

City of Escondido

Housing & Neighborhood Services Division



**Emergency Solutions Grant**

**Written Standards for Provisions of ESG Assistance**

## **STANDARDS FOR THE PROVISION OF ESG ASSISTANCE**

The City of Escondido, in accordance with Department of Housing and Urban Development guidelines, developed standard policies and procedures for evaluating individuals' and families' eligibility for Assistance under Emergency Solutions Grant (ESG).

**Evaluations.** Per 24 CFR 576.401 the City and ESG sub-recipients must conduct an initial evaluation to determine each individual or family's eligibility for ESG assistance and the amount and types of assistance the individual or family needs to regain stability in permanent housing. These evaluations must be conducted in accordance with the centralized or coordinated assessment requirements set forth under §576.400(d).

**Re-evaluations.** The City and ESG sub-recipients must re-evaluate the program participant's eligibility and the types and amounts of assistance the participant needs; not less than once every 3 months for program participants receiving homeless prevention assistance and not less than once annually for program participants who are receiving rapid re-housing assistance. At the City and sub-recipient's discretion, re-evaluations may be conducted more frequently than required by 24 CFR 576.401 and may also be incorporated into the case management process for homeless prevention and rapid re-housing participants – See 24 CFR 576.401(e)(i). Regardless of which timeframe is used, re-evaluations, must at minimum, establish that:

The program participant does not have an annual income that exceeds 30 percent of median family income for the area, as determined by HUD; and the program participant lacks sufficient resources and support networks necessary to retain housing without ESG assistance. To determine if an individual or family is income eligible, the City or subrecipient must examine an individual or family's annual income to ensure that it does not exceed the most current area income limits posted on the Department of Housing and Urban Development's webpage "ESG: Emergency Solutions Grants Program" <https://www.hudexchange.info/resource/4018/2014-hud-median-income-limits-30/>.

## **RAPID RE-HOUSING AND HOMELESS PREVENTION**

ESG funds may be used to provide housing relocation and stabilization services and short-and/or medium term rental assistance as necessary to help a homeless individual or family move as quickly as possible into permanent housing and achieve stability in that housing. This assistance is referred to as rapid re-housing assistance.

ESG funds may be used to provide housing relocation and stabilization services and short-and/or medium term rental assistance as necessary to prevent an individual or family from moving into an emergency shelter or another place described in paragraph (1) of the homeless definition in 24 CFR 576.2.

Policies and procedures for determining and prioritizing which eligible families and individuals will receive homelessness prevention assistance and which eligible families and individuals will receive rapid

re-housing assistance will consist of a waiting list for potentially eligible clients and those who most likely benefit from the program.

Through the use of a screening and assessment process, program eligibility will be assessed by thoroughly exploring a family's or individual's situation and pinpointing their unique housing and service needs. Based upon the assessment, families and individuals should be referred to the kinds of housing and services most appropriate to their situations and need (i.e. access all available services to increase self-sufficiency).

Once in place, a centralized or coordinated assessment system will help to better match individuals and families with the most appropriate assistance. Under homelessness prevention assistance, funds are available to persons below 30% of Area Median Income (AMI), who are homeless or at risk of becoming homeless. ESG funds can be used to prevent an individual or family from becoming homeless and/or regain stability in current housing or other permanent housing. Rapid re-housing funding will be available to those who are literally homeless to ultimately move into permanent housing and achieve housing stability. Homeless prevention and rapid re-housing assistance must be provided in accordance with the housing relocation and stabilization services requirements in 24 CFR 576.105, and the short-and medium-term rental assistance requirements in 24 CFR 576.106.

The amount each program participant must pay will be based on the following:

- Rental assistance cannot be provided for a unit unless the rent for that unit is at or below the Payment Standard, established by the City using HUD's published Fair Market Rents for the San Diego Region. A complete listing of the Fair Market Rent for San Diego can be found at the following website: <http://www.huduser.org/portal/datasets/fmr.html>
- The rent charged for a unit must be reasonable in relation to rents currently being charged for comparable units in the private unassisted market and must not be in excess of rents currently being charged by the owner for comparable unassisted units. See 24 CFR 574.320.
- The rental unit must meet minimum habitability standards found at 24 CFR 576.403.
- There must be a rental assistance agreement and lease between property manager and tenant as well as the owner of property and the City or ESG sub-recipient.
- No rental assistance may be made to an individual or family that is receiving rental assistance from another public source for the same time period.
- Rental assistance may not be provided to a participant who is currently receiving replacement housing payments under Uniform Relocation Assistance.
- Rental assistance may be available for Project Based Rental Assistance, based on availability of funding and vacant units.

**Short-term and medium-term rental assistance.** 24 CFR 576.106 (e) Rental assistance agreement. The City's or its ESG sub-recipients may make rental assistance payments only to an owner with whom the sub-recipient has entered into a rental assistance agreement. The rental assistance agreement must set forth the terms under which rental assistance will be provided, including the requirements that apply under this section. The rental assistance agreement must provide that, during the term of the agreement, the owner must give the sub-recipient a copy of any notice to the program participant to vacate the housing unit, or any complaint used under state or local law to commence an eviction action

against the program participant. In the event of project based assistance, the payments would go directly to the property owner with a rental assistance agreement in place.

The City and its subrecipients must maintain standards for determining how long a particular program participant will be provided with rental assistance and whether and how the amount of that assistance will be adjusted over time. Currently, the period is up to 12 months.

**Homelessness prevention and Rapid re-housing component.** 24 CFR 576.103 and 24 CFR Part 576.104. The City and its sub-recipients may provide an ESG program participant with up to 24 months of rental assistance during any 3-year period. The City is providing a maximum of up to 12 months of sequential assistance that can be in the form of short-term rental assistance (for up to 3 months of rent) or medium term rental assistance (assistance that is for more than 3 months) but not more than 12 months of rent. However, at the City and subrecipient's discretion rental assistance will be provided in a reasonable timeframe as evaluated by the City and its program participant within HUD regulations.

The maximum amount of rental assistance provided, or family's level of responsibility for rent payments, over time, shall be determined by the City and its subrecipient and shall be reflective of the individual or family's need for rental assistance and the level of financial resources available to the ESG program participant.

Standards for determining the type, amount, and duration of housing stabilization and/or relocation services to provide a program participant, including the limits, if any, on the homelessness prevention or rapid re-housing assistance that each program participant may receive, such as the maximum amount of assistance, maximum number of months the program participants receives assistance, or the maximum number of times the program participants may receive assistance.

Subject to the general conditions under 24 CFR 576.103 and 24 CFR Part 576.104, subrecipients may use ESG funds to pay housing owners, utility companies, and other third parties for some or all of the following costs, as allowed under 24 CFR 576.105:

- Security deposits
- Last month's rent
- Utility deposits
- Utility payments
- Moving costs

**Housing relocation and stabilization costs.** 24 CFR 576.105 (c). ESG sub-recipients shall determine the type, maximum amount and duration of housing stabilization and/or relocation services for individuals and families who are in need of homeless prevention or rapid re-housing assistance through the initial evaluation, re-evaluation and ongoing case management processes.

#### **EMERGENCY SHELTER**

The term Emergency Shelter per 24 CFR Part 576.2 means "any facility, the primary purpose of which 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.” This definition excludes transitional housing. However, projects that were funded as emergency shelter (shelter operations) under the FY 2010 Emergency Shelter Grants program may continue to be funded under the emergency shelter component under the Emergency Solutions Grants program, regardless of whether the project meets the revised definition.

**Admission, Diversion, Referral and Discharge.** ESG sub-recipients must conduct an initial evaluation of all individuals or families to determine if they should be admitted to an emergency shelter, diverted to a provider of other ESG funded components (e.g. rapid re-housing or homeless prevention assistance) and/or referred for other mainstream resources.

ESG sub-recipients must determine that individuals and families meet criteria including the Homeless Definition and rate the individual or family’s vulnerability to ensure that only those individuals or families that have the greatest need for emergency shelter assistance receive ESG funded assistance.

ESG sub-recipients must also reassess emergency shelter participants, on an ongoing basis, to determine the earliest possible time that they can be discharged to permanent housing.

**Safety and Shelter Needs of Special Populations.** ESG funds may be used to provide services for homeless youth, victim services, and services for people living with HIV/AIDS, so long as the costs of providing these services are eligible under the regulations for the emergency shelter component found at 24 CFR Part 576.102.

Consistent with ESG recordkeeping and reporting requirements found at 24 CFR Part 576.500, ESG sub-recipients must develop and apply written policies to ensure the safety of program participants through the following actions:

- All records containing personally identifying information (as defined in HUD’s standards for participation, data collection, and reporting in a local HMIS) of any individual or family who applies for and/or receives ESG assistance will be kept secure and confidential
- The address or location of any domestic violence, dating violence, sexual assault, or stalking shelter project assisted under the ESG will not be made public, except with written authorization of the person responsible for the operation of the shelter
- The address or location of any housing of a program participant, including youth, individuals living with HIV/AIDS, victims of domestic violence, dating violence, sexual assault, and stalking; and individuals and families who have the highest barriers to housing will not be made public, except as provided under a preexisting privacy policy of the sub-recipient and consistent with state and local laws regarding privacy and obligations of confidentiality
- ESG sub-recipients must adhere to the following ESG shelter and housing standards found at 24 CFR Part 576.403 to ensure that shelter and housing facilities are safe, sanitary, and adequately maintained:

**Lead-Based Paint Requirements.** The Lead-Based Paint Poisoning Prevention Act applies to all shelters assisted under ESG program and all housing occupied by program inspection on all units receiving assistance under the rapid re-housing AND homelessness prevention components if the unit was built before 1978 and a child under age of six or a pregnant woman resides in the unit.

**Structure and Materials.** The shelter building shall throughout be structurally sound to protect residents from the elements and not pose any threat to health and safety of the residents.

**Access.** The shelter must be accessible, and there shall be a second means of exiting the facility in the case of emergency or fire.

**Space and Security.** Each resident shall have adequate space and security for themselves and their belongings. Each resident must have an acceptable place to sleep.

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

**Water Supply.** The shelter's water supply shall be free of contamination.

**Sanitary Facilities.** Each resident shall have access to sanitary facilities that are in proper operating condition. These facilities shall be able to be used in privacy, and be adequate for personal cleanliness and the disposal of human waste.

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

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

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

**Sanitary Conditions.** The shelter should be maintained in a sanitary condition.

**Fire Safety-Sleeping Areas.** There shall be at least one working smoke detector in each occupied unit of the shelter facility. In addition, smoke detectors should be located near sleeping areas where possible. The fire alarm system should be designed for a hearing-impaired resident.

**Fire Safety-Common Areas.** All public areas of the shelter must have at least one working smoke detector.

Policies and procedures for assessing, prioritizing, and reassessing individuals' and families' needs for essential services related to emergency shelter 24 CFR 576.102.

- ESG funds may be used to provide essential services to individuals and families who are in an emergency shelter. Essential services for participants of emergency shelter assistance can include case management, child care, education services, employment assistance and job training, outpatient health services, legal services, life skills training, mental health services, substance abuse treatment services, transportation, and services for special populations.
- ESG sub-recipients are responsible to assess an individual or family's initial need for emergency shelter and must re-assess their need on an ongoing basis to ensure that only those individual or families with the greatest need receive ESG funded emergency shelter assistance.
- Based on the CoC's centralized or coordinated assessment system, ESG recipients shall be required to use that system to help determine an individual or family's need for emergency shelter or other ESG funded assistance.
- CoC's Policies and Procedures is encouraged for coordination among emergency shelter providers, essential service providers, homelessness prevention and rapid re-housing assistance providers, other homeless assistance providers, and mainstream services and housing providers.

- Coordination to assist the homeless and prevent homelessness will come from the leadership of the statewide Continuum of Care. The City will maintain active engagement and membership in the statewide CoC or local homeless coalition. The CoC will further engage and coordinate resources amongst other entities to improve current programs and funding.

### **STREET OUTREACH**

Per 24 CFR 576.401 and 24 CFR 576.500 the City and ESG sub-recipients must conduct an initial evaluation to determine each individual or family's eligibility for street outreach essential services. These evaluations must be conducted in accordance with the centralized or coordinated assessment requirements set forth under §24 CFR 576.400(d).

Street outreach costs are limited to the costs of: providing essential services necessary to reach out to unsheltered homeless people; connecting unsheltered homeless people with emergency shelter, housing, or critical services; and providing urgent, non-facility-based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility 24 CFR 576.101(a).

**Engagement.** The costs of activities to locate, identify, and build relationships with unsheltered homeless people and engage them for the purpose of providing immediate support, intervention, and connections with homeless assistance programs and/or mainstream social services and housing programs.

These activities consist of making an initial assessment of needs and eligibility; providing crisis counseling; addressing urgent physical needs, such as providing meals, blankets, clothes, or toiletries; and actively connecting and providing information and referrals to programs targeted to homeless people such as mainstream social services and housing programs, including emergency shelter, transitional housing, community-based services, permanent supportive housing, and rapid re-housing programs. 24 CFR 576.101(a)(1).

**Case Management.** The City or its subrecipient are limited to the cost of assessing housing and service needs, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant. Eligible services and activities related to case management are as follows: using the centralized or coordinated assessment system as required under 24 CFR 576.400(d); conducting the initial evaluation required under 24 CFR 576.401(a), including verifying and documenting eligibility; counseling; developing, securing and coordinating services; obtaining Federal, State, and local benefits; monitoring and evaluating program participant progress; providing information and referrals to other providers; and developing an individualized housing and service plan, including planning a path to permanent housing stability, 24 CFR 576.101(a)(2)

**Emergency Health Services.** Use of ESG funds are used for emergency health services costs are limited to direct outpatient treatment of medical conditions (as listed under 24 CFR 576.101(a)(3)) that are provided:

- a. by licensed medical professionals operating in community-based settings, including streets, parks, and other places where unsheltered homeless people are living, and
- b. only to the extent that other appropriate health services are inaccessible or unavailable within the area

**Emergency Mental Health Services.** Use of ESG funds for emergency mental health services the costs are limited to the costs associated with direct outpatient treatment (as listed under 24 CFR 576.101(a)(4)) that is provided:

- a. by licensed professionals of mental health conditions operating in community-based settings including streets, parks, and other places where unsheltered people are living, and
- b. only to the extent that other appropriate health services are inaccessible or unavailable within the area

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

Mental health services are the application of therapeutic processes to personal, family, situational, or occupational problems in order to bring about positive resolution of the problem or improved individual or family functioning or circumstances 4 CFR 576.101(a)(4)] (iv). Eligible treatment consists of crisis interventions, the prescription of psychotropic medications, explanation about the use and management of medications, and combinations of therapeutic approaches to address multiple problems.

**Transportation.** Where ESG funds are used for transportation the costs are limited to the following eligible costs:

- a. the transportation costs of travel by outreach workers, social workers, medical professionals, or other service providers, that travel took place during the provision of services eligible under this section; and the costs of transporting unsheltered people to emergency shelters or other service facilities are also eligible. The costs include the following:
  - The cost of a program participant's travel on public transportation;
  - If service workers use their own vehicles, mileage allowance for service workers to visit program participants;
  - The cost of purchasing or leasing a vehicle for the recipient or subrecipient in which staff transports program participants and/or staff serving program participants, and the cost of gas, insurance, taxes and maintenance for the vehicle; and
  - The travel costs of recipient or subrecipient staff to accompany or assist program participants to use public transportation.

**Minimum Period of Use.** Per 24 CFR 576.101(b) the City or its ESG subrecipient will ensure that outreach services are provided to unsheltered homeless individuals and families for at least the period during which ESG funds are provided (e.g., the length of the subrecipient agreement).



**Maintenance of Effort:** The City or its subrecipient will not use ESG funds to replace local government funding of street outreach services unless HUD determines that the unit of general purpose was in a severe financial deficit according to the guidelines 24 CFR 576.101(c).

Upon the City's request, HUD will determine whether the unit of general purpose local government is in a severe financial deficit, based on the City's demonstration of each of the following:

- The average poverty rate in the unit of general purpose local government's jurisdiction was equal to or greater than 125 percent of the average national poverty rate, during the calendar year for which the most recent data are available, as determined according information from the U.S. Census Bureau.
- The average per-capita income in the unit of general purpose local government's jurisdiction was less than 75 percent of the average national per capita income, during the calendar year for which the most recent data are available, as determined according to information from the Census Bureau.
- The unit of general purpose local government has a current annual budget deficit that requires a reduction in funding for services for homeless people. The unit of general purpose local government has taken all reasonable steps to prevent a reduction in funding of services for homeless people. Reasonable steps may include steps to increase revenue generation, steps to maximize cost savings, or steps to reduce expenditures in areas other than services for homeless people.