



**WRITTEN STANDARDS &
ADMINISTRATIVE PLAN**

FOR THE

**EMERGENCY SOLUTIONS GRANT (ESG)
DAKOTA COUNTY**



**Prepared by Dakota County CDA
Community & Economic Development Department**



Adopted: June 5, 2018

TABLE OF CONTENTS

CHAPTER I - INTRODUCTION AND OVERVIEW	3
SECTION I - DEFINITIONS AND ABBREVIATIONS	3
SECTION II - COORDINATION AMONG PROVIDERS	10
CHAPTER II - STREET OUTREACH	11
SECTION I - EVALUATION OF ELIGIBILITY	11
SECTION II - STANDARDS FOR TARGETING AND PROVIDING ESSENTIAL SERVICES	11
CHAPTER III - EMERGENCY SHELTER	12
SECTION I - EVALUATION OF ELIGIBILITY	12
SECTION II. - ADMISSION, DIVERSION, REFERRAL AND DISCHARGE	12
SECTION III. - ASSESSMENT, PRIORITIZATION AND REASSESSMENT OF NEED	13
SECTION IV - MINIMUM SHELTER STANDARDS	13
CHAPTER IV - HOMELESS PREVENTION AND RAPID RE-HOUSING ASSISTANCE	16
SECTION I - PRIORITIZATION ELIGIBILITY	16
SECTION II - EVALUATION OF ELIGIBILITY	16
A. PROCEDURE TO DETERMINE ELIGIBILITY	17
B. DENIAL OF ASSISTANCE	20
SECTION III - VERIFICATION OF ANNUAL INCOME	21
A. DEFINITION OF ANNUAL INCOME	21
B. TYPES OF INCOME TO COUNT	21
C. HOUSEHOLD MEMBERS INCOME TO COUNT	24
D. TREATMENT OF ASSETS	26
SECTION IV - DETERMINATION OF PARTICIPANT SHARE	27
A. LENGTH OF RENTAL ASSISTANCE	27
B. COMPUTATION OF PARTICIPANT SHARE OR PORTION	27
C. SECURITY DEPOSIT	27
D. LAST MONTH RENT	28
E. UTILITY DEPOSIT	28
F. UTILITY PAYMENT ASSISTANCE	28
G. RENTAL ARREARS	28
H. ASSISTANCE WITH THE COST OF MOVING	28
I. HOUSING SEARCH AND PLACEMENT	28
J. HOUSING STABILITY CASE MANAGEMENT	29
K. MEDIATION	29
L. LEGAL SERVICES	29
M. CREDIT REPAIR	29
SECTION V - UNIT SELECTION AND CONTINUED ASSISTANCE REQUIREMENTS	29
A. CASE MANAGEMENT	29
B. UNIT SELECTION	30
C. RENT REASONABLENESS	30
D. UNIT INSPECTION	30
E. CONTRACT EXECUTION	30

SECTION VI - TERMINATION OF BENEFITS.	31
A. MAXIMUM LIMIT ON ASSISTANCE	31
B. TERMINATION AS A RESULT OF INCOME	31
C. TERMINATION FOR MULTIPLE LEASE VIOLATIONS	32
D. TERMINATION FOR NON-COMPLIANCE	32
E. TERMINATION AS A RESULT OF ABSENCE FROM A UNIT FOR MORE THAN 180 DAYS	32
F. PROHIBITION OF DUPLICATE SUBSIDIES	32
G. PROHIBITION OF PORTABILITY	33
SECTION VII - GRIEVANCE PROCEDURES	33
A. INFORMAL REVIEWS FOR APPLICANTS	33
B. INFORMAL HEARING FOR PARTICIPANTS	33
CHAPTER V - HMIS	35
CHAPTER VI - OTHER FEDERAL REQUIREMENTS	35
A. NONDISCRIMINATION AND EQUAL OPPORTUNITY REQUIREMENTS	35
B. PROHIBITION OF INQUIRIES ON SEXUAL ORIENTATION OR GENDER IDENTITY	35
C. DEBARRED, SUSPENDED, OR INELIGIBLE CONTRACTORS AND PARTICIPANTS	35
CHAPTER VII - REPORTING AND RECORD KEEPING	36
CHAPTER VIII - STANDARDS FOR PROGRAM EVALUATION	36
CHAPTER IX - STANDARDS FOR MAKING SUBAWARDS	37
APPENDIX A – STANDARDS FOR EMERGENCY SHELTERS	38
APPENDIX B – RAPID RE-HOUSING POLICIES AND PROCEDURES	40

CHAPTER I - INTRODUCTION AND OVERVIEW

Dakota County has adopted the following administrative standards for the operation and prioritization of Emergency Solutions Grant (ESG) funding in accordance with Federal Regulations 24 CFR 91.2209(l)(4)(i); 576.400(e)(1) and (e)(3). These standards serve as the administrative guidelines and procedures to be used by Dakota County in implementing programs funded with ESG dollars to ensure consistent treatment of applicants/participants and compliance with funding requirements.

Dakota County is awarded ESG funds from the Department of Housing and Urban Development (HUD) on an annual basis as part of the Consolidated Plan and Annual Action Plans. These plans prescribe the statutory planning and application requirements for the following entitlement programs: Community Development Block Grant (CDBG); HOME Investment Partnership (HOME); Housing Opportunities for Persons with AIDS (HOPWA) and Emergency Solutions Grant (ESG).

Authorized by subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371-11378), ESG funds are designed to provide sheltered and unsheltered homeless persons and those at risk of homelessness with services necessary to help them quickly regain stability in permanent housing after experiencing a housing crisis and/or homelessness.

ESG funds can be used for the rehabilitation or conversion of buildings for use as emergency shelter for the homeless, for the payment of certain expenses related to operating emergency shelters, for essential services related to emergency shelters and street outreach for the homeless, and for homelessness prevention and rapid re-housing assistance.

The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act) amended the McKinney-Vento Homeless Assistance Act placing stronger emphasis on homelessness prevention and rapid re-housing assistance. Dakota County has followed suit and has directed a majority of its ESG allocation towards homelessness prevention and rapid re-housing activities.

The ESG program regulations are found in the Code of Federal Regulations, Title 24, Part 576.

SECTION I - DEFINITIONS AND ABBREVIATIONS

The Emergency Solutions Grant is a federal formula grant authorized under the Department of Housing and Urban Development (HUD). A *federal formula grant* is awarded to a jurisdiction based upon a formula that takes into account factors such as the number of households in poverty, age of housing stock, population and economic growth, and in the case of HOPWA, the number of reported cases of people with AIDS in the metropolitan area. The U.S. Congress appropriates federal grants annually so each grant amount may vary from year to year. Dakota County, considered an Urban County as defined by HUD, is a direct grantee of CDBG, HOME and ESG formula grant. *Grantee* means the person or legal entity to which a grant is awarded and that is accountable for the use of the funds provided.

[Back to Beginning](#)

Each grant fund is subject to specific regulatory requirements and has specific applications for which the funds can be spent.

The Community Development Block Grant (CDBG) is a flexible program that is granted to larger cities and urban counties to develop viable communities by providing decent housing, a suitable living environment, and opportunities to expand economic opportunities

The HOME Investment Partnership (HOME) provides formula grants to States and localities that communities use—often in partnership with local nonprofit groups—to fund a wide range of activities that build, buy, and/or rehabilitate affordable housing for rent or homeownership or provide direct rental assistance to low-income people.

The Emergency Solutions Grant (ESG) recipients are state governments, large cities, and urban counties who provide assistance to individuals and families to quickly regain stability in permanent housing after experiencing a housing crisis or homelessness.

Housing Opportunities for Persons with AIDS (HOPWA) is provided to the eligible metropolitan statistical area (EMSA) and can be used for a variety of housing and services for people living with HIV and their families.

As a recipient of these formula grant funds, Dakota County is required to produce the following documents:

The Consolidated Plan is a five-year planning document intended to establish a unified vision for community development, outline coordinated strategies to address community needs related to housing and economic development, identify proposed programs and establish goals and project accomplishments over the five-year period.

Annual Action Plan is the annual planning document that describes how the specific federal formula funds are going to be spent over the course of the upcoming program year and the projects that will be undertaken to accomplish the strategies and goals that were set forth in the five-year Consolidated Plan.

Consolidated Annual Performance and Evaluation Report (CAPER) is the annual report that evaluates the uses of the federal grants, outlines the yearly expenditures, and assesses the jurisdictions' progress at implementing their Annual Action Plan as well as reaching the goals set in the five-year Consolidated Plan.

Substantial Amendment is an amendment to any the aforementioned documents by which a “substantial change” in priority need/objective or planned activity is to occur. A “substantial change” is defined further in the Citizen Participation Plan.

Emergency Solution Grant funds can be used to provide a range of services and support under five *program components*: Street Outreach, Emergency Shelter, Rapid Re-Housing, Homelessness Prevention, and HMIS.

Street Outreach activities are designed to meet the immediate needs of unsheltered homeless persons by connecting them with emergency shelter, housing, and/or critical health services.

Emergency Shelter activities are designed to increase the quantity and quality of temporary shelters for homeless persons, through the renovation of existing shelters or conversion of buildings into shelters, paying for the operating cost of shelters, and providing essential services.

Rapid Re-Housing activities are designed to move homeless persons quickly to permanent housing through housing relocation and stabilization services and short-and/or medium-term rental assistance.

Homelessness Prevention activities are designed to prevent an individual or family from moving into an emergency shelter or living in a public or private place not meant for human habitation through housing relocation and stabilization services and short- and/or medium-term rental assistance.

HMIS (Homeless Management Information System) activities are designed to fund ESG recipients' and subrecipients' participation in the HMIS collection and analyses of data on individuals and families who are homeless and at-risk of homelessness.

Homeless is categorized as:

Literally Homeless	<p>1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:</p> <ul style="list-style-type: none"> (i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground; (ii) An individual or family living in a supervised 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, or local government programs for low-income individuals); or (iii) An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;
Imminent Risk of Homelessness	<p>(2) An individual or family who will imminently lose their primary nighttime residence provided that:</p> <ul style="list-style-type: none"> (i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance; (ii) No subsequent residence has been identified; and

	<p>(iii) The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing;</p>
<p>Homeless under other Federal statutes</p>	<p>(3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:</p> <ul style="list-style-type: none"> (i) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)) or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a); (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance; (iii) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and (iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or
<p>Fleeing/Attempting to flee Domestic Violence</p>	<p>(4) Any individual or family who:</p> <ul style="list-style-type: none"> (i) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence; (ii) Has no other residence; and (iii) Lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, to obtain other permanent housing.

Annual (gross) Income means the gross amount, monetary or not which go to or on behalf of the individual or family household that is anticipated to be received during the coming 12-month period. Annual income also includes amounts derived from assets.

Household means the family and approved live-in aide.

Dependent means a member of the family (except foster children and foster adults) other than the family head or spouse, who is under 18 years of age, or is a person with a disability, or is a full-time student.

Guest means a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

Covered person means a tenant, any member of the tenant's household, a guest or another person under the tenant's control.

Other person under the tenant's control, for the purposes of the definition of *covered person* means that the person, although not staying as a guest (as defined in this section) in the unit, is, or was at the time of the activity in question, on the premises (as *premises* is defined in this section) because of an invitation from the tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant. Absent evidence to the contrary, a person temporarily and infrequently on the premises solely for legitimate commercial purposes is not *under the tenant's control*.

Premises means the building or complex or development in which the public or assisted housing dwelling unit is located, including common areas and grounds.

Fair Market Rents (FMRs) are gross rent estimates for an area and serve as the rent ceiling for rental assistance funded with ESG. Dakota County is part of the Minneapolis-St. Paul-Bloomington MSA statistical area. The FMRs are re-calculated each year by HUD using American Community Survey (ACS) data as well as regional or local data. They include the shelter rent plus the cost of all tenant-paid utilities, except telephones, cable or satellite television service, and internet service.

MSA means a metropolitan statistical area.

Utility allowance. If the cost of utilities (except telephone) and other housing services for an assisted unit is not included in the tenant rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made or approved by a PHA or HUD of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment.

Public Housing Agency (PHA) means any State, county, municipality, or other governmental entity or public body, or agency or instrumentality of these entities that is authorized to engage or assist in the development or operation of low-income housing under the 1937 Act.

Rent Reasonableness is the process to determine if the rent being requested for the unit or room is reasonable to rates being charged for non-assisted market rate units. If a rent is determined to be higher than the market, it may be the unit is charging more given the status of the tenant's participation in an assistance program.

Unit Inspection is the processing to determine if the unit or room selected by the household meets the minimum housing standards established for the ESG program.

Housing Subsidy Contract is the contract agreement between Dakota County and the owner/property management of a rental unit which sets forth the terms under which the rental assistance is provided.

Emergency Shelter means any facility where the primary purpose is to provide a temporary shelter for the homeless in general or for specific populations of the homeless and which does not require occupants to sign leases or occupancy agreements.

1937 Act means the United States Housing Act of 1937 (42 U.S.C. 1437 *et seq.*)

ADA means the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*).

Department means the Department of Housing and Urban Development.

HUD means the same as *Department*.

Drug means a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

Drug-related criminal activity means the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug.

Violent criminal activity means any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

Fair Housing Act means title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3601 *et seq.*).

Federally assisted housing means housing assisted under any of the following programs:

- (1) Public housing;
- (2) Housing receiving project-based or tenant-based assistance under Section 8 of the U.S. Housing Act of 1937 (42 U.S.C. 1437f);

- (3) Housing that is assisted under section 202 of the Housing Act of 1959, as amended by section 801 of the National Affordable Housing Act (12 U.S.C. 1701q);
- (4) Housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the National Affordable Housing Act;
- (5) Housing that is assisted under section 811 of the National Affordable Housing Act (42 U.S.C. 8013);
- (6) Housing financed by a loan or mortgage insured under section 221(d)(3) of the National Housing Act (12 U.S.C. 1715/(d)(3)) that bears interest at a rate determined under the proviso of section 221(d)(5) of such Act (12 U.S.C. 1715/(d)(5));
- (7) Housing insured, assisted, or held by HUD or by a State or local agency under section 236 of the National Housing Act (12 U.S.C. 1715z-1); or
- (8) Housing assisted by the Rural Development Administration under section 514 or section 515 of the Housing Act of 1949 (42 U.S.C. 1483, 1484).

Public housing means housing assisted under the 1937 Act, other than under Section 8. “Public housing” includes dwelling units in a mixed finance project that are assisted by a PHA with capital or operating assistance.

Continuum of Care (CoC) means a regional or local planning body that coordinates housing and services funding for homeless families and individuals. Dakota County is part of the Suburban Metro Area Continuum of Care (SMAC) which is composed of five counties that surround the Minneapolis/St. Paul area. They included: Anoka, Carver, Dakota, Scott, and Washington Counties.

SECTION II - COORDINATION AMONG PROVIDERS

Dakota County will continue to participate in local CoC activities and use coordinated assessment to coordinate with providers in and around Dakota County. Input from CoC members has been integrated throughout these written standards.

Individuals will be assessed using a comprehensive, universal assessment tool called the Vulnerability Index Service Prioritization Decision Assistance Tool (VI-SPDAT) which is useful for initial triage and entry assessment. This tool guarantees that individuals' levels of need and eligibility determinations are made in an informed and objective manner.

CHAPTER II - STREET OUTREACH

Under this component, ESG funds may be used for costs of providing essential services necessary to reach out to unsheltered homeless people; connect them with emergency shelter, housing or critical services; and provide non-facility-based care.

Eligible service costs under ESG include:

- Engagement
- Case Management
- Emergency Health Services
- Transportation
- Services for Special Population
- Emergency Mental Health Services

SECTION I - EVALUATION OF ELIGIBILITY

The following eligibility criteria must be met in order for an individual or family to be provided services with ESG assistance under Street Outreach:

1. Definition of Homeless

For the purposes of program eligibility, a household must meet the definition of literally homeless or attempting to flee domestic violence where the individual or family also meets the criteria for literally homeless as defined in Chapter I, Section I of this plan or as spelled out in 24 CFR 576.2.

2. Additional limitation

Individuals and families must be living on the streets or other places not meant for human habitation and be unwilling or unable to access services in emergency shelter.

SECTION II - STANDARDS FOR TARGETING AND PROVIDING ESSENTIAL SERVICES

A referral network exists in Dakota County among service providers and other designated agencies within the county which provide outreach services. Dakota County has chosen not to fund these components with ESG funding. Further consideration is needed before developing any standards for using ESG towards street outreach.

CHAPTER III - EMERGENCY SHELTER

Under this component, ESG funds may be used for costs of providing essential services to homeless families and individuals in emergency shelters, renovating buildings to be used as emergency shelters, and operating emergency shelters.

Eligible service costs under ESG include:

- Case Management, including Housing Assessment
- Education Services
- Employment Assistance and Job Training
- Life Skills Training
- Legal Services
- Transportation
- Maintenance

Eligible Shelter Operations under ESG include:

- Rent
- Equipment
- Utilities
- Food
- Hotel/Motel Vouchers

Dakota County has chosen to support these emergency shelter components with ESG funds in order to provide emergency shelter and a safe environment on a temporary basis to homeless individuals and families as they transition from homelessness into permanent housing.

SECTION I - EVALUATION OF ELIGIBILITY

The following eligibility criteria must be met in order for an individual or family to be provided services with ESG assistance under Emergency Shelter:

1. Definition of Homeless

For the purposes of program eligibility, a household must meet the definition of homeless in any of the four categories defined in Chapter I, Section I of this plan or as spelled out in 24 CFR 576.2.

2. Assessment

All providers shall use the VI-SPDAT housing assessment form. Each provider may use an additional assessment if necessary for their specific services.

SECTION II. - ADMISSION, DIVERSION, REFERRAL AND DISCHARGE

Admission: To the extent possible, priority will be given to individuals and families who are connected to Dakota County who meet the HUD definition of “homeless”. However, no one will be turned away from emergency shelter irrespective of previous location of residence. Age-appropriate shelter services will be provided

Diversion: To the extent possible, individuals and families seeking emergency shelter will be encouraged to use other housing resources when possible. Shelter staff will work with program participants to identify other housing options besides emergency shelter.

Referral: When appropriate, based on the individual's needs and wishes, the provision of or referral to services that can quickly assist individuals to maintain or obtain safe, permanent housing shall be prioritized over the provision of Emergency Shelter or Transitional Housing services.

Termination: If a program violation occurs and the provider terminates assistance as a result, the termination shall follow an established process that recognizes the rights of the individuals affected. Termination shall only occur in the most severe cases after other remedies have been attempted.

Re-admission: Termination will not bar the provider from providing later additional assistance to the same family or individual.

Discharge: Families and individuals shall be discharged from Emergency Shelter services when they choose to leave or when they have successfully obtained safe, permanent housing. Length of Stay limitations shall be determined by the individual service provider's policies and clearly communicated to the program participants. All efforts should be made to discharge the individual or family into permanent housing and if that is not possible, discharge to a transitional shelter.

Safety: Safety and shelter safeguards shall be determined by the individual service provider's (including Special Population providers) policies and clearly communicated to program participants. Any behavior problems occurring within a shelter should be referred first to designated staff, and to police if there is a threat to the safety of self or others.

SECTION III. - ASSESSMENT, PRIORITIZATION AND REASSESSMENT OF NEED

Each participant will be assessed to identify needs and barriers to obtain housing and increase self-sufficiency. An initial evaluation and assessment must be completed at program entry, including verifying and documenting eligibility. Participants shall be reassessed at regular intervals. The reassessment must show that the participant needs additional time in shelter to obtain other housing, and would be unsheltered without ESG assistance.

Emergency shelters will prioritize individuals and families that:

- Cannot be diverted; and
- Are literally homeless; and
- Can be safely accommodated in the shelter; and
- Are not in need of emergency medical or psychiatric services or are a danger to self or others.

SECTION IV - MINIMUM SHELTER STANDARDS

Minimum standards for all shelters and program participant-occupied housing consist of compliance with the lead-based paint remediation and disclosure requirements identified in 24 CFR 576.403, including the Lead-Based Paint Poisoning Prevention Act (42 USC 4821-4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 USC 4851-4856) and implementing regulations in 24 CFR part 35, subparts A, B, H, J, K, M and R.

Any emergency shelter that receives assistance for shelter operations must also meet minimum safety, sanitation and privacy standards as required by 24 CFR 576.403(b). See Appendix A for minimum standards checklist. Any building for which Emergency Solutions Grant (ESG) funds are used for conversion, major rehabilitation, or other renovations, must meet state or local government safety and sanitation standards, as applicable, and the following minimum safety, sanitation and privacy standards. Any emergency shelter that receives assistance for shelter operations must also meet the following minimum safety, sanitation and privacy standards. The County may also establish standards that exceed or add to these minimum standards:

Structure and materials. The shelter building must be structurally sound to protect residents from the elements and not pose any threat to health and safety of the residents. Any renovation (including major rehabilitation and conversion) carried out with ESG assistance must use Energy Star and Water Sense products and appliances.

Access. The shelter must be accessible in accordance with Section 504 of the Rehabilitation Act (29 U.S.C. 794) and implementing regulations at 24 CFR Part 8; the Fair Housing Act (42 U.S.C. 360, et seq.) and implementing regulations at 24 CFR part 100; and Title II of the Americans with Disabilities Act (42 U.S.C. 12131, et. Seq.) and 28 CFR part 35; where applicable.

Space and security. Except where the shelter is intended for day use only, the shelter must provide each program participant in the shelter with an acceptable place to sleep and adequate space and security for themselves and their belongings.

Interior air quality. Each room or space within the shelter must have a natural or mechanical means of ventilation. The interior air must be free of pollutants at a level that might threaten or harm the health of residents.

Water supply. The shelter's water supply must be free of contamination.

Sanitary facilities. Each program participant in the shelter must have access to sanitary facilities that are in proper operating condition, are private and are adequate for personal cleanliness and the disposal of human waste.

Thermal environment. The shelter must have any necessary heating/cooling facilities in proper operating condition.

Illumination and electricity. The shelter must have adequate natural or artificial illumination to permit normal indoor activities and support health and safety. There must be sufficient electrical sources to permit the safe use of electrical appliances in the shelter.

Food preparation. Food preparation areas, if any, must contain suitable space and equipment to store, prepare and serve food in a safe and sanitary manner.

Sanitary conditions. The shelter must be maintained in a sanitary condition.

Fire safety. There must be at least one (1) working smoke detector in each occupied unit of the shelter. Where possible, smoke detectors must be located near sleeping areas. The fire alarm system must be designed for hearing impaired residents. All public areas of the shelter must have at least one working smoke detector. There must also be a second means of exiting the building in the event of fire or other emergency.

CHAPTER IV - HOMELESS PREVENTION AND RAPID RE-HOUSING ASSISTANCE

Under these two components, ESG funds may be used to provide housing relocation and stabilization services and short- and/or medium-term rental assistance necessary to either prevent a household from moving into an emergency shelter or help a homeless individual or family move into permanent housing and in all cases achieve stability in that housing.

Eligible financial costs under ESG include:

- Short-to-Medium term rental assistance
- Rental Arrears
- Rental Application Fees
- Security Deposits/Last Month's Rent
- Moving Costs

Eligible service costs under ESG include:

- Housing Search and Placement
- Housing Stability Case Management
- Mediation
- Legal Services
- Credit Repair

Dakota County has chosen to fund these components with ESG funding.

SECTION I - PRIORITIZATION ELIGIBILITY

The resources available to address the needs of homeless and at-risk of homeless are limited. Dakota County will work with the local CoC and participate in coordinated assessment to determine and prioritize which individuals and families are eligible to receive assistance.

SECTION II - EVALUATION OF ELIGIBILITY

Homeless Prevention: The following eligibility criteria must be met in order for an individual or family to be provided services with ESG assistance under Homeless Prevention:

1. Definition of Homeless

For the purposes of program eligibility, a household must meet the definition of an imminent risk of homeless, homeless under other Federal Statutes or attempting to flee domestic violence as defined in Chapter I, Section I of this plan or as spelled out in 24 CFR 576.2

2. Tie to Dakota County

The individual or family must have a local tie to Dakota County. They may currently reside in Dakota County, work in Dakota County or go to school in Dakota County.

3. Annual Income

The household must have an annual income at or below 30 percent of area median income.

Rapid Rehousing: The following eligibility criteria must be met in order for an individual or family to be provided services with ESG assistance under Rapid Re-housing:

1. Definition of Homeless

For the purposes of program eligibility, a household must meet the definition of literally homeless or attempting to flee domestic violence where the individual or family also meets the criteria for literally homeless as defined in Chapter I, Section I of this plan or as spelled out in 24 CFR 576.2. If a household loses their homeless status during the housing search process, they will no longer be eligible for ESG Rapid Re-Housing assistance.

2. Tie to Dakota County

The individual or family must have a local tie to Dakota County. They may presently reside in a shelter or be precariously housed in Dakota County, prior to crisis have resided in Dakota County, work in Dakota County or go to school in Dakota County.

A. PROCEDURE TO DETERMINE ELIGIBILITY

Before providing assistance to a household with ESG funds, Dakota County will complete an initial intake evaluation which will include:

1. *Verification of Homeless status eligibility*
2. *Verification of tie to Dakota County*
3. *Verification of Household Income*
4. *Assessment of Need*

The individual or family household must provide all requested verification documents and sign any release related to verifying the households' eligibility, including all items necessary for reporting HMIS.

1. Verification of Homeless Status Eligibility

Documentation will need to be supplied or collected based upon the following hierarchy and order of priority.

- 1st – Third party documentation
- 2nd – Observation by the intake worker
- 3rd – Self-declaration from the individual or family seeking assistance

Acceptable evidence of third-party documentation includes:

- Records contained in an HMIS database; or
- Comparable database used by victim service or legal service providers;
- Written observations by an outreach worker of the conditions where the individual or family was living;
- A referral from a publicly or privately-operated shelter;
- Discharge paperwork or written/oral referral from a social worker, case manager, or other appropriate official of an institution stating the beginning and end dates of the time residing in the institution.

- All oral statements must be recorded by the intake worker

For those that are at risk of homelessness, third party would include:

- A court order resulting from an eviction action or an equivalent notice to terminate under date law that requires the individual or family to leave their residence within 14 days after the date of their request for assistance;
- Written or oral statement by the owner or renter of the housing stating that the individual or family will not be allowed to stay for more than 14 days after the date of their request for assistance;
 - All oral statements must be recorded by the intake worker

Observation by the intake worker:

- If the intake worker can access HMIS or a comparable database (which retains an auditable history of all entries including the person who entered the data, the date of entry, and any changes made) to establish their homeless status.

Self-declaration from the individual household or family will include:

- Completion of the self-declaration form **and**
- Written record on the intake worker's attempts to obtain third-party verification.

2. Verification of Tie to Dakota County

Verification of a household's tie to Dakota County will most likely be documented through their verification of homeless status and/or verification of income.

The household must provide evidence of their tie to Dakota County, whether they currently reside in Dakota County in the case of homeless prevention, or currently reside in a shelter or are precariously housed in Dakota County in the case of rapid re-housing.

The household may currently work in Dakota County and are able to provide proof of their employment.

The household (including their children) may currently attend a school institution in Dakota County and are able to provide proof of their enrollment.

3. Verification of Household Annual Income

At initial intake, verification of household income must be collected to determine eligibility in the case of homeless prevention assistance. Verification of income will also serve as the basis for determining the household's contribution towards rental assistance should their determined assessment of need be on-going rental assistance.

For the purpose of determining eligibility, a household's future income must be projected over the next 12 months based upon the household's current circumstances. Dakota County

will assume the household's current circumstances will continue for the next 12 months unless there is verifiable evidence it will be different.

Household income includes all sources of income (for all members in the household) and it also includes assets (for all members in the household). See Section III for further details related to annual income.

Documentation will need to be supplied or collected based upon the following hierarchy and order of priority.

- 1st – Source documents
- 2nd – Third party verification
- 3rd – Self-certification from the household

Source documents include (but are not limited to):

- Pay stubs or wage statements
- Bank statements
- Social Security award notice
- Child support payment record
- General Assistance or TANF letter

Third party verification would be collected directly from the employer, social security administration, public assistance agency or financial institution. To conduct third party verifications, the household must sign a release form that authorizes the third party to release the required information.

Self-declaration from the individual household or family should only be used if source documents cannot be supplied and attempts to collect third party verification are unsuccessful. Acceptable self-declaration may include:

- Completion of a self-declaration form or a signed written statement from the head of household *and* household member if the income/asset pertains directly to that member. If the member is under age 18, they will not be required to sign.
- Written record on the intake worker's attempts to obtain third-party verification.

For additional income verification procedure and process, please refer to Section III of this chapter.

4. *Assessment of Need*

An initial evaluation of need must be conducted prior to providing assistance to determine the amount and types of assistance the individual or family needs to gain or regain stability in

permanent housing. The intake worker must document their assessment and detail their decision for determining need.

Certification or other written documentation that the household lacks the resources and support networks to obtain permanent housing must also be included as part of the assessment.

Re-evaluation for homelessness prevention and rapid re-housing assistance. 24 CFR § 576.401(b): (1) a program participant's eligibility including the types and amounts of assistance under the homeless prevention component must be re-evaluated once every three months; and 2) a program participant's eligibility including the types and amounts of assistance under the rapid-rehousing assistance component must be re-evaluated not less than once annually.

For the purposes of the Dakota County ESG program, households' needs and income will be re-evaluated every three months. RRH programming should be flexible with the ability to adapt to changing circumstances. Through on-going monitoring and three (3) month reassessments of a household's preferences, needs, and abilities should determine when the basic level of assistance (financial and services) should be increased or decreased.

B. DENIAL OF ASSISTANCE

Any applicant determined ineligible through the initial assessment or subsequent process will be notified in writing. An applicant will be given the opportunity to request an informal review in accordance with the procedures in Section VI of this chapter.

Dakota County may deny applicant assistance if:

- The applicant does not meet the current definition of homelessness as defined by HUD either for homeless prevention or rapid re-housing.
- The applicant is unable to sufficiently document their homeless status.
- The applicant does not have a tie to Dakota County.
- For homeless prevention, the household income is over 30% area median income.
- An alternative program better suits their current needs.
- The applicant is unable to locate suitable housing after searching for 120 days. Extensions may be administratively granted to allow for an additional 60 days. Please see the "Housing Search and Placement" section in this chapter.

Ineligibility does not bar the individual or family household from being referred at a later date.

SECTION III - VERIFICATION OF ANNUAL INCOME

Annual income is used to determine program eligibility and the level of assistance the household will receive.

To determine the annual income of an individual or family household, ESG regulation requires the use of calculating income standards under 24 CFR 5.609. The annual income definition found at 24 CFR Part 5 is used by a variety of federal programs including Housing Choice Voucher (Section 8), Public Housing, and the Low-Income Housing Tax Credit Program.

A. DEFINITION OF ANNUAL INCOME

The Part 5 definition of *annual (gross) income* is the gross amount, monetary or not, which go to or on behalf of the individual or family household that is anticipated to be received during the coming 12-month period. Annual income also includes amounts derived from assets.

Gross Amount is before any deductions have been taken.

Net Income amount is the earnings after all deductions have been taken from gross pay such as taxes, garnishments, retirement contributions, etc.

Anticipated to be received is a projection forward of future earnings or benefits over 12 months to determine a household's expected ability to pay.

B. TYPES OF INCOME TO COUNT

There are some "inclusions" on types of income to be counted and "exclusions" on types of income that are not considered.

1) Part 5 Income Inclusions

This table presents the Part 5 income inclusions to be counted to determine annual income:

General Category	
1. Income from wages, salaries, tips, etc.	The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services.
2. Business Income	The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family.

3. Interest & Dividend Income	Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in number 2 (above). Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD.
4. Retirement & Insurance Income	The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic payment (except for certain exclusions, listed in Income Exclusions, number 14).
5. Unemployment & Disability Income	Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (except for certain exclusions, listed in Income Exclusions, number 3).
6. Welfare Assistance	Welfare Assistance. Welfare assistance payments made under the Temporary Assistance for Needy Families (TANF) or in Minnesota (MFIP, GA, & MSA) program are included in annual income: Qualify as assistance under the TANF program definition at 45 CFR 260.31; and Are otherwise excluded from the calculation of annual income per 24 CFR 5.609(c). If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of: the amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus: the maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family welfare assistance is reduced from the standard of need by applying a percentage, the amount calculated under 24 CFR 5.609 shall be the amount resulting from one application of the percentage.
7. Alimony, Child Support, & Gift Income	Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling.
8. Armed Forces Income	All regular pay, special pay, and allowances of a member of the Armed Forces (except as provided in number 8 of Income Exclusions).

2) Part 5 Income Exclusions

This table presents the Part 5 income exclusions not to be counted to determine annual income:

General Category	
1. Income of Children	Income from employment of children (including foster children) under the age of 18 years.
2. Foster Care Payments	Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone).
3. Inheritance and Insurance Income	Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property losses (except for certain exclusions, listed in Income Inclusions, number 5).
4. Medical Expense Reimbursements	Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member.
5. Income of Live-in Aides	Income of a live-in aide (as defined in 24 CFR 5.403).
6. Income from a Disabled Member	Certain increase in income of a disabled member of qualified families residing in HOME-assisted housing or receiving HOME tenant-based rental assistance (24 CFR 5.671 (a)).
7. Student Financial Aid	The full amount of student financial assistance paid directly to the student or to the educational institution.
8. "Hostile Fire" Pay	The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.

9. Self-Sufficiency Program Income	<ul style="list-style-type: none"> a. Amounts received under training programs funded by HUD. b. Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS). c. Amounts received by a participant in other publicly assisted programs that are specifically for, or in reimbursement of, out-of-pocket expenses incurred (special equipment, clothing, transportation, childcare, etc.) and which are made solely to allow participation in a specific program. d. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as member of the PHA's governing board. No resident may receive more than one such stipend during the same period of time. e. Incremental earnings and benefits resulting to any family member from participation in qualifying state or local employment training programs (including training not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment-training program.
10. Gifts	Temporary, nonrecurring, or sporadic income (including gifts).
11. Reparation Payments	Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era.
12. Income from Full-time Students	Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household or spouse).
13. Adoption Assistance Payments	Adoption assistance payments in excess of \$480 per adopted child.
14. Social Security & SSI Income	Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts.
15. Property Tax Refunds	Amounts received by the family in the form of refunds or rebates under state or local law for property taxes paid on the dwelling unit.
16. Home Care Assistance	Amounts paid by a state agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep this developmentally disabled family member at home.
17. Other Federal Exclusions	<p>Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply. A notice will be published in the Federal Register and distributed to housing owners identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary. The following is a list of income sources that qualify for that exclusion:</p> <ul style="list-style-type: none"> ▶ The value of the allotment provided to an eligible household under the Food Stamp Act of 1977; ▶ Payments to volunteers under the Domestic Volunteer Service Act of 1973 (employment through AmeriCorps, VISTA, Retired Senior Volunteer Program, Foster Grandparents Program, youthful offender incarceration alternatives, senior companions); ▶ Payments received under the Alaskan Native Claims Settlement Act; ▶ Income derived from the disposition of funds to the Grand River Band of Ottawa Indians; ▶ Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes; ▶ Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program. ▶ Payments received under the Maine Indian Claims Settlement Act of 1980 (25 U.S.C. 1721); ▶ The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U.S. Claims Court and the interests of individual Indians in trust or restricted lands, including the first \$2,000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands; ▶ Amounts of scholarships funded under Title IV of the Higher Education Act of 1965, including awards under the Federal work-study program or under the Bureau of Indian Affairs student assistance programs; ▶ Payments received from programs funded under Title V of the Older Americans Act of 1985 (Green Thumb, Senior Aides, Older American Community Service Employment Program);

	<ul style="list-style-type: none"> ▶ Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the <u>In Re Agent Orange</u> product liability litigation, M.D.L. No. 381 (E.D.N.Y.); ▶ Earned income tax credit refund payments received on or after January 1, 1991, including advanced earned income credit payments; ▶ The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990; ▶ Payments received under programs funded in whole or in part under the Job Training Partnership Act (employment and training programs for Native Americans and migrant and seasonal farm workers, Job Corps, veterans employment programs, state job training programs and career intern programs, AmeriCorps). ▶ Payments by the Indians Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation; ▶ Allowances, earnings, and payments to AmeriCorps participants under the National and Community Services Act of 1990; ▶ Any allowance paid under the provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is the child of a Vietnam veteran; ▶ Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act; and ▶ Allowances, earnings, and payments to individuals participating in programs under the Workforce Investment Act of 1998.
--	---

C. HOUSEHOLD MEMBERS INCOME TO COUNT

All adult household members living in the household (including those that may be temporarily absent) must have their income counted towards the annual income of the household.

Additionally, dependent members (child 17 or under; Full-time student over 18) for which benefits are provided are also included in annual income.

This chart summarizes whose income to count under Part 5:		
Persons Counted in Household Size for the Purposes of Eligibility Calculation	Employment Income	Other Income (Including income from Assets)
• Head of Household	Yes	Yes
• Spouse	Yes	Yes
• Co-Head of Household	Yes	Yes
• Other Adult	Yes	Yes
• Dependents		
○ Child 17 or under	No	Yes
○ Full-time Student 18 and over	See Note	Yes
Nonmembers Not counted		
• Foster Adult	No	No
• Foster Child 18 or under	No	No
• Live-in Aide	No	No
<p>NOTE: Only count the first \$480 of earned income of a full-time student (enrolled for 12 or more units) older than 18 who is a dependent. Full time student status must be verified and documented in the file.</p>		

Special consideration is given to income earned by the following groups of people:

- **Minors.** Earned income of minors is not counted. However, unearned income attributable to a minor (e.g., child support, welfare payments and other benefits paid on behalf of a minor) is included.
- **Foster Children and Adults.** These persons are not included in the household member count. Also, since the foster children/adults are not counted as household members, the income received to care for these individuals is not included in the household income.
- **Live-In Aides.** If a household includes a paid live-in aide (whether paid by the household or a social service program), the income of the live-in aide, regardless of the source, is not counted. Except under unusual circumstances, a related person does not qualify as a live-in aide.
- **Persons with Disabilities.** During the annual recertification of a household's income, Grantees are required to exclude from annual income certain increases in the income of a disabled member of qualified families residing in HOME-assisted housing or receiving HOME tenant-based rental assistance. This will be discussed in detail in Chapter Four.
- **Temporarily Absent Household Members.** The income of temporarily absent household members is counted in the Part 5 definition of annual income – regardless of the amount the absent member contributes to the household. For example, a construction worker employed at a temporary job on the other side of the state earns \$600 per week. He keeps \$200 per week for expenses and sends \$400 per week home to his family. The entire amount (\$600 per week) is counted in the family's income.
- **Adult Students Living Away from Home.** If the adult student is counted as a member of the household in determining the household size (to compare to the HUD income limits), the first \$480 of the student's income must be counted in the household's income. Note, however, that the \$480 limit does not apply to a student who is the head of household or spouse (their full income must be counted). To count the adult student as a household member, the adult student would need to be verified as a dependent, usually on the parent's tax return. Additionally, student status must be verified with documentation in the file.
- **Permanently Absent Household Members.** If a household member is permanently absent from the household (e.g., a spouse who is in a nursing home), the head of household has the choice of either counting that person as a member of the household, and including income attributable to that person as household income, or specifying that the person is no longer a member of the household.

- If the household member is specified as being no longer a member, that member is not allowed to live in the assisted unit if short- or medium-term rental assistance is being provided.

D. TREATMENT OF ASSETS

There is no asset limitation for participation in any ESG funded activity. Income from assets (interest and dividends) is however included as part of annual income under the Part 5 definition.

In general terms, an asset is a cash or non-cash item that can be converted to cash. Household assets in excess of \$5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD.

1) Part 5 Inclusions

This table presents the Part 5 asset inclusions to be counted to determine annual income:

<u>Inclusions</u>
1. Cash held in savings accounts, checking accounts, safe deposit boxes, homes, etc. For savings accounts, use the current balance. For checking accounts, use the average 6-month balance. Assets held in foreign countries are considered assets.
2. Cash value of revocable trusts available to the applicant.
3. Equity in rental property or other capital investments. Equity is the estimated current market value of the asset less the unpaid balance on all loans secured by the asset and all reasonable costs (e.g., broker fees) that would be incurred in selling the asset. Under HOME, equity in the family's primary residence is not considered in the calculation of assets for owner-occupied rehabilitation projects.
4. Cash value of stocks, bonds, Treasury bills, certificates of deposit and money market accounts.
5. Individual retirement, 401(K), and Keogh accounts (even though withdrawal would result in a penalty).
6. Retirement and pension funds.
7. Cash value of life insurance policies available to the individual before death (e.g., surrender value of a whole life or universal life policy).
8. Personal property held as an investment such as gems, jewelry, coin collections, antique cars, etc.
9. Lump sum or one-time receipts, such as inheritances, capital gains, lottery winnings, victim's restitution, insurance settlements and other amounts not intended as periodic payments.
10. Mortgages or deeds of trust held by an applicant.

3) Part 5 Exclusions

This table presents the Part 5 asset inclusions not to be counted to determine annual income:

<u>Exclusions</u>
1) Necessary personal property, except as noted in number 8 of Inclusions, such as clothing, furniture, cars and vehicles specially equipped for persons with disabilities.
2) Interest in Indian trust lands.
3) Assets not effectively owned by the applicant. That is, when assets are held in an individual's name, but the assets and any income they earn accrue to the benefit of someone else who is not a member of the household and that other person is responsible for income taxes incurred on income generated by the asset.

- 4) Equity in cooperatives in which the family lives.
- 5) Assets not accessible to and that provide no income for the applicant.
- 6) Term life insurance policies (i.e., where there is no cash value).

Assets that are Part of an Active Business. "Business" does not include rental of properties that are held as an investment and not a main occupation.

SECTION IV - DETERMINATION OF PARTICIPANT SHARE

ESG funds may be used to pay housing owners/property management, utility companies and other third parties for what are considered financial assistance costs. Below details how a participant would either share in the cost or what financial assistance is available.

A. LENGTH OF RENTAL ASSISTANCE

Dakota County will allow a household to access ESG funding for up to 24 months over a 3-year period for rental assistance, so long as the household remains eligible for assistance based on the criteria in Section I. This assistance may be short-term assistance, medium-term assistance, payment of rental arrears, or any combination of this assistance. The amount of the assistance will be re-evaluated every six (6) months.

B. COMPUTATION OF PARTICIPANT SHARE OR PORTION

Households will be required to contribute a minimum of 50% of their net income toward their rent with deductions for dependents, disabled head of household, and allowances for utilities for which the household is responsible. This is considered to be the participant's contribution. If 50% of the household's gross income is equal to rent, the rental assistance will end.

All income, assets and expenses will be verified. The computation will follow the regulation under 24 CFR 5.609 as detailed in Section III. A household's annual income will be re-evaluated every three (3) months.

Rents will be recalculated every three months. If a household does report a decrease in income, an adjustment to the tenant share will be conducted to be effective the month following the report of the change.

RENTAL APPLICATION FEES

ESG funding may be used to pay for an eligible participant's rental application fee. It is limited to three (3) application fees or up to \$150, whichever is less in a 12-month period.

C. SECURITY DEPOSIT

Security deposit assistance is available through the ESG program to ESG eligible recipients. ESG funds may pay for a security deposit that is equal to no more than two (2) month's rent. Assistance will be limited to once (1) every 12 months.

D. LAST MONTH RENT

Payment for last month's rent is available to ESG eligible recipients but it cannot exceed one (1) month's rent and is included in the total rental assistance cap of 24 months.

A last month's rent payment cannot be provided or combined with any other federal program. Assistance will be limited to once (1) in every 12 months.

E. UTILITY DEPOSIT

Utility deposit assistance will be available through the ESG program to ESG eligible recipients. Assistance will be limited to three (3) deposits or up to \$150, whichever is less in a 12-month period.

F. UTILITY PAYMENT ASSISTANCE

Utility payment assistance will be available on a case by case basis. Eligible utility services include: Gas, Electric, Water and Sewage. The ESG participant must provide proof of responsibility to make utility payments prior to receiving assistance.

Payment assistance for utility arrears (up to six months) will have a limit of \$500 for an individual and \$1,000 for a family.

G. RENTAL ARREARS

Payment of rental arrears to allow an ESG recipient to access rental assistance in a new unit will be available but on a case by case basis.

Payment of rental arrears consists of a one-time payment for up to 6 months of rent in arrears, including any late fees on those arrears. The limit of up to 24 months of payments must include the arrears payments. For example, if a participant receives assistance for 6 months of rental arrears payments, the maximum amount of monthly rental assistance they may receive is 18 months.

H. ASSISTANCE WITH THE COST OF MOVING

Moving costs associated with moving to a new unit or storage is eligible for ESG assistance on a case by case basis. Assistance will be limited to once (1) every 12 months and up to \$1,000.

Service costs are also eligible for funding under ESG. Below are the details of the services that will be provided:

I. HOUSING SEARCH AND PLACEMENT

Services to assist with the assessment of housing barriers, the development of an action plan to locate housing, outreach and negotiation with landlords and owners will be an eligible service to be pay for with ESG funding.

An evaluation of progress will be conducted every three (3) months. Specifically assisting a household to search for housing can be provided up to 120 days. Participants exhausting their initial 120 days of search time may request an extension provided documentation of their housing search, prior to the expiration date, is given. Participants may request up to two 30-day extensions.

If a household is unable to locate suitable housing within six (6) months, search assistance will be terminated.

J. HOUSING STABILITY CASE MANAGEMENT

ESG funds may be used to pay cost of assessing, arranging, coordinating, and monitoring the delivery of individualized services to facilitate housing stability for a program participant who resides in permanent housing or to assist a program participant in overcoming immediate barriers to obtain housing.

This assistance cannot exceed 30 days during the period the program participant is seeking permanent housing and cannot exceed 24 months during the period the program participant is living in permanent housing.

K. MEDIATION

Mediation between a tenant and owners will not be an eligible service to use ESG funding for at this time.

L. LEGAL SERVICES

Legal services will not be an eligible service to use ESG funding for at this time.

M. CREDIT REPAIR

Credit counseling will not be an eligible service to use ESG funding for at this time.

SECTION V - UNIT SELECTION AND CONTINUED ASSISTANCE REQUIREMENTS

A. CASE MANAGEMENT

Any ESG rental assistance recipient must meet with their case manager at a minimum of once (1) per month. More frequent appointments can be made as seen fit for the individual household. This is required per 24 CFR, §576.401(e).

The purpose of case management is to:

1. Help the participant receive appropriate supportive services.
2. Help the participant obtain other federal, state, and local assistance.
3. Help the participant to develop a plan and set goals to retain permanent housing once the assistance expires.

4. Oversee the progress of goal attainment to sustain permanent housing after assistance has expired.

A case manager will make three attempts per month to set up an appointment with the participants and will record attempts in case notes. Clients are strongly encouraged to participate in case management to make progress on goals.

B. UNIT SELECTION

Once the ESG recipient has been approved and determined to be eligible for rental assistance, the household must select a unit that is:

1. Within the Fair Market Rent (FMR) for the unit size. A household is permitted to rent a single-room.
2. The unit is located within Dakota County.
3. A legally binding lease will be entered into by the participant and owner.
4. The unit meets the housing standards of the ESG Program.
5. The unit must also be determined to be rent reasonable for the area.

If the household is unable to secure a unit after six (6) months, the household will be deemed ineligible. Ineligibility does not bar the individual or family household from being referred at a later date.

C. RENT REASONABLENESS

The standard HUD has adopted and must be enforced under ESG is the total rent charged for a unit must be reasonable in relation to the rents being charged during the same period for comparable units in the private, unassisted market and must not be in excess of rents being charged during the same period for comparable non-luxury unassisted units.

The rent reasonableness of the unit can be evaluated in Dakota County by one of the following approved methods:

1. Use of Rentometer; <https://www.rentometer.com/>
2. Evaluation of three rental units in the area

D. UNIT INSPECTION

The unit will need to be inspected prior to rental assistance commencing subject to the ESG program shelter and housing standard regulations 24 CFR 576.403. Thereafter the unit must be inspected annually.

E. CONTRACT EXECUTION

A housing assistance payment (HAP) contract will be executed with the owner/manager of the property in which the ESG rental assistance recipient will reside in the selected unit. The contract will outline the rent for the term of the lease, the term of the contract, the address

or room number of the assisted unit, the portion of rent the tenant will be responsible to pay and the assisted amount paid with ESG funds.

The contract should be executed prior to beginning of assistance. Dakota County's portion of the rent assistance for participants receiving ESG Rental Assistance terminates automatically and no further rental assistance payment can be made if:

1. The participant moved out of the assisted unit;
2. The lease was terminated or not renewed by either party;
3. The participant becomes ineligible to receive ESG rental assistance.

SECTION VI - TERMINATION OF BENEFITS.

The following process will occur should a participant receiving rental assistance or housing relocation and stabilization services have their assistance terminated:

1. A written notice to the program participant containing a clear statement of the reasons for termination.
2. A review of the decision, in which the participant is given the opportunity to present written or oral objections before a person other than the person who approved the termination decision.
3. Written notice of the final decision to the program participant after a grievance has been made.

A case manager will make three attempts to deliver the written notice if the notice is returned and will document each attempt.

Termination does not bar the participant household from receiving ESG assistance at a later date for the same family or individual, provided that assistance does not exceed the maximum limit. If termination does occur, a household would be eligible for assistance again after 12 months from the final month that assistance was provided. Dakota County has not set a lifetime limit in which an individual household or family can receive assistance, provided that assistance does not exceed the maximum limit.

A. MAXIMUM LIMIT ON ASSISTANCE

The maximum limit on rental assistance will be 24 months in a 3-year period.

B. TERMINATION AS A RESULT OF INCOME

While receiving a subsidy under ESG Rental Assistance Program if the participant at re-evaluation has an income that exceeds 30% of AMI, the assistance must be terminated. Termination of assistance will be effective the first of the month after a 30-day notice has been provided to the participant and owner in cases where rental assistance is being provided.

C. TERMINATION FOR MULTIPLE LEASE VIOLATIONS

If while receiving a subsidy under ESG Rental Assistance Program the participant is evicted or forced to move as a result of multiple lease violations, the participant's rental assistance may be terminated. Multiple lease violations can include but are not limited to: skipping from the unit, drug activity, unauthorized household members, non-payment of rent or tenant paid utilities.

D. TERMINATION FOR NON-COMPLIANCE

While receiving a subsidy under ESG Rental Assistance Program if the participant fails to provide requested information, the participant's rental assistance is subject to termination for non-compliance with the program regulations.

E. TERMINATION AS A RESULT OF ABSENCE FROM A UNIT FOR MORE THAN 180 DAYS

While receiving a subsidy under ESG Rental Assistance Program if the participant is absent from their assisted unit for more than 180 consecutive days, the participant's rental assistance may be subject to termination.

F. PROHIBITION OF DUPLICATE SUBSIDIES

While receiving a subsidy under ESG Rental Assistance Program, participants may not participate in any other federal assisted housing programs (see definition below). The participant must use the assisted unit as their sole residence and may not receive any duplicate housing subsidies for their unit or another housing unit. Acceptance of an on-going stipend from an outside party in order to pay the minimum rent required for the program is not considered a duplicate subsidy.

Federally assisted housing means housing assisted under any of the following programs:

(1) Public housing;

(2) Housing receiving project-based or tenant-based assistance under Section 8 of the U.S. Housing Act of 1937 (42 U.S.C. 1437f);

(3) Housing that is assisted under section 202 of the Housing Act of 1959, as amended by section 801 of the National Affordable Housing Act (12 U.S.C. 1701q);

(4) Housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the National Affordable Housing Act;

(5) Housing that is assisted under section 811 of the National Affordable Housing Act (42 U.S.C. 8013);

(6) Housing financed by a loan or mortgage insured under section 221(d)(3) of the National Housing Act (12 U.S.C. 1715/(d)(3)) that bears interest at a rate determined under the proviso of section 221(d)(5) of such Act (12 U.S.C. 1715/(d)(5));

(7) Housing insured, assisted, or held by HUD or by a State or local agency under section 236 of the National Housing Act (12 U.S.C. 1715z-1); or

(8) Housing assisted by the Rural Development Administration under section 514 or section 515 of the Housing Act of 1949 (42 U.S.C. 1483, 1484).

G. PROHIBITION OF PORTABILITY

The ESG Rental Assistance Program provides rent subsidies only for eligible households residing in Dakota County. Exceptions to this provision will be made on a case-by-case basis. Documentation of such approval will detail the rationale for approving such exception.

The subsidy is not transferrable to any other housing unit without prior approval. Dakota County's portion of the rent assistance for participants receiving ESG Rental Assistance terminates automatically upon vacating the assisted unit.

SECTION VII - GRIEVANCE PROCEDURES

A. INFORMAL REVIEWS FOR APPLICANTS

1. Dakota County will provide applicants with the opportunity for an informal review of decisions denying:
 - a. Participation in the program
2. Informal reviews are not required for established policies and procedures such as:
 - a. Determination that a unit's rent is more than the FMR;
 - b. The unit does not pass inspection or;
 - c. The unit is deemed not rent reasonable.
3. Denial notice will describe:
 - a. The reasons for the decision
 - b. The family's right to informal review
 - c. The procedures and time frames for obtaining a review

B. INFORMAL HEARING FOR PARTICIPANTS

1. Dakota County will give the program participant an opportunity for an informal hearing to consider whether decisions relating to the individual circumstances of the participant are in accordance with law and Dakota County rules in the following cases:
 - a. A determination of the computation of the amount of housing assistance payment to the participant.
 - b. A decision to deny or terminate assistance on behalf of the participant.

Written notice of these determinations by Dakota County will state that if the participant does not agree with the decision, they may request an informal hearing on the decision within fourteen (14) calendar days of the date of mailing.

A case manager will make three attempts to deliver the written notice if the notice is returned and will document each attempt.

2. Informal hearings are not required for established policies and procedures such as:
 - a. Maximum term of 24-month subsidy is reached
 - b. Refusal to attend/participate in case management

3. The guidelines for the informal hearing include:
 - a. Any person or persons designated by Dakota County, other than the person who made or approved the decision under review or a subordinate of that person, will conduct the hearing.
 - b. At his or her own expense, a lawyer or other representative may represent the participant.
 - c. Dakota County and the participant will have the opportunity to present evidence and question any witnesses.
 - d. The person who conducts the hearing shall issue a written decision, stating briefly the reasons for the decision, within fourteen (14) calendar days of the hearing. The participant promptly receives a copy of the hearing decision.

CHAPTER V - HMIS

Under this component, ESG funds may be used for ESG grantees and subrecipients' participation in the Homeless Management Information System (HMIS) collection and analyses of data on individuals and families who are homeless and at- risk of homelessness.

Eligible costs under ESG include:

- Contributing data to the HMIS designated by the CoC of Dakota County, including the purchase of software or software licenses.
- Costs for managing the HMIS system
- Cost to establish and operate a comparable database for victim services or legal service providers

Grantees and subrecipients shall participate in the HMIS per the ESG and CoC Interim Rule (24 CFR 576 and 578), unless otherwise excepted. HMIS provides an opportunity to document homelessness and helps to ensure coordination between service providers while avoiding duplication of services and client data. Dakota County will use ESG funds to support the use of the HMIS.

CHAPTER VI - OTHER FEDERAL REQUIREMENTS

A. NONDISCRIMINATION AND EQUAL OPPORTUNITY REQUIREMENTS

Federal law prohibits housing discrimination based on race, color, national origin, religion, sex, familial status, or disability. Eligibility for ESG assistance will be based upon the criteria noted in the various chapters and made available without regard to race, color, national origin, religion, to actual or perceived sexual orientation, gender identity, familial or marital status, or disability.

B. PROHIBITION OF INQUIRIES ON SEXUAL ORIENTATION OR GENDER IDENTITY

For the purpose of determining eligibility for ESG assistance or otherwise making such housing available, Dakota County prohibits inquiries regarding sexual orientation or gender identity. It does not prohibit any individual from voluntarily self-identifying sexual orientation or gender identity.

Prohibition on inquiries does not prohibit lawful inquiries of an applicant or occupant's sex where the housing provided or to be provided to the individual is temporary, emergency shelter that involves the sharing of sleeping areas or bathrooms, or inquiries made for the purpose of determining the number of bedrooms to which a household may be entitled.

C. DEBARRED, SUSPENDED, OR INELIGIBLE CONTRACTORS AND PARTICIPANTS

The prohibitions at 2 CFR part 2424 on the use of debarred, suspended, or ineligible contractors and participants.

CHAPTER VII - REPORTING AND RECORD KEEPING

As indicated in other sections, documentation must be collected and maintained in a participant file for compliance with ESG regulations. Records of payment and program participant records must be maintained for a minimum five (5) years after all funds from the fiscal year of ESG funds were expended.

Dakota County will collect the following information for each participant file (dependent upon assistance being provided) and will use the provided checklist in each ESG participant file.

- Referral (Either from Coordinated Assessment or Service Provider)
- Program eligibility determination
 - Proof of homelessness
 - written observation of outreach worker, or
 - written referral by another housing or service provider, or
 - certification by head of household seeking assistance
- Signed program participant agreement
- Completed HMIS assessment and release form
- Proof of client annual income and documentation for determination of income
- Lease documentation
- Certification of Fair Market Rent (FMR) and rent reasonableness
- Completed Habitability Inspection form
- Lead based paint notification
- Housing Assistance Payment Contract
- Case management – once per month
- Case plan to assist the program participant to retain permanent housing after the ESG assistance ends
- Date of re-evaluation of program eligibility and result of eligibility determination
 - Income cannot exceed 30% of AMI upon re-evaluation of eligibility
 - Participant continues to lack sufficient resources to retain housing without ESG funds

CHAPTER VIII - STANDARDS FOR PROGRAM EVALUATION

Dakota County will continue to work with the local CoC to further develop evaluation standards for 2017.

CHAPTER IX - STANDARDS FOR MAKING SUBAWARDS

An application will require information regarding the services an organization would be able to provide, the cost of such services and a budget for all program expenditures.

A request for proposals will be distributed as widely as possible. An announcement will go to all local agencies currently providing emergency shelter services and homelessness prevention and rapid re-housing services and to all participants in the Continuum of Care. Public service announcements will be placed in the local papers within the area covered by the Continuum of Care. A service announcement will be placed on the Dakota County website and Dakota County CDA website.

A due date for applications shall be clearly publicized along with the request for proposals. All potential applicants will be given approximately four weeks after the initial announcement to submit their applications. Potential applicants will be provided with all requirements and responsibilities to be assumed with receipt of sub-awards.

Applications will be reviewed by the ESG Committee comprised of Dakota County and CDA staff. Applications will be reviewed with respect to applicants' abilities to provide shelter services or homelessness prevention and rapid re-housing services under the guidelines set forth by HUD and by the recipient (Dakota County).

The ESG Committee will recommend the most qualified service provider(s). This recommendation will be presented to the Dakota County Community Services Committee of the Whole seeking their recommendation to the Dakota County Board of Commissioners. The Dakota County Board of Commissioners then has the decision to approve or deny the recommendation. If approved, Dakota County will enter into a contract with the approved applicant.

APPENDIX A: STANDARDS FOR EMERGENCY SHELTERS

Instructions: Place a check mark in the correct column to indicate whether the property is approved or deficient with respect to each standard. A copy of this checklist should be placed in the shelter's files.

Pass	Fail	Standard <i>(24 CFR part 576.403(b))</i>
		<p>1. <i>Structure and materials:</i></p> <ul style="list-style-type: none"> a. The shelter building is structurally sound to protect the residents from the elements and not pose any threat to the health and safety of the residents. b. Any renovation (including major rehabilitation and conversion) carried out with ESG assistance uses Energy Star and WaterSense products and appliances.
		<p>2. <i>Access.</i> Where applicable, the shelter is accessible in accordance with:</p> <ul style="list-style-type: none"> a. Section 504 of the Rehabilitation Act (29 U.S.C. 794) and implementing regulations at 24 CFR part 8; b. The Fair Housing Act (42 U.S.C. 3601 et seq.) and implementing regulations at 24 CFR part 100; and c. Title II of the Americans with Disabilities Act (42 U.S.C. 12131 et seq.) and 28 CFR part 35.
		<p>3. <i>Space and security:</i> Except where the shelter is intended for day use only, the shelter provides each program participant in the shelter with an acceptable place to sleep and adequate space and security for themselves and their belongings.</p>
		<p>4. <i>Interior air quality:</i> Each room or space within the shelter has a natural or mechanical means of ventilation. The interior air is free of pollutants at a level that might threaten or harm the health of residents.</p>
		<p>5. <i>Water Supply:</i> The shelter's water supply is free of contamination.</p>
		<p>6. <i>Sanitary Facilities:</i> Each program participant in the shelter has access to sanitary facilities that are in proper operating condition, are private, and are adequate for personal cleanliness and the disposal of human waste.</p>
		<p>7. <i>Thermal environment:</i> The shelter has any necessary heating/cooling facilities in proper operating condition.</p>
		<p>8. <i>Illumination and electricity:</i></p> <ul style="list-style-type: none"> a. The shelter has adequate natural or artificial illumination to permit normal indoor activities and support health and safety. b. There are sufficient electrical sources to permit the safe use of electrical appliances in the shelter.
		<p>9. <i>Food preparation:</i> Food preparation areas, if any, contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.</p>
		<p>10. <i>Sanitary conditions:</i> The shelter is maintained in a sanitary condition.</p>
		<p>11. <i>Fire safety:</i></p> <ul style="list-style-type: none"> a. There is at least one working smoke detector in each occupied unit of the shelter. Where possible, smoke detectors are located near sleeping areas. b. All public areas of the shelter have at least one working smoke detector. c. The fire alarm system is designed for hearing-impaired residents. d. There is a second means of exiting the building in the event of fire or other emergency.
		<p>12. If ESG funds were used for renovation or conversion, the shelter meets state or local government safety and sanitation standards, as applicable.</p>
		<p>13. <u>Lead-based paint:</u> If the structure was built prior to 1978, and a child under the age of six or a pregnant woman will reside in the property, and the property has a defective paint surface inside or outside the structure, the property cannot be approved until the defective surface is repaired by at least scraping and painting the surface with two coats of non-lead based paint. Defective paint surface means: applicable surface on which paint is cracking, scaling, chipping, peeling or loose. If a child under age six residing in the property has an Elevated Blood Level, paint surfaces must be tested for lead-based paint.</p>

I certify that I have evaluated the property located at the address below to the best of my ability and find the following:

Property meets all of the above standards.

Property does not meet all of the above standards.

<u>COMMENTS:</u>

ESG Recipient Name: _____
ESG Subrecipient Name (if applicable): _____
Emergency Shelter Name: _____
Street Address: _____
City: _____ State: _____ Zip: _____
Evaluator Signature: _____ Date of review: _____
Evaluator Name: _____



Microsoft

Rapid Re-Housing HUD CoC and ESG PROGRAMS

Dakota County’s HUD CoC & ESG Rapid Re-Housing Programs

TABLE OF CONTENTS

Introduction.....2

Purpose of Document..... 2

Grantee Contacts.....2

Rapid Re-housing Performance Benchmarks..... 3

Core Rapid – Re-housing Components.....3

SMAC Coordinated Entry Referral Process..... 4

Landlord Engagement & Housing Search..... 4

Tailored Package of Assistance..... 4

Rent and Move-in Assistance..... 5

Housing Quality Standards Inspections & Habitability Standards..... 6

Housing Stability Plans..... 6

Home-based Case Management..... 6

RRH 3 Month Recertification..... 7

Rapid Re-housing Assistance as a Bridge..... 7

Case Closing..... 8

No Contact Procedures..... 9

Coordination with schools/childhood education..... 9

Appeals and Grievances..... 9

Equity Policies..... 9

VAWA.....10

On-going Training and Learning Opportunities.....10

Dakota County's HUD CoC & ESG Rapid Re-Housing Programs

Introduction

Rapid re-housing (RRH) is a time-limited intervention designed to help individuals and families quickly exit homelessness, return to housing in the community, and not become homeless again in the near term. The service delivery model includes three core components: 1). housing search assistance, 2). financial assistance 3). and RRH case management and services.

RRH is a housing first, no-barrier intervention with no preconditions to enrollment other than homeless status. A participant must meet HUD's definition of homelessness which includes a participant who is literally homeless or fleeing/attempting to flee domestic violence and/or sexual assault. Referrals will be identified through the Suburban Metro Area Continuum of Care (SMAC) Coordinated Entry (CE) system.

The level of case management and financial assistance is based on a progressive engagement (PE) model. PE recognizes that there is no way to accurately predict how much help a participant may need to end their homelessness and avoid subsequent episodes of homelessness. In this approach, services start with the least intensive service and financial assistance. The program will provide a basic amount of financial assistance to help a participant obtain and eventually sustain housing independently. The need for additional support is determined by an assessment of participant's experience, self-reporting, and the impact of the initial intervention. Progressive engagement fundamentals include:

- Critical thinking and problem solving shared between the participant and provider
- Starts with a little bit of support (or minimum basic package), based on what the participant identifies they need
- Connections made to community resources
- Builds on family resiliency and strengths
- Focused goal: to quickly resolve the immediate crisis of homelessness

Purpose of this Document

This document is intended to serve as a guide to contracted service providers engaged in RRH activities on behalf of Hearth Connection and Dakota County Social Services. The document defines the local RRH model and promotes a unified understanding of the core elements and expectations of local RRH programs. This document is not intended to supersede any applicable status or regulations and providers are encouraged to consult relevant statutes and regulations regularly to ensure compliance. The model was co-created by Dakota County Social Services – Supportive Housing Unit and Hearth Connection and was informed by:

- Local RRH providers
- National best practices as defined by the Department of Housing and Urban Development (HUD), Rapid Re-housing Institute, the National Alliance to End Homelessness, Homework Start with Home – Progressive Engagement and RRH
- Other research and guidance provided by broader community projects and evaluations

HUD CoC and ESG Program Contacts

Dakota County Deputy Director, Housing & Community Resources

Madeline Kastler

Phone: 651-554-5918

madeline.kastler@co.dakota.mn.us

Hearth Connection Metro Regional Manager

Heather Duchscherer

Phone: 651-302-7186

heather@hearthconnection.org

Dakota County Supportive Housing Unit Supervisor

Kristin Bates

Phone: 651-554-5634

kristin.bates@co.dakota.mn.us

RRH Performance Benchmarks

Ultimately the effectiveness of a rapid re-housing program is determined based on a program's ability to accomplish the model's three primary goals:

- Reduce the length of time program participants spend homeless
For a program to meet this performance benchmark, participants served by the program should move into permanent housing in an average of 30 days or less.
- Exit participants to permanent housing
For a program to meet this performance benchmark, at least 80 percent of participants that exit a rapid re-housing program should exit to permanent housing.
- Limit returns to homelessness within a year of program exit
For a program to meet this performance benchmark, at least 85 percent of participants that exit a rapid re-housing program to permanent housing should not become homeless again within a year.

CORE RRH Components

- Housing identification
- Move-in and rent assistance
- RRH case management and services

1.) CORE Component: Housing Identification

Housing Identification is the first core component of rapid re-housing, the goal of which is to find housing for program participants quickly. Activities under this core component include:

- Recruiting landlords with units in the communities and neighborhoods where program participants want to live and negotiating with landlords to help program participants' access housing.
- Attentiveness to landlords in order to preserve and develop partnerships for current and future housing placements
- Administration of landlord incentives and help to recuperate losses (Beyond Backgrounds)

2.) CORE Component: Move-in and Rent Assistance

Rent and Move-In Assistance is the second core component of rapid re-housing, the goal of which is to provide short-term help to participants so they can pay for housing. Activities under this core component include:

- Paying for security deposit and move-in expenses
- Temporary financial assistance
- Rental arrears (does not apply to HUD CoC)
- Individualized and flexible

3.) CORE Component: RRH Case Management and Services

Rapid re-housing case management and services is the third core component of rapid re-housing. The goals of rapid re-housing case management is to help participants obtain and move into permanent housing, support participants to stabilize in housing, and connect them to community and mainstream services and supports if needed. Activities under this core component include:

- Assessment of tenant needs and barriers to housing
- Housing search in partnership with the participant
- Individualized service plan solely based on participant input
- Supporting participants with completing rental applications
- Provide tenant counseling (including education on how to speak with landlords, understanding rental applications and leases, securing utilities, and understanding tenant obligations)

- Landlord mediation
- Goal planning and budgeting/financial planning
- Link to ongoing supports/case management if needed and desired by the participant
- Monthly home based visits

SMAC Coordinated Entry (CE) Referral Process

Referrals for RRH will come from SMAC Coordinated Entry. CE will assess all participants for eligibility to receive homeless housing resources. RRH requires that the participant must be experiencing literal homelessness, which includes the following situations:

- living and sleeping outside;
- sleeping in a place not meant for human habitation;
- staying in an emergency shelter, DV/SA shelter, or a motel paid for by county or other organization
- fleeing or attempting to flee domestic violence.

In addition, the participant must;

- Be connected to Dakota County (live, work, or attend school) OR has an open case with Dakota County Case manager or contracted case management)
- Participant income at or below 150% of federal poverty guidelines according to family size

Enrollment in RRH and case management should begin immediately upon RRH referral and should include support in obtaining proof of homelessness documentation. Verification of homelessness is needed prior to receiving financial assistance. Third party documentation is preferred, but self-certification may be used in some cases. For details regarding the best methods to document homelessness, view the HUD CoC and ESG written standards.

Landlord Engagement & Housing Search

To rapidly exit people from homelessness, one of the highest priorities of every RRH program is to recruit and retain landlord partners. As a RRH case manager, you must dedicate time and resources to meet landlord concerns while also attending to the needs of participants. The more landlord partners we have, the more effectively and quickly we can resolve a participant's homelessness.

Strategies for fostering effective landlord partnerships:

- Dedicate time for landlord outreach activities on a weekly basis
- Keep all lines of communication open while protecting confidentiality of the participants
- Educate landlords about program model and your role – emphasize core program benefits
- Assist participants with understanding and complying with all terms and conditions of their lease agreement
- Provide support to the landlord through routine check-ins and phone calls
- Respond promptly to landlord concerns – within one business day if possible
- Follow through with promises made to landlords
- Find mutually-acceptable solutions for conflicts
- Offer landlord incentives such as landlord risk mitigation (Beyond Backgrounds)
- Recognize and appreciate the invaluable contributions that landlords make to prevent and end homelessness

A Tailored Package of Assistance

For participants that use RRH program as more of a diversion, we will present the program as one that sticks with the participant for at least 90 days. Services provided includes; assistance with housing search, deposit, a portion of the rent, and short-term follow up services to support their housing stability

plan.

The standard program will have the intention of assisting the participant with housing search, deposit, and rental assistance for a period of three to nine months with short-term follow up and service to support their housing plan. The housing stability plan should be updated and reviewed every three months. The expectation is that by the end of the standard program, the participant will have sufficient income to pay their full rent, improved overall housing stability, and connected to needed support systems to ensure long-term post program success.

For participants for whom a longer-term subsidy is necessary beyond the standard program, extensions may be approved up to a maximum of 24 months, with follow up services up to 60 days after rental assistance expires. Participants should be working with case manager to secure a permanent rental assistance subsidy or an alternative means to increase income. Extensions will be approved quarterly in collaboration with the service provider.

Tracks	Time	Services
Track 1: DIVERSION	1-3 Months	Services and/or financial assistance to help quickly rehouse participants from homelessness. Minimal case management and short-term rental assistance such as damage deposit/first month's rent.
Track 2: STANDARD	6-9 Months	Services and/or financial assistance to help quickly rehouse participants from homelessness that is allocated/assessed every 3 months. Light-touch case management and shallow rental assistance.
Track 3: EXTENDED	12 Months	Needs more than the basic level of support. Longer term and intensive assistance while waiting for a voucher or more permanent type of subsidy.

Rent & Move-in Assistance

Financial assistance is based on the progressive engagement principle of offering the minimum amount of assistance necessary for participants to move out of homelessness and stabilize in permanent housing. The role of the case manager is to prepare participants for the end of the financial assistance by leveraging resources or working with them to increase participant income. Case Managers should begin by assuming that participants, even those with zero income or other barriers, will succeed with a minimal subsidy and support rather than a long subsidy, and extend services and support if/when necessary.

Financial assistance in RRH provides short-term support to participants so they can quickly obtain housing.

The RRH program can pay for the following:

- **Application Fees:** up to three fees or a total of \$150, whichever comes first. This will apply to each participant once every twelve months of program participation regardless of rental assistance use.
- **Damage Deposit:** one deposit equal to two months of rent per 12 months
- **Rental Arrears/utilities:** (ESG only): contact metro regional manager for approval

All participants are allowed an initial 120 days for housing search. CoC and ESG RRH participants may request an additional 60 days. RRH financial assistance will be provided to participants for *up to 24 months* (allocation will be reviewed and allocated every three months). Average length of financial assistance is 9 months.

Participants will be required to contribute a minimum of 50% of their net income toward their rent with deductions for dependents, disabled head of participant, and allowances for utilities for which the

participant is responsible. This is considered to be the participant's contribution. If 50% of the participant's gross income is equal to rent, the rental assistance will end.

Housing Quality Standards (HQS) Inspections & Habitability Standards

The HQS is the federally mandated inspection requirements designed for all types of housing throughout the nation. HQS was developed to ensure that housing assisted through HCV program is affordable, decent, safe, and sanitary. Units are inspected at initial move-in; annually and as needed or requested by property owner of program participant.

For CoC RRH, units must pass HQS inspections before move in. This must be completed for each year of rental assistance in the unit and must be conducted within 12 months of each other. To pass HQS, the unit must have one sleeping room per two participant members.

For ESG RRH, units must complete a habitability standards checklist once per twelve months for the unit. Habitability standards may be completed by the case manager, while HQS inspections must be completed by a certified HQS inspector.

Housing Stability Plans

Upon first contact, an initial assessment is conducted to identify participant's needs and preferences, strengths, and barriers to housing, and to identify possible resources and alternatives. The assessment should primarily focus on assessing housing needs rather than service needs. The initial assessment provides a basis for the initial level of financial assistance and/or supportive services to be provided by RRH. Regular assessments, provided through 3 months certifications and follow-up, should be built into the housing stability plan to determine if the level of assistance should be increased, decreased, or discontinued once participants enter permanent housing.

Case managers are required to work with each participant to develop a housing stability plan. All assistance provided in RRH should be guided by the housing stability plan, an individualized housing and service plan that is housing-focused and participant-driven. Housing stability plans are based on housing needs as identified by the participant, and is used to facilitate housing-focused case management with the goal of obtaining or maintaining housing stability. Engagement in services should be encouraged and build on the strengths and resources of each participant.

Housing Stability Plan components include:

- Client-centered – empowering participants to direct their own path
- Promote accountability – for both the participant and the RRH case managers
- Housing stability focused – specifically addressing the housing stability crisis that caused the participant's homelessness
- Goal oriented – outlining goals pertaining to housing including; moving into housing, maintaining housing, and timelines for each step

Home-Based Case Management

Since RRH is a short-term crisis response intervention, case managers typically do not attempt to directly address all of the service needs they may identify. When participants are willing and able, case managers may assist with connecting them to community-based services. Rather than simply providing the referral, the participant should be encouraged to participate in the process of exploring resources. This is to help the participant gain the knowledge and skills necessary to find and access community resources in the future on their own.

Focus of Services:

- Focus on assisting a participant in obtaining and moving into a new housing unit. Case managers help participants resolve or mitigate tenant screening barriers like rental and utility arrears or multiple evictions; obtain necessary identification if needed; support other move-in activities such as obtaining furniture; and prepare participants for successful tenancy by reviewing lease provisions.
- RRH case management should be home-based and help participants stabilize in housing. Case managers help participants based upon their needs to identify and access supports including: family and friend networks; mainstream and community services; and employment and income. Case managers help identify and resolve issues or conflicts that may lead to tenancy problems, such as disputes with landlords or neighbors while also helping participants develop and test skills they will use to retain housing once they are no longer in the program.
- Support participants in connecting to employment support resources that might help to increase income and self-sufficiency. Case managers may utilize employment support case managers or programs within their agency or have active relationships with workforce centers and other employment support agencies for participant referrals.
- Financial assistance should end and the case should be closed when the participant is no longer at imminent risk of returning to homelessness. **Case management may continue up to 60 days after financial assistance ends.** Participants that require ongoing support after exiting the RRH program, case managers should provide participants with warm handoffs to mainstream and community-based services that will continue to assist them in maintaining housing.

As a general guideline, RRH providers will seek to meet with participants at least on the following basis:

- While participant is still homeless and searching for housing—1-2 times/week
- Initially housed—2-4 times/month
- Once stably housed—once/month
- If crisis or significant changes occur with participant—at least weekly

RRH 3 Month Re-certification

RRH programming should be flexible with the ability to adapt to changing circumstances. Through ongoing monitoring and 3-month reassessments of a participant's preferences, needs, and abilities should determine when the basic level of assistance (financial and/or services) should be increased, decreased, or completed. The focus of the 3-month recertification is to review the housing stability plan and the barriers that have been identified in the plan, knowing that these might change over time. Case managers should work towards addressing the housing retention barriers and closes a case when these barriers are resolved and the participant can assume full responsibility for their rent and other lease obligations. This means that case management commitments vary by participant. Assistance is provided on an "as-needed basis".

The participant's monthly income will be re-evaluated as part of this recertification process. Participants are not required to report changes in income until their next quarterly re-evaluation. If a participant does report a decrease in income, an adjustment to the tenant share will be conducted to be effective the month following the report of the change.

RRH Assistance as a Bridge

If a participant is found to need longer-term housing support more than RRH can offer; it may be

appropriate to use the Coordinated Variance Request process. Before a variance request can be submitted to Coordinated Entry, the variance must be reviewed and approved by the Dakota County Housing Review Panel (please refer to HUD CoC and ESG Variance Policy).

Case Closing

Financial assistance should end and the case should be closed when the participant is no longer at imminent risk of returning to homelessness. The participant may continue to be extremely low income and severely rent burdened and yet is able to pay the rent and follow the terms of the lease. While the participant may have not yet achieved all desired goals, they have successfully exited homelessness and the housing crisis is over. As they stabilize, their capacity to establish and achieve goals will improve.

Exit support planning should detail any ongoing community resources that will continue after the participant has completed RRH. The emphasis is on resources that will help the participant continue to work toward housing stability, although there is nothing to preclude offering referrals that will help the participant achieve other life goals after the program ends. The exit support plan will also summarize the resources a participant may consult if their housing becomes unstable in the future. Those resources include family, friends, and any other community services that might be able to intervene. Case managers should provide participants with warm handoffs to mainstream and community-based services that will continue to assist them in maintaining housing. Participants that require ongoing support after exiting the RRH programs may continue to receive support services up to 60 days after financial assistance ends.

The following steps are required to successfully discharge a participant from the RRH program:

- Provide a formal exit notice to the participant which includes a clear statement of the reasons for exit and instructions for appealing the decision.
- Conduct a final Participants' Housing Stability Plan (serving as exit support plan)
- Case note describing the circumstances of the discharge
- Complete exit documentation, data, and file management (co-pilot) as required
- Provide information to landlords about how they can contact the program again (if needed) and what kind of follow-up assistance may be available.

	Indicators for Closure	Indicators for Continuation
Income	<ul style="list-style-type: none"> ➤ Income from all sources is sufficient to pay rent ➤ Housing costs can be shared among participant members ➤ A housing subsidy has been secured ➤ Basic goals are achieved 	<ul style="list-style-type: none"> ➤ Participant cannot pay rent for next month or two ➤ No income sources available ➤ In process of transitioning subsidies or income ➤ Income crisis
Lease	<ul style="list-style-type: none"> ➤ In compliance ➤ Landlord is satisfied 	<ul style="list-style-type: none"> ➤ Currently in violation of lease or serious complaints
Connection	<ul style="list-style-type: none"> ➤ Connection has been made to other resources that will provide needed assistance 	<ul style="list-style-type: none"> ➤ No other resources are willing/able to assist ➤ Key connections are still in progress
Choice	<ul style="list-style-type: none"> ➤ Program participant wants to complete services 	<ul style="list-style-type: none"> ➤ Program participant wants or needs additional assistance

Progressive Engagement RRH is a crisis response intervention; your role is to assist the participant in resolving their immediate housing crisis. If you are contemplating exiting a participant, you can do the following:

- Discuss with your supervisor the elements of the participant’s situation that are resolved, almost resolved, or still unresolved
- Request case consultation with peers for complicated cases
- Consider: Does this decision primarily benefit the interests of the participant or the needs of the program?
- Remind yourself that the great majority of people who receive RRH will not return to homelessness. People are more resilient than you think.
- Understand that some program participants will show increased stress symptoms due to case closing discussions or decisions. This does not “prove” their case must be kept open; it suggests the case manager should discuss the stress of program exit with the participant.

No Contact Procedures

Case managers should check-in with the participant at least once a month while enrolled in the program. No matter which stage the participant is at in the program, the case manager should take the initiative to stay connected to the participant. All possible ways or methods to contacting the participant must be explored. If the participant disappears during housing search, the case will remain open until the 90 day search time expires. If the client resurfaces and is still facing homelessness, the case manager can assist the client with reconnecting to Coordinated Entry.

If the participant is housed but disengages from services, the participant will be suspended until a recertification has been completed. The participant can be reactivated following a discussion to reset program expectations by reviewing the housing stability plan and the expectations for re-assessment.

The goal is to be clear about the scope of RRH and to determine if the program will meet the needs of the participant. Case managers will continue to work with the participant until they are permanently housed or otherwise resolve the housing crisis.

Termination does not bar the participant from receiving CoC or ESG RRH assistance at a later date for the same household or individual, as long as the participant has not exceeded a total of 24 months of rental assistance within the past 36 months.

Coordination with Schools/Childhood Education

Case managers should provide advocacy in assisting families with locating the primary liaison for school connections and childhood education. Coordination with the district liaison ensures that all homeless families are informed of the McKinney Vento Act to ensure that their children are able to maintain enrollment in school and transportation arrangements (as needed). Case managers should assist families in connecting to relevant educational resources in the community.

Appeals and Grievances

Providers should receive and respond to grievances according to their written policies and procedures. All HUD CoC and ESG participants must be provided the opportunity to present written or oral objections to a staff person (supervisor/management) other than the staff person who approved the termination decision. Any further review or action should be presented to the Hearth Connection Regional Manager.

Equity Policies

The Dakota County Housing Equity Committee (HEC) is committed to pursuing equity in efforts to prevent and end homelessness. The committee’s goal is to eliminate disparities in our homelessness and housing supports by integrating equity work in our policies, practices, and initiatives. We want to ensure that all participants/communities have equal access to opportunities and eliminate any systemic barriers. Dakota County provides quarterly inclusion, diversity, and equity trainings to all contracted housing

providers.

VAWA

A federal law that went into effect in 2006 protects individuals who are victims of domestic violence, dating violence, sexual assault and stalking. The name of the law is the Violence against Women Act, or “VAWA.” Please reference the VAWA lease addendum which explains victim/survivors’ rights and protections under VAWA.

On-going Training and Learning Opportunities

Monthly provider meetings are provided by Dakota County Social Services to support on-going learning and improvement. These meetings are an opportunity for RRH staff and other housing providers to come together to problem-solve, share best practices, learn from peers, and receive skill building training/practices. Provider meetings occur every 2nd Tuesday of the month from 9:30am – 10:30am at the Northern Service Center. For more information, please email linda.hall@co.dakota.mn.us. Additional resources on how other communities are using RRH services can be found at the National Alliance to End Homelessness.