, and leaving a written letter at the unit where the client is housed.
- Client has behaved in a way that seriously threatens the health and safety of staff.
- Client not paying rent portion, without having a valid reason, i.e. losing employment,

- acute health issues, etc.
- Client has passed away.

For clients whose services are being terminated, they must receive a letter at least 30 days before termination, unless it is a matter of safety which would warrant an immediate termination, letting them know they are being terminated and the reason why. The letter must include instructions on how to file an appeal.

Clients cannot be terminated solely due to:

- Refusing services
- Not following Housing Stability Plan
- Violating a lease.

Refer to 24 CFR 576 and 578 for additional guidance.

## **JOINT TRANSITIONAL/PERMANENT HOUSING-RAPID RE-HOUSING (JOINT TH/PH-RRH)**

The Joint TH/PH-RRH project is a U.S. Department of Housing and Urban Development (HUD) program that combines transitional housing (TH) and permanent housing-rapid rehousing (PH-RRH) into a single project. The project's goal is to help people experiencing homelessness find permanent housing by providing a safe place to stay and financial assistance. In addition to the RRH core components listed above, the Joint TH/RRH program also follows the standards below. Refer to 24 CFR 578 for additional guidance.

The project's eligible costs include Leasing and operating costs for transitional housing, Short- or medium-term rental assistance for rapid rehousing, Supportive services, HMIS, and Project administrative costs.

### **Eligibility**

- Households must meet the HUD definition of homelessness under categories 1, 2, and/or 4.
- CoC funded programs must follow any additional eligibility criteria set forth in the CoC and ESG through which a project was funded and the grant agreement.
- Programs may not establish additional eligibility requirements beyond those specified here and those required by funders.

### **Priority**

- For RRH - first priority is Youth/Young Adult (YYA) already residing in the TH project.
- For TH and YYA under the age of 18 - first priority is those in crisis for whom family reunification is unsuccessful and max out their time in emergency shelter with no alternatives.

### **Minimum Standards of Assistance/Assistance Limits**

- Maximum length of stay cannot exceed a total of 24 months in either program or a combination of both components that does not exceed 24 months total.
- Assistance in transitioning to permanent housing must be made available/provided.
- Support services must be provided throughout the duration of stay in transitional housing.
- Program participants in transitional housing must enter a lease, sublease, or occupancy agreement for a term of at least one month and that ends in 24 months and cannot be extended. The lease with program participant must be automatically renewable upon expiration, except on prior notice by either party, up to a maximum term of 24 months.
- The rent charged for a CoC RRH unit must be reasonable in relation to rents currently being charged for comparable units in the private unassisted market and must not be more than rents presently charged by the owner for comparable unassisted units.
- Rental assistance cannot be provided to a program participant who is already receiving rental assistance or living in a housing unit receiving rental assistance or operating assistance through other federal, State, or local sources.

The RRH/TH for YYA incorporates youth-choice, in both finding permanent housing and in determining when to exit crisis housing. Meaning the youth decides when they are ready to move on to the RRH part of the model, not the program. This includes youth deciding to skip the TH part of the model all together and go directly into RRH.

### **Housing Identification**

- Recruit landlords to provide RRH housing opportunities for individuals and families experiencing homelessness.
- Address potential barriers to landlord participation such as a concern about the short-term nature of rental assistance and tenant qualifications.
- Assist households to find and secure appropriate housing.

### **Rent/Move In Assistance**

Provide financial assistance necessary to allow individuals and families to move immediately out of homelessness or the Transitional component and to stabilize in permanent housing.

Eligible costs for financial assistance for CoC funded programs include:

- rental application fees
- security deposits/landlord incentive (up to 2 months)
- last month's rent
- utility deposits and payments
- moving costs

Eligible costs for financial assistance for CoC funded programs include:

- security deposits (up to 2 months)
- first and last month's rent
- property damage
- rental application fees
- utility deposits/assistance
- moving cost

### **Case Management and Wrap Around Services**

Help individuals and families experiencing homelessness identify and select permanent housing options based on their unique needs, preferences, and financial resources.

- Help individuals and families experiencing homelessness address issues that may impede access to housing (such as credit history, arrears, and legal issues).
- Help individuals and families negotiate manageable and appropriate lease agreements with landlords.
- Make appropriate and time-limited services and supports available to families and individuals to allow them to stabilize quickly in permanent housing.
- Monitor participants' housing stability and be available to resolve crises, at a

- minimum during the time permanent supportive housing assistance is provided.
- Ensure that services provided are program participant-directed, respectful of individuals' right to self-determination, and voluntary. Unless basic, program related case management is required by statute or regulation, participation in services should not be required but suggested to maintain a level of housing stability to receive permanent supportive housing assistance.
  - Utilize an Individual Service Plan (ISP) to outline the steps, goals, activities, actions, anticipated outcomes, and timelines of the case management supports. ISP should:
    - Be program participant driven. A Case Manager should not include any activities, directives, or requirements that the program participant has not consented to in the ISP.
    - Be quickly expedited after program admission. An ISP should be written within two weeks of admission and should be focused on Housing Stability; Relationships; Basic Needs; Supports and Safety. ISPs shall include outcomes that measure changes in skill, knowledge, behavior, stability, sustainability, quality of life, etc.
    - Be updated as the needs and/or goals of the program participant change or become better defined and/or as outcomes are achieved.
    - Be updated at least every 45 days or more frequently as appropriate.
    - Be program participant approved. Program participants must sign the ISP and be provided a copy of the final document.

### **Case Closure and Termination of Assistance**

CoC RRH Programs should work to prevent an early termination or dismissal as much as possible, with the goal of ensuring clients have the tools and resources to maintain housing stability. Programs should make every effort to use assertive engagement and build rapport with clients that leads to supportive case management relationships. Programs should always consider alternatives to termination such as supporting the client to relocate to more suitable housing and/or connect with mental health or substance abuse services.

Below are reasons a TH/PH-RRH client could be exited or terminated:

- Client has completed services with these indicators:
  - Rent: Income is sufficient to pay rent (despite rent burden) or a housing subsidy has been secured.
  - Lease: Client is not in violation of the lease and has no rent arrears.
  - Linkages: Client is connected to resources necessary to sustain housing.
- Client is voluntarily leaving the program.
- Client has reached the maximum time allowed in either TH or RRH or combination of both at 24 months.
- Client has not had contact with the program staff in over 90 days and the program is unaware of the client's whereabouts. The staff must document at least 6 attempted contacts including calling, texting, and leaving a written letter at the unit where the client is housed.
- Client has behaved in a way that seriously threatens the health and safety of staff.

- Client not paying rent portion, without having a valid reason, i.e. losing employment, acute health issues, etc.
- Client has passed away.

For clients whose services are being terminated, they must receive a letter at least 30 days before termination, unless it is a matter of safety which would warrant an immediate termination, letting them know they are being terminated and the reason why. The letter must include instructions on how to file an appeal.

Clients cannot be terminated solely due to:

- Refusing services
- Not following Housing Stability Plan
- Violating a lease.



## **PERMANENT SUPPORTIVE HOUSING (PSH)**

Permanent Supportive Housing for persons with disabilities is permanent housing with leasing or rental assistance with supportive services to assist persons experiencing homelessness to achieve housing stability.

### **Eligibility**

- Households must meet the HUD definition of homelessness, with a requirement for those who are chronically homeless. The definition of "chronically homeless", as stated in Definition of Chronically Homeless final rule is "A 'homeless individual with a disability,' as defined in section 401(9) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(9))", who:
  - lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and
  - Has been homeless and living as described in paragraph (a)(i) continuously for at least 12 months or on at least four separate occasions in the last 3 years, as long as the combined occasions equal at least 12 months and each break in homelessness separating the occasions included at least 7 consecutive nights of not living as described in paragraph (a)(i). Stays in institutional care facilities for fewer than 90 days will not constitute a break in homelessness, but rather such stays are included in the 12-month total, as long as the individual was living or residing in a place not meant for human habitation, a safe haven, or an emergency shelter immediately before entering an institutional care facility.
  - An individual who has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all of the criteria in paragraph (a) of this definition, before entering the facility.
  - A family with an adult head of household (or if there is no adult in the family, a minor head of household) who meets all of the criteria in paragraph (a) or (b) of this definition (as described in Section I.D.2.(a) of this Notice), including a family whose composition has fluctuated while the head of household has been homeless.
- One adult or child member of the household must have a disabling condition with appropriate documentation, with one of the following chronically homeless situations above.

CoC funded programs must follow any additional eligibility criteria set forth in the CoC or ESG through which a project was funded and the grant agreement.

Programs may not establish additional eligibility requirements beyond those specified here and those required by funders.

## Minimum Standards of Assistance

- There can be no predetermined length of stay for a PSH project.
- Project participants in PSH can enter a lease agreement for an initial term of at least a year and is renewable as a month-to-month lease agreement. Lease can be terminable for cause.
- Supportive services designed to meet the needs of the project participants must be made available to the project participants throughout the duration of stay in PSH. Supportive services are voluntary but can and should be used to persistently engage tenants to ensure housing stability.
- Two individuals in shared housing situation must have their own lease and their own bedroom unless the two individuals present together as a household.
- If occupancy charges are imposed, they may not exceed the highest of:
  - 30% of family's monthly adjusted income
  - 10% of the family's income
  - Portion of welfare payments designated for housing (if applicable)
- A program participant's income must be re-examined annually to determine rent payment. A program participant's contribution toward the rental payment must be made as changes in income are identified. A participant can request an interim re-examination at any time based on change in income and/or family composition. Each program participant must agree to supply the information or documentation necessary to verify the participant's income.
- Assistance may be terminated to a participant who violates their lease by providing a formal process that recognizes due process of law.

All PSH programs will prioritize referrals provided at the weekly Coordinated Workgroup meetings. PSH is targeted for the most acute individuals and families and will always be prioritized for those who are chronically homeless. If there is not a chronically homeless individual or family on the list at the weekly Coordinated Workgroup meetings, the next most acute individual or family will be targeted for PSH if appropriate. When a referral is received by the agency and there is 45 days of no contact or after 3 attempts have been made to schedule an appointment for intake, the agency will refer to Coordinated Entry.

## Housing Identification

- Recruit landlords to provide housing opportunities for individuals and families experiencing homelessness.
- Address potential barriers to landlord participation such as a concern about the short-term nature of rental assistance and tenant qualifications.
- Assist households to find and secure appropriate housing.

## Rent/Move In Assistance

- Provide financial assistance necessary to allow individuals and families to move immediately out of homelessness and to stabilize in permanent housing. Eligible costs

for financial assistance for CoC funded programs include:

- rental application fees
- security deposits/landlord incentive (up to 2 months)
- last month's rent
- utility deposits and payments
- moving costs

Eligible costs for financial assistance for CoC funded programs include:

- security deposits (up to 2 months)
- first and last month's rent
- property damage
- rental application fees
- utility deposits/assistance
- moving cost

### **Assistance Limits**

- Participants must begin paying no more than 30% of their income (as defined by 24 CFR 5.609) toward rent once income has been established. The maximum amount of rent that a participant can pay will be 100% of the rental amount.
- Typically, at the beginning of assistance, PSH program will be paying 100% of the rent and a percentage of the utility bill. Participant's responsibility of rent/utility should be reviewed, determined, and explained to the participants by the PSH program case manager.
- A household can only be eligible for PSH programs within the CoC geographic area no more than 2 times in 3 years.
- The rent charged for a unit must be within the Fair Market Rate (FMR) and reasonable in relation to rents currently being charged for comparable units in the private unassisted market and must not be more than rents presently charged by the owner for comparable unassisted units.
- Rental assistance cannot be provided to a program participant who is already receiving rental assistance or living in a housing unit receiving rental assistance or operating assistance through other federal, State, or local sources.

### **Case Management and Wrap Around Services**

Help individuals and families experiencing homelessness identify and select among various permanent housing options based on their unique needs, preferences, and financial resources.

- Help individuals and families experiencing homelessness address issues that may impede access to housing (such as credit history, arrears, and legal issues).
- Help individuals and families negotiate manageable and appropriate lease agreements with landlords.
- Make appropriate and time-limited services and supports available to families and

individuals to allow them to stabilize quickly in permanent housing.

- Monitor participants' housing stability and be available to resolve crises, at a minimum during the time permanent supportive housing assistance is provided.
- Ensure that services provided are program participant-directed, respectful of individuals' right to self-determination, and voluntary. Unless basic, program related case management is required by statute or regulation, participation in services should not be required but suggested to maintain a level of housing stability to receive permanent supportive housing assistance.
- Utilize an Individual Service Plan (ISP) to outline the steps, goals, activities, actions, anticipated outcomes, and timelines of the case management supports. ISP should:
  - Be program participant driven. A Case Manager should not include any activities, directives, or requirements that the program participant has not consented to in the ISP.
  - Be quickly expedited after program admission. An ISP should be written within two weeks of admission and should be focused on Housing Stability; Relationships; Basic Needs; Supports and Safety. ISPs shall include outcomes that measure changes in skill, knowledge, behavior, stability, sustainability, quality of life, etc.
  - Be updated as the needs and/or goals of the program participant change or become better defined and/or as outcomes are achieved.
  - Be updated at least every 45 days or more frequently as appropriate.
  - Be program participant approved. Program participants must sign the ISP and be provided a copy of the final document.

### **Case Closure and Termination of Assistance**

PSH Programs should work to prevent termination as much as possible, with the goal of ensuring clients have the tools and resources to maintain housing stability. Programs should make every effort to use assertive engagement and build rapport with clients that leads to supportive case management relationships. Programs should always consider alternatives to termination such as supporting the client to relocate to more suitable housing and/or connect with mental health or substance abuse services.

Below are reasons a PSH client could be exited or terminated:

- Move-On Strategy: Client no longer needs supportive services to maintain housing and has chosen to Move-On to other assisted housing or non/assisted housing.
- Client is voluntarily leaving the program.
- Client has not had contact with the program staff in over 90 days and the program is unaware of the client's whereabouts. The staff must document at least 6 attempted contacts including calling, texting, and leaving a written letter at the unit where the client is housed.
- Client has behaved in a way that seriously threatens the health and safety of staff.
- Client has passed away.

For PSH clients whose services are being terminated, they must receive a letter at least 30 days before termination, unless it is a matter of safety which would warrant an immediate termination, letting them know they are being terminated and the reason why. The letter must include instructions on how to file an appeal.

Clients cannot be terminated solely due to:

- Refusing services
- Not following Housing Stability Plan
- Violating a lease.

Refer to 24 CFR 578 for additional guidance.

## **PROGRAM TRANSFER POLICY**

Cases may occur when a program participant requires a transfer from one housing program or project type to another housing program or project type, to maintain housing or to meet the household's financial and long-term needs. A well-coordinated transfer can help ensure tenants are supported and that the transfer process honors participant choice and minimizes the harm and disruption to the individual or family receiving services.

Transfers between HUD CoC PSH programs when a transfer is deemed necessary from one HUD CoC PSH program to another, the transfer request will be prioritized within the Coordinated Entry System (CES) upon approval. Transfer requests must be submitted by the current PSH provider and communicated via email to the Coordinated Entry (CE) Lead agency. A completed PSH to PSH Transfer Form detailing the specific issues that are prompting the transfer must be included. Approved transfers will be processed in a timely manner but may be affected by PSH availability. While the CE refers households to PSH programs with a variety of funding sources, transfers are only allowable between or to HUD CoC funded programs.

Transfers from a RRH program to a PSH program are allowable if the household currently meets all required PSH eligibility requirements. Households do accrue time toward chronic homelessness while enrolled in the RRH program. Transfer requests must be submitted by the current RRH program and be submitted to the CE Committee via email. A completed RRH to PSH Transfer Form detailing the specific reasons for the transfer request and documentation of length of time homeless and disability must be included. Approved transfers will be processed in a timely manner based on PSH availability and the need within CE. For instance, if a household is currently housed in a RRH program and is not at imminent risk of a return to homelessness, a literally homeless household may be prioritized.

While it may be possible to transfer a RRH participant to a PSH program, it generally cannot be done immediately and often depends upon PSH program availability. In order to determine whether a RRH participant qualifies for a transfer, all of the following must be true.

**Kindly note that transfers between programs differ from emergency transfers related to domestic violence, sexual assault, or stalking. If a client requires an emergency transfer due to any of these circumstances, please refer to the Emergency Transfer Policy for the appropriate procedures.**

Requests for transfer to PSH should be rare and only used in instances where no other affordable or feasible options are present and when it is clear that the client is unable to maintain housing on their own without significant outside support. The purpose of a transfer is to prevent a return to homelessness.

If a transfer request is approved, CE Committee will email the approval form to both the referring agency and the new PSH agency. If the request is denied, the CE Committee will email the completed form back to the referring agency and provide sufficient reason for denial.

## **Transfers in the Homeless Management Information System (HMIS) System/Comparable Database**

Data entry in HMIS should comport with the instructions provided in the HMIS Data Standards Manual. Different methods for transferring participants are identified in the Grant Consolidation and Closing Projects: How to handle client data in HMIS document. Comparable databases will have a different procedure. When participants transfer from one permanent housing project to another, HMIS data collection requirements may not perfectly align. The NC 504 HMIS Lead can provide guidance on how to properly document and effectuate a program participant transfer within HMIS.

The NC-504 RRH and PSH Transfer Checklist and Request Form is in Appendix E.

## **Monitoring Performance**

The CoC is responsible to monitor project level and system level performance annually or biennially. The CoC System Performance and Evaluation Committee (SPEC) will consult with recipients and sub-recipients annually to establish performance targets appropriate for population and program type, monitor recipient and sub-recipient performance, evaluate outcomes, and take action to improve performance to the CoC Board of Directors and CoC Membership.

However, the CoC has established some minimum threshold criteria by program type:

- < 20% of those who exit to permanent housing will return to homelessness within 2 years of exit (all programs)
- 23% or less of negative exits
- 75% utilization rate (all programs)
- 95% HMIS data quality and completeness

Maintain or exit to permanent housing:

- 80% - RRH, TH/PH-RRH, PSH
- 75% - Transitional Housing
- 30% - Emergency Shelter

Maintain or exit with cash income (earned or benefits)

- 75% - PSH
- 60% - RRH
- 70% -TH
- 70% - TH/PH-RRH

## **Homeless Prevention Performance Standards**

Based on standards and goals of the Continuum of Care, the following performance standards for CoC programs are:

- A reduction in the number of homeless individuals and families seeking emergency shelter services.
- Expected Outcome: At least 35% of participants assisted will remain in permanent housing six (6) months after the last assistance.



## APPENDIX A: CHRONICALLY HOMELESS DEFINITION

### Chronically Homeless Definition:

The definition of "chronically homeless", as stated in Definition of Chronically Homeless final rule is:

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

## APPENDIX B: AT RISK of HOMELESS DEFINITION

“At risk” of homelessness is defined under § 576.2 of the ESG Program Interim Rule and § 578.3 of the CoC Program Interim Rule.

The status “at risk” of homelessness applies to ESG grant recipients and any CoC recipient carrying out homeless prevention activities. This should not be confused with “imminent risk” of homelessness (Category 2) status for CoC grant recipients.

At Risk of Homeless Definition:

1. An individual or family who:
  1. Has an annual income below 30 percent of Median Family Income (MFI) for the area, as determined by HUD;
  2. Does not have sufficient resources or support networks, (e.g., family, friends, faith-based or other social networks), immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the “homeless” definition in this section; and
  3. Meets one of the following conditions:
    1. Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;
    2. Is living in the home of another because of economic hardship;
    3. Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;
    4. Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by Federal, State, or local government programs for low-income individuals;
    5. Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 persons reside per room, as defined by the U.S. Census Bureau;
    6. Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or
    7. Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient’s approved consolidated plan.

**APPENDIX C: HOMELESS and CHRONICALLY HOMELESS DEFINITIONS**

<b>Category 1</b>	<b>Category 2</b>	<b>Category 3</b>	<b>Category 4</b>	<b>At Risk of Homelessness</b>
<b>Literally Homeless</b>	<b>Imminent Risk of Homelessness</b>	<b>Homeless under other Federal statutes</b>	<b>Fleeing/Attempting to Flee DV</b>	<b>At Risk of Homelessness</b>
<p>(1) Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning: (i) Has a primary nighttime residence that is a public or private place not meant for human habitation; (ii) Is living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state and local government programs); or (iii) Is exiting an institution where (s)he has resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution</p>	<p>(2) Individual or family who will imminently lose their primary nighttime residence, provided that: (i) Residence will be lost within 14 days of the date of application for homeless assistance; (ii) No subsequent residence has been identified; or (iii) The individual or family lacks the resources or support networks needed to obtain other permanent housing</p>	<p>(3) Unaccompanied youth under 25 years of age, or families with Category 3 children and youth, who do not otherwise qualify as homeless under this definition, but who: (i) Are defined as homeless under the other listed federal statutes; (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application; (iii) Have experienced persistent instability as measured by two moves or more during in the preceding 60 days; or (iv) Can be expected to continue in such status for an extended period of time due to special needs or barriers <b>(Guilford County is currently not authorize to utilize.)</b></p>	<p>(4) Any individual or family who:                      (i) Is fleeing, or is attempting to flee domestic violence; sexual assault, stalking, or human trafficking;                      (ii) Experienced attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior                      (iii) Experienced verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior                      (iv) Has no other residence; or                      (v) Lacks the resources or support networks to obtain other permanent housing.</p>	<p>(i) Individual or family with annual income below 30% AMI; or                      (ii) The individual or family lacks the resources or support networks needed to obtain other permanent housing; and meets one of the following:                      (iii) Has moved because of economic reasons 2 or more times during the past 60 days                      (iv) Is living in the home of another because of economic hardship                      (v) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after date of application for assistance</p>

## APPENDIX D: HOMELESS VERIFICATION REQUIREMENTS

Category 1	Category 2	Category 3	Category 4	At Risk of Homelessness
Literally Homeless	Imminent Risk of Homelessness	Homeless under other Federal statutes	Fleeing/Attempting to Flee DV	At Risk of Homelessness
<p>Written observation by outreach worker; or</p> <ul style="list-style-type: none"> <li>• Written referral by another housing or service provider; or</li> <li>• Self-Certification by individual or head of household stating that (s) he was living on the street or in shelter; (complete required form included below)</li> <li>• Individuals exiting an institution – one of the forms of evidence above and:               <ol style="list-style-type: none"> <li>1. Discharge paperwork or written/oral referral, or</li> <li>2. Written record of intake worker’s due diligence to obtain above evidence and certification by individual that they exited institution.</li> </ol> </li> </ul>	<p>Imminent Risk:</p> <ul style="list-style-type: none"> <li>• Court order from an eviction; or</li> <li>• Hotel and motel exit-evidence that they lack the financial resources; or</li> <li>• Documented and verified oral statement; and</li> <li>• Certification that no subsequent residence has been identified; and</li> <li>• Self-certification or other written documentation that household lack the financial resources and support necessary to obtain permanent housing (PH). (complete required form included below) (Use as a last resort)</li> </ul>	<p>Certification by non-profit, local, and state government that the household seeking assistance met the homelessness criteria under another federal statute; and</p> <ul style="list-style-type: none"> <li>• Certification of no PH in last 60 days; and</li> <li>• Self-Certification by the head of household and any available supporting documentation, that (s) he has moved two (2) or more times in the past 60 days; (complete required form included below) and</li> <li>• Documentation of special needs or 2 or more barriers.</li> </ul>	<p><b>For victim service providers:</b></p> <ul style="list-style-type: none"> <li>• Oral statement by individual or head of household which states; they are fleeing; they have no other subsequent residence and lack resources. (Statement must be documented by self-certification or intake worker).</li> </ul> <p><b>For non-victim service providers:</b></p> <ul style="list-style-type: none"> <li>• Oral statement by individual or head of household seeking assistance (documented by self-certification (complete required form included below) or intake worker). The family safety must not be jeopardized.</li> <li>• Certification by head of household that no subsequent residence has been identified; and</li> <li>• Self-Certification or other written documentation, the household lacks financial resources and support networks to obtain other permanent housing. (Use as a last resort)</li> </ul>	<p>Evidence that they lack financial resources:</p> <ul style="list-style-type: none"> <li>• Documentation of #/dates of moves</li> <li>• 21-day notice</li> <li>• Documentation of housing (hotel/motel, institution, SRO, etc.)</li> <li>• Documentation of characteristics associated with housing instability and increased risk of homelessness</li> </ul>

## APPENDIX E: NC-504 RRH AND PSH TRANSFER CHECKLIST AND REQUEST FORM

While it may be possible to transfer a RRH participant to a PSH program, it generally cannot be done immediately and often depends upon PSH program availability. In order to determine whether a RRH participant qualifies for a transfer, **ALL OF THE FOLLOWING MUST BE TRUE.**

The Participant is:

- Currently enrolled in a RRH program in the same CoC as the requested transfer
- Qualified based on the completion of the homelessness timeline
- Qualified based on the completion of the Certification of Disability document
- Unable to achieve housing stability without ongoing financial support and other supportive services
- Client has received at least 15 months of assistance and is in need of ongoing support
- At least two applications to income-based housing projects have been rejected and/or there are no units accepting applications at this time.
- All vouchers in the area are closed to applications and/or the client is not eligible for the voucher

If all items above are true, please complete the information below and submit to the PSH Manager. At which time, the PSH Manager will convene a case conference to review the request and make a determination.

If all items above are NOT true, please **do not** submit a transfer request as the RRH participant will be automatically denied.

Check off the following required items to confirm they are attached to the request form:

- A narrative of the support received by the client from the RRH project as well as an overview of all attempts made to house the client using an alternate method
- Overview of need for the program
- Homelessness Timeline (completed within the last 30 days)
- Certification of Disability form signed by a licensed professional (within the last year) OR SSDI award letter (current year only)
- Release of information

[NC-504 RRH and PSH Referral Form](#)

\_\_\_\_\_ To be completed by referring agency \_\_\_\_\_

**Client HMIS ID #:** \_\_\_\_\_

**Referring Agency/Provider:** \_\_\_\_\_

**RRH Case Manager Contact Information:**

CM Name: \_\_\_\_\_

CM Phone: \_\_\_\_\_

CM Email: \_\_\_\_\_

**Date Enrolled in RRH Program:** \_\_\_\_\_

**Date Housed in RRH Program:** \_\_\_\_\_

By signing below, you certify that the client being referred meets all necessary criteria to the best of your knowledge:

CM signature: \_\_\_\_\_

Date request submitted to CE: \_\_\_\_\_

\_\_\_\_\_ The following section is to be completed by the Coordinate Entry Lead only \_\_\_\_\_

**Client HMIS ID #:** \_\_\_\_\_

**Request Decision (circle one):** Approved/Denied

**Coordinated Entry Staff who reviewed request:**

Name/Title: \_\_\_\_\_

Email: \_\_\_\_\_

**Reason for Denial (if applicable) \*:**

- Insufficient supporting documentation
- Insufficient transfer reasoning
- Current existing resources are not able to meet requested needs OR no program openings.
- N/A

CE Lead Authorized signature: \_\_\_\_\_

Date reviewed: \_\_\_\_\_

\*CE Lead may attach a letter to this form with more details if they so desire.

## **APPENDIX F: VIOLENCE AGAINST WOMENS ACT AND EMERGENCY TRANSFER POLICY**

### **Program Applicability**

This Emergency Transfer Plan covers rental beneficiaries and tenants under the following programs:

1. HOME Investment Partnerships Program (“HOME Program”)
2. Community Development Block Grant (“CDBG”)
3. Emergency Solutions Grant (“ESG”)

### **Background**

The 2013 reauthorization of the Violence Against Women Act (“VAWA”) expands housing protections to all of HUD’s housing programs, as well as provides enhanced protections and options for victims of domestic violence, dating violence, sexual assault, and stalking. HUD’s Violence Against Women Reauthorization Act of 2013 Implementation Rule required Guilford County Continuum of Care (CoC) to adopt an emergency transfer plan. The Guilford County CoC Emergency Transfer Plan was adopted, and the provisions became effective on June 14, 2017.

In March 2022, the Violence Against Women Act was reauthorized and codified as the Violence Against Women Act Reauthorization Act of 2022. The existing Guilford County CoC Emergency Transfer Plan complies with the guidelines noted in the reauthorized act and was reviewed to ensure compliance in September 2022.

This Policy and Plan identifies VAWA protections and limitations, tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to tenants on safety and security. This plan is based on a model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD), the Federal agency that oversees compliance for the HOME Program and ESG.

The regulatory basis for and requirements of this Policy and Plan are identified in 24 CFR 5.2005, 2007, & 2009; 24 CFR 91.520; 24 CFR 92.253, 359, 504 & 508; 24 CFR 576.105, 106, 400, 409, & 500.

### **General VAWA Protections, Requirements, and Limitations**

#### **Applicability and Duration**

This Policy & Plan applies as follows:

1. HOME Program: all rental projects and all Tenant Based Rental Assistance activities with a commitment date on or after December 16, 2016. Requirements apply for the entire Period of Affordability of the project or activity.
2. CDBG: all rental projects and homelessness prevention programs with a contract date on or after December 16, 2016.

3. ESG: all eligibility and termination decisions that are made with respect to ESG rental assistance on or after December 16, 2016.

### **Notice to Applicants and Tenants**

All HOME Program, CDBG, and ESG housing providers shall provide to each applicant and tenants the Notice of Occupancy Rights and the Certification Form (in a form approved by HUD and in accordance with the applicable requirements of VAWA). The Notice of Occupancy Rights explains the VAWA protections under 24 CFR Part 5. The Certification Form is to be completed by a tenant in an instance of domestic violence, dating violence, sexual assault or stalking.

Housing providers must provide the Notice of Occupancy Rights to an applicant or tenant at each of the following times:

1. At the time the applicant is denied assistance or admission under a covered housing program;
2. At the time the individual is provided assistance or admission under a covered housing program;
3. With any notification of eviction or notification of termination of assistance; and
4. During the 12-month period following December 16, 2016, either during the annual recertification or lease renewal process, or if there will be no recertification or lease renewal for a tenant during the 12-month period, through other means.
5. When the individual requests a copy of the housing provider's emergency transfer plan.

The Notice of Occupancy and the Certification Form shall be made available in multiple languages, as is consistent with guidance issued by HUD in accordance with Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency). When feasible, the housing provider must make the plan publicly available.

### **Prohibited Basis for Denial or Termination of Assistance or Eviction**

An applicant for assistance or tenant assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis or as a direct result of the fact that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy. No individual or family may be denied admission to or removed from an emergency shelter on the basis or as a direct result of the fact that the individual or family is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the individual or family otherwise qualifies for admission or occupancy.

A tenant in a covered housing program may not be denied tenancy or occupancy rights solely based on criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking if:



1. The criminal activity is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, and
2. The tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault or stalking.

### **Construction of Lease Terms and Terms of Assistance**

An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as:

1. A serious or repeated violation of a lease executed under a covered housing program by the victim or threatened victim of such incident; or
2. Good cause for terminating the assistance, tenancy, or occupancy rights under a covered housing program of the victim or threatened victim of such incident.
3. HOME Program Only: All tenants residing in a HOME Program unit or tenants receiving HOME Program Tenant-Based Rental Assistance shall have a VAWA lease addendum incorporating the requirements of 24 CFR Parts 5 & 92. Specifically, the lease addendum shall allow the tenant to terminate the lease without penalty if the conditions for an emergency transfer (below) are met. For tenants receiving Tenant-Based Rental Assistance, the lease addendum shall require the owner to notify Guilford County before the owner bifurcates the lease, as described below, or provide three (3) notices of eviction to the tenant. If HOME Program Tenant-Based Rental Assistance is the only assistance provided, the VAWA lease addendum may be written to expire at the end of the rental assistance period.

ESG Only: Each ESG lease executed on or after December 16, 2016, shall have a VAWA provision or lease addendum that incorporates all of the requirements of the tenant and owner under the regulations (24 CFR Parts 5 & 576), the prohibited bases for evictions and restrictions on the construction of lease terms noted above.

### **Limitations of VAWA**

This policy in no way limits the authority of a covered housing provider to comply with a court order, or to evict or terminate assistance to a tenant for any violation not premised on an act of domestic violence, dating violence, sexual assault, or stalking. Additionally, this policy does not limit a housing provider's ability to evict or terminate assistance if the housing provider can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property.

### **Emergency Transfers**

In accordance with VAWA, Guilford County allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant's current unit to another unit. The ability to request a transfer is available to all tenants, regardless of

sex, gender identity, sexual orientation, race, color, national origin, religion, familial status, disability, or age. The ability of Guilford County to honor such a request for tenants, however, depends upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether there is another unit available and is a safe unit for the tenant to occupy.

All housing providers must keep a record of all emergency transfers requested under this plan, the outcomes of such requests, and retain these records for a period of at least three years. Requests and outcomes of such requests must be reported to HUD annually.

### **Emergency Transfers Eligibility and Priority**

A tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking, as provided in HUD's regulations at 24 CFR Part 5, Subpart L is eligible for an emergency transfer if the tenant expressly submits a written request for a transfer and reasonably believes that there is a threat of imminent harm from further violence if the tenant remains in the same unit. If the tenant is a victim of sexual assault, the tenant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer.

Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements of this plan.

To the extent permitted by local, state and federal law, tenants requesting an emergency transfer under this Plan shall have priority over other tenants seeking transfers and individuals seeking placement on waiting lists.

### **Emergency Transfer Request Documentation**

To request an emergency transfer, the tenant shall submit a written request to their landlord. Within forty-eight (48) hours, the landlord shall notify Guilford County of all requests received under this plan. All notifications to the County shall abide by the confidentiality requirements of this plan.

The tenant's written request must include the tenant's name, safe contact information, and one of the following:

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

The housing provider may request, in writing, documentation of the incident from the applicant or tenant. It is at the discretion of the applicant or tenant what documentation to provide. The applicant or tenant shall have a minimum of 14 days to provide documentation. The housing provider is in no way required to request documentation. The following are acceptable forms of documentation:

1. The Certification Form; or
2. A document (i) signed by the applicant or tenant, (ii) signed by an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional from whom the victim has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, and (iii) that specifies, under penalty of perjury, that the professional believes in the occurrence of the incident of domestic violence, dating violence, sexual assault or stalking that is the ground for protection and remedies under this subpart, and that the incident meets the applicable definition of domestic violence, dating violence, sexual assault or stalking under 24 CFR 5.2003.
3. A record of a federal, state, tribal, territorial or local law enforcement agency, court, or administrative agency; or
4. At statement or other evidence provided by the applicant or tenant

The housing provider may request third-party documentation if conflicting documentation is received after the original request for documentation. The applicant or tenant shall have 30 days to provide the documentation in such a situation.

### **Confidentiality**

Guilford County and all housing providers shall keep any information submitted, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking, in strict confidence.

Guilford County and all housing providers shall not allow any individual administering assistance on behalf of the entity, or any persons within their employ, or any individual in the employ of the County or the housing provider to have access to confidential information unless explicitly authorized for reasons that call for such individuals to have access to this information under applicable federal, state, or local law.

Guilford County and all housing providers will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer unless:

1. the tenant gives Guilford County or the landlord permission to release the information on a time limited basis; or
2. disclosure of the information is required by law; or
3. disclosure of the information is required for use in an eviction proceeding or hearing regarding termination of assistance from the HOME Program, CDBG, or ESG.

This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided.

Neither Guilford County nor any housing provider shall enter confidential information into any shared database or disclose such information to any other entity or individual, except to the extent the disclosure fits one of the three exceptions noted above.

A housing provider's compliance with VAWA protections and confidentiality requirements shall not be sufficient to constitute evidence of an unreasonable act or omission by the housing provider. Neither VAWA nor this plan limits a housing provider's duty to honor court orders about access to or control of the property; this includes orders issued to protect a victim and orders dividing property among household members in cases where a household breaks up.

### **Emergency Transfer Timing and Availability**

Neither Guilford County nor housing providers can guarantee that a transfer request will be approved or how long it will take to process a transfer request. Guilford County will require housing providers to act as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit. A tenant's request for transfer does not guarantee continued assistance or an external transfer to other HUD housing.

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

If a housing provider has a safe unit immediately available, the housing provider must allow the tenant to make an internal emergency transfer. An internal emergency transfer is an emergency relocation of a tenant to another unit where the tenant would not be categorized as a new applicant; the tenant may reside in the new unit without having to undergo an application process. A safe unit is a unit that the tenant requesting the transfer believes is safe.

If a housing provider has no safe units available, the housing provider shall give the tenant priority above all others when the next unit becomes available. The housing provider shall also notify Guilford County that no internal emergency transfer is available.

If a housing provider has no safe units available for which a tenant who needs an emergency is eligible, Guilford County will assist the tenant in an external emergency transfer by identifying other housing providers who may have safe units available to which the tenant could move. Guilford County will maintain a list of HOME Program units and make the list available to tenants requesting an emergency transfer. An external emergency transfer is an emergency relocation of a tenant to another unit where the tenant would be categorized as a new applicant; the tenant must undergo an application process in order to reside in the new unit.

Tenants may seek an internal emergency transfer and an external emergency transfer concurrently if a safe unit is not immediately available.

At the tenant's request, the housing provider and Guilford County will also assist tenants in contacting Family Service of the Piedmont and other local organizations aiding victims of domestic violence, dating violence, sexual assault, or stalking.

**ESG Only:** If a tenant resides in a project-based rental assistance unit and a safe unit is not immediately available for an internal emergency transfer, the tenant shall have priority over all other applicants for tenant-based rental assistance, utility assistance, and units for which project-based rental assistance is provided. If a household receives tenant-based rental assistance and must separate because of an emergency transfer and if the non-transferring family members were on the original lease, then they will continue to receive tenant-based rental assistance. If a household receives tenant-based rental assistance and must separate because of an emergency transfer and if the non-transferring family members were not on the original lease, then they may apply for ESG tenant-based rental assistance but will not receive any priority.

*For purposes of this plan, "immediately available" is defined as a vacant unit, ready for move-in within a reasonable period of time. A reasonable period of time is a period of time that is less than 72-hours.*

### **Lease Bifurcation**

Housing providers may choose to bifurcate the lease or remove a household member from a lease in order to evict or terminate assistance to a household member who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking. Lease bifurcation shall be carried out in accordance with any requirements or procedures by federal, state, or local law for termination of assistance or leases, and any requirements under the applicable housing program (HOME Program, CDBG, or ESG).

If a housing provider chooses to bifurcate a lease, any remaining tenant(s) shall have ninety (90) calendar days to (i) establish eligibility under the same housing program, (ii) establish eligibility under another housing program, or (iii) find alternative housing.

**HOME Program Only:** Following a lease bifurcation, tenants within a HOME Program unit shall be allowed to remain in that unit and are not subject to the 90-day limitation; similarly, households receiving HOME Program Tenant-Based Rental Assistance shall continue to receive the rental assistance. Guilford County shall decide if the removed tenant shall continue to receive HOME Program rental assistance, so long as the removed tenant has not engaged in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking.

**ESG Only:** Following a lease bifurcation, any tenant-based rental assistance and utility assistance shall continue for the family member(s) who are not evicted or removed. If the family resides in a unit receiving project-based rental assistance, the household members who are not evicted or removed can remain in the unit without interruption to the assistance provided to the unit. The 90-day limitation does not apply.

### **Safety and Security of Tenants**

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the housing provider shall inform the tenant of the following resources and urge the tenant to take all reasonable precautions to be safe.

Tenants who are or have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233. For persons with hearing impairments, the national hotline can be accessed by calling 1-800-787-3224 (TTY).

Tenants who have been victims of sexual assault may call The Rape, Abuse & Incest National Network's National Sexual Assault Hotline at 1-800-656-HOPE or visit the online hotline at <https://ohl.rainn.org/online/> or they may call the Family Service of the Piedmont hotline at 336-273-7273 or 336-889-7273.

Tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://victimsofcrime.org/stalking-resource-center/>. Recordkeeping and Reporting Guilford County shall keep data on emergency transfers requested under the covered housing programs and their outcomes. Guilford County shall report this data as required by HUD.

### **HUD VAWA Forms**

HUD-5380 Notice of Occupancy Rights Under the Violence Against Women Act

HUD-5381 Model Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

HUD-5382 Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternate Documentation

HUD-5383 Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

HUD-91067 Section 8 VAWA Lease Addendum

### **ESG VAWA Forms**

4.2 NC ESG HUD VAWA Form 5320

4.3 NC ESG HUD VAWA Form 5381

4.4 NC ESG HUD VAWA Form 5382

4.5 NC ESG HUD VAWA Form 5383

## APPENDIX G: COORDINATED ENTRY POLICIES and PROCEDURES

Guilford County's Coordinated Entry Policies and Procedures will govern the implementation, governance, and evaluation of coordinated entry process in Guilford County including standardized access, assessment, and referral. The Coordinated Entry System will cover the geographic boundaries of Guilford County. These policies may only be changed by the Continuum of Care (CoC) Board based on recommendations from the Coordinated Entry Committee.

According to the National Alliance to End Homelessness, Coordinated Entry is a process that ensures that all people experiencing a housing crisis in a defined geographic area have fair and equal access to the Coordinated Entry System and are quickly identified, assessed for, referred, and connected to housing and homeless assistance based on their needs and strengths no matter where or when they present for services. The Guilford County CoC Coordinated Entry System uses standardized tools and practices. It also incorporates a system-wide Housing First approach, participant choice, and coordinates housing and homeless assistance such that people experiencing homelessness are prioritized based on the severity of their needs.

Coordinated Entry, also known as coordinated assessment or coordinated intake, is intended to pave the way for more efficient homeless assistance systems by:

- Helping people move through the system faster (by reducing the amount of time people spend moving from program to program before finding the right match);
- Reducing new entries into homelessness (by consistently offering prevention and diversion resources upfront, reducing the number of people entering the system unnecessarily); and
- Improving data collection and quality and providing accurate information on what kind of assistance consumers need.

A current copy of the NC 504 Coordinated Entry Policies and Procedures may also be found on the [COC website](#).

## APPENDIX H: HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS) POLICIES AND PROCEDURES

The purpose of an HMIS project is to:

- Record and store program participant-level information about the numbers, characteristics and needs of persons who use prevention, coordinated entry, housing for persons experiencing homelessness and supportive services.
- Produce an unduplicated count of persons experiencing homelessness for each Continuum of Care.
- Understand the extent and nature of homelessness locally, regionally, and nationally.
- Understand patterns of service usage and measure the effectiveness of projects and systems of care.

These are the minimum standards of operation for the HMIS Project CoCs may elect to implement more rigorous standards as agreed upon by their local CoC. The following operating policies and procedures apply to all designated HMIS Lead Agencies and participating agencies in North Carolina. (Contributing HMIS Organizations - CHOs).

Operating Policies and Procedures defined in this document represent the minimum standards of participation in the HMIS project and represent general “best practice.” operational procedures.

Operational standards in this document are not intended to supersede grant specific requirements and operating procedures as required by funding entities. PATH, HOPWA, and VA providers have operating rules specific to HHS and VA.

The NC HMIS Operating Policies and Procedures are updated regularly as HUD publishes additional guidance or as part of an annual review. Draft updates will be reviewed at the NC HMIS monthly System Administrator Call-in and included in the meeting minutes’ distribution email. Before being finalized, the NC HMIS Operating Policies and Procedures will be formally approved by the NC HMIS Governance Committee. To allow for the evolution of compliance standards without re-issuing core agreements, updated policies supersede related policies in any previously published Policies and Procedures document or agreements. Any changes from the previous year will be highlighted.

A current copy of the NC 504 HMIS Operating Policies and Procedures may also be found on the [COC website](#).