

Implementation Guide
Policy & Procedure

For Whatcom County
Consolidated Homeless Grant
Contractors



February 17, 2012

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WHATCOM COUNTY CONSOLIDATED HOMELESS GRANT IMPLEMENTATION GUIDE

I. Contract Management Requirements

A. Duplication of Costs

Funds awarded under this contract will not supplant other existing funding sources. The Contractor certifies that work to be performed or costs reimbursed under this contract do not duplicate any work or costs to be charged against any other contract, subcontract, or other source.

B. Contract Amendments

The Contractor may request an amendment or modification of this contract. However, such amendments shall not take effect until fully signed by both the County and the Contractor.

If the actions of the County, the Washington State Department of Commerce (Commerce), or changes to state or federal laws, regulations, or funding impact this contract, then the terms and performance of this contract will be amended to reflect these changes.

C. Project Manager/Staff

The Contractor shall notify the County in writing prior to: 1) the designation of a new project manager or new project staff, or 2) a significant change in the responsibilities of the project manager or project staff.

D. Performance Standards, Licensing, and Review

The Contractor shall comply with all applicable local, state, and federal licensing and accrediting requirements and standards and any other standards or criteria established by the County and/or Commerce to ensure quality of services necessary for the performance of this contract. The Contractor shall also comply with the additional requirements contained herein.

The County reserves the right to modify terms of performance standards, measures, and/or outcomes by contract amendment at any time for the duration of the contract.

E. Procurement Standards

The Health Department and its contractors shall have established procurement policies that comply with the following:

1. A code or standard of conduct that shall govern the performance of its officers, employees, or agents engaged in awarding of contracts using state funds;
2. Transactions that are conducted in a manner to provide, to the maximum extent practical, open and free competition; and
3. Steps to avoid purchasing unnecessary or duplicative items.

F. Financial Management Systems and Records

The Contractor's financial systems shall contain the following:

1. Accurate, current, and complete disclosure of the financial results of the contract.
2. Records that identify the source and application of funds.
3. Control over and accountability for all funds, property, and other assets.
4. Comparison of actual outlays with the budgeted amount for the contract.
5. Procedures for determining reasonableness, allocability, and allowability of costs.
6. Accounting records that are supported by source documentation.
7. A system for timely and appropriate resolution of audit findings and recommendations.
8. Procedures that minimize the time elapsing between the transfer of funds from the County and their disbursement by the Contractor.

If the Contractor's systems do not meet these standards, the Contractor shall maintain a separate bank account for funds provided under this contract.

The Contractor must maintain copies of all reimbursement requests and backup documentation. The Contractor must maintain records that disclose all costs charged to this contract.

G. Access to Documents and Records

The Contractor shall maintain books, records, documents, and other evidence of accounting procedures and service delivery policies and practices that are sufficient to permit the preparation of reports required by the federal funding agency or the state of Washington, and to permit the tracking of funds to a level of expenditure adequate to ensure that the funds have been spent in accordance with federal and state laws, regulations, policies, procedures, and this contract. These records shall be subject at all reasonable hours to inspection, review, or audit by the County, Commerce, the Office of the State Auditor, and federal and state officials so authorized by law.

The Contractor shall provide access to its facilities and personnel at all reasonable times in order to monitor and evaluate performance, compliance, and quality assurance under this contract.

H. Records Retention

The Contractor shall:

- Retain all financial, statistical, property, materials inventory, supplies, participant records, and supporting documentation relevant to this contract for a period of seven (7) years from the termination of the contract; and
- Follow HMIS data collection directives found in Attachment A and in *Dept. of Commerce Administrative Requirements for Housing and Essential Needs Grant*; and
- Retain records for non-expendable property for a period of seven (7) years after final disposition of the property; and
- If any litigation, bankruptcy, or audit is begun, or if a claim is instituted involving the contract or agreement covered by the records, retain the related records until the litigation, audit, or claim has been finally resolved.

I. Sub Grantee Selection and Monitoring

Sub Grantee Selection for Rental and Utility Assistance

The Health Department will contract with the Whatcom Homeless Service Center, a department of the Opportunity Council (OC), to provide the Rental Subsidies in compliance with the Rental Assistance Guidelines of the Consolidated Homeless Grant. The Health Dept. currently contracts with Whatcom Homeless Service Center (WHSC) for centralized and coordinated point of entry services and prevention/rapid re-housing homeless housing services. The WHSC was formed in 2007 as a result of a Homeless Grant Assistance Program (HGAP) grant award from what is now called the Washington State Department of Commerce. The Whatcom County Housing Advisory Committee, The Whatcom County Coalition to End Homelessness and the homeless housing providers of Whatcom County acted to support the implementation and operations of the WHSC with local homeless housing and assistance funds.

WHSC is the desired clearinghouse for homeless and prevention activities for Whatcom County.

By acting as a coordinated and centralized point of entry for homeless housing services for Whatcom County, WHSC:

- Has demonstrated its ability to operate a homeless prevention and rapid re-housing program.
- Since beginning solely with HGAP and local document recording fee funds, WHSC has since leveraged additional funding sources to its operating budget. These include HUD McKinney SHP, HPRP, Rapid Re-Housing Demonstration grant, NSMHA, local law enforcement, federal VA, local law enforcement
- Sub-contracted with Whatcom County since 2007 and in turn acts as a lead grantee for regional grants which requires WHSC to sub-contract for services. WHSC has experience managing grants.
- Has had no audit findings from Whatcom County or from any other of its grantees and no pending litigation.
- Is a department of the Opportunity Council, and is fully capable of operating this program on a cost reimbursement basis. OC/WHSC currently invoices Whatcom County twice monthly for rental subsidy related activities. Landlords get their rent payments on time. Opportunity Council also operates LIHEAP and so has a history of working with utility companies for the purpose of keeping low income people from getting their utilities shut off.
- Complies with the insurance requirements and has since 2007. Opportunity Council has been under contract with Whatcom County for over 5 years and has been in compliance with insurance certificate requirements.
- Acts as the hub in the coordinated and centralized service system and subsequently supports the activities of partner agencies serving homeless individuals and families; acts as HMIS manager for Whatcom County and provides technical assistance to partner agencies; provides leadership to the Whatcom County Coalition to End Homelessness and helps facilitate the Ten Year Planning processes; secures additional funding and resources for the community's efforts to end homelessness

Selection Process for Facility Support and Operations

Whatcom County Health Department issued a Request for Proposals (RFP) seeking qualified applicants able to The Whatcom County Housing Program seeks to contract with qualified organizations to provide one or more of the eligible housing operation and maintenance, essential needs assistance, rental assistance, and data collecting and reporting activities described in the Project Scope.

The selection process for choosing a successful applicant includes:

- An Application Evaluation Committee (AEC) appointed by the Whatcom County Housing Program Specialist to review and evaluate eligible applications and make recommendations to the Whatcom County Housing Program.

The AEC consists of at least three individuals who are knowledgeable about the specific professional services sought.

- Evaluation criteria based on: a detailed description of the applicant's management proposal, programmatic proposal and cost proposal as the project related to the services described in the RFP, the applicant's activities in relation to the County's Homeless Plan; the applicant's ability to describe and fill a community homeless housing gap, a description of the applicant's tracking and reporting capacity (HMIS).
- Determination of qualifications based on the suggestions listed in Form C of the Consolidate Homeless Grant funding application.

J. Monitoring

Commerce will monitor the grant activities of the Whatcom County Health Department, the Lead Grantee. Commerce will give a minimum of 30 days notice unless there are special circumstances that require immediate attention.

Specific details of what will be reviewed and what materials the Health Department will be required to submit will be outlined in the 30 day notice.

The Health Department will monitor Sub Grantee (Contractor) contract activities. The Health Department will give a minimum of 30 days notice unless there are special circumstances that require immediate attention.

Specific details of what will be reviewed and what materials the Contractor will be required to submit will be outlined in the 30 day notice.

Monitoring Policies and Process

- Contractor is assessed for risk when entering into a new contract and by extending a contract.
- Division managers determine frequency of on-site contract compliance reviews, taking into consideration staff recommendations. An on-site review will take place at a minimum of once every two years; a desk review may take place during a year an on-site review is not scheduled.
- Health Department sends Contractor notification letter and contractor self assessment tool at least four weeks prior to on-site visit.
- On-site review is conducted and a Contract Compliance Monitoring report is sent out to the Contractor.
- If contract compliance issues are identified, Contractor is notified in writing of corrective action requirements. Health Department conducts follow-up reviews to determine if additional Contractor compliance. review is to be scheduled
- If no progress is made toward compliance, Contractor is notified in writing of compliance findings and contract termination process begins.

K. Audit Requirements

If the contract includes funding in excess of \$75,000 in total state funds in a fiscal year, the Contractor must have a financial audit as defined by Government Auditing Standards (The Revised Yellow Book) and according to Generally Accepted Auditing Standards (GAAS).

The Contractor must ensure that audits are performed in accordance with Generally Accepted Accounting Principles; Government Auditing Standards (The Revised Yellow Book) developed by the Comptroller General of the United States, dated 2003.

The audit of the Contractor's program shall be conducted by an independent Certified Public Accounting firm selected by the Contractor.

The Contractor shall maintain its records and accounts in such a way as to facilitate the audit requirements. The Contractor is responsible for any audit exceptions incurred by its organization. The County and Commerce reserve the right to recover from the Contractor disallowed costs resulting from the final audit.

The Contractor is responsible for sending the audit to the Health Department as soon as it is available, but no later than nine months after the end of the Contractor's fiscal year. Responses to management findings and disallowed or questioned costs shall be included with the audit report. The Contractor will respond to the Health Department and/or Commerce requests for information or corrective action concerning audit issues within 30 days of the date of request. As applicable, costs of the audit are an allowable expenditure.

L. Documents on File

Documents consistent with federal and state regulations, as applicable, shall be kept on file in the office of the local agency and available for review. Such documents shall include, but not be limited to:

- Articles of Incorporation
- By-Laws
- IRS Nonprofit Status Certification
- Latest Agency Audit
- Insurance and Bonding Policies Required by the Contract
- Personnel Policies
- Job Descriptions
- Organizational Chart
- Travel Policies
- Fiscal Management Policies
- Location of handicap accessible facilities and services for homeless families with special needs
- Provision for bilingual public contact employees as appropriate

II. Administrative Requirements

A. Overview

The Consolidated Homeless Grant (CHG) combines state homeless resources into a single grant opportunity to county governments (and other designated entities) under the administration of the Washington State Department of Commerce (Commerce). The CHG is designed to support an integrated system of housing assistance to prevent homelessness and quickly re-house households who are unsheltered. This grant provides resources to address the needs of people who are homeless or at-risk of homelessness, as described in Local Homeless Plans.

Fund Sources:

Washington State Home Security Fund, Affordable Housing for All Fund, Transitional Housing Operating and Rent Account, Homeless Housing Program authorized by RCW 43.185C.

Grant Activities:

CHG funds support a variety of activities, including: operations of emergency shelter and transitional housing units, rental assistance, data collection and reporting. Refer to the *Guidelines for a Consolidated Homeless Grant* for details on providing services to people who are homeless.

B. Coordinated Entry

CHG funded Contractors must participate in a uniform method of client intake as coordinated and implemented by the Whatcom Homeless Service Center (WHSC) on or before December 31, 2014.

The Contractor will utilize the common intake tool, releases of information necessary to facilitate referrals from the WHSC for housing placements. These tools have been developed in conjunction with a representation of community based partner agencies.

WHSC attach the common intake and ROI here.

C. Shared Vision and Performance Goals

Commerce is committed to ending homelessness in Washington State. The Homelessness Housing and Assistance Act (RCW 43.185C) passed in 2005 requires Counties to develop a ten year plan to reduce homelessness by 50 percent by 2015. The federal Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act (S 896) passed in 2009 establishes performance goals for local communities including reducing homelessness overall, reducing terms of homelessness, and reducing the rate of returns to homelessness. Therefore, the following performance goals exist for the recipients of the CHG:

- Reduce the number of homeless persons
- Reduce the amount of time persons are homeless
- Increase the number of people moving to permanent housing after receiving homeless assistance
- Reduce the number of people who recede back into homelessness after obtaining permanent housing

D. Incentive funding

The CHG incorporates performance based contracting elements through an incentive funding. CHG incentive funding can be earned in one of two ways:

1. Permanent Supportive Housing Incentive

Funds for this incentive are awarded based on local homeless fee and Section 8 funds that are budgeted for permanent supportive housing through the CHG Housing Inventory Chart/Budget. Incentive funding will be available for communities that budget between 10 percent and 25 percent of their overall homeless housing assistance budget on permanent supportive housing.

To receive maximum bonus points for permanent supportive housing, two conditions must be met:

- The housing provided must be permanent (CHG Application Housing Inventory Chart – Column R – Maximum Length of Time Subsidized Housing is Provided – the drop down option “Permanent – housing subsidy does not end” must be chosen).
- Comprehensive services for the disabled must be provided or available (CHG Application Housing Inventory Chart – Column Q - Level of Service – the drop down option “required comprehensive for disabled” or “optional comprehensive for disabled” must be chosen).

Commerce staff will review the CHG Application Housing Inventory Chart and Budget form to confirm eligibility for this incentive prior to grant execution. Request for incentive payment must be made on the Commerce CHG invoice voucher. A household served through this incentive may also qualify under #2 below.

Whatcom County has several PSH units and the ones that that qualify under this grant include: City Gate, Lydia Place/BHA partnership, WHSC Chronic Homeless Program.

2. Housing Persons Exiting from Systems of Care Incentive

A one-time payment of \$200 per client will be paid to the grantee for each client enrolled into a housing program after exiting a system of care. Incentive-qualifying clients will be determined from client-level data recorded under “Residence Prior to Program Entry” in the HMIS (elements 3.9.4-7 and 3.9.15).

An additional one-time payment of \$400 will be made to the grantee for the same client(s) above that have enrolled in the initial housing program and within 90 days are either:

- a) Enrolled in any housing program where the client doesn't have to vacate the unit after the subsidy ends,
- OR**
- b) Have exited to any permanent destinations as recorded in the client-level HMIS data (elements 4.1.3, 4.10.10-11, 4.10.19-23).

Request for incentive payment must be made on the Commerce CHG invoice voucher and Commerce staff will verify eligibility for payment through HMIS reporting.

Systems of Care that are included in the HMIS Incentive category:

- Psychiatric hospital or other psychiatric facility
- Substance abuse treatment facility or detox center
- Hospital (non-psychiatric)
- Jail, prison, or juvenile detention facility
- Foster care home or foster care group home

Whatcom County has several ways to identify people leaving systems of care, these include:

Applicants leaving jail destined for Sun House or City Gate, Dept. of Corrections identification of clients exiting prison or work release destined for City Gate or supported with vouchers in housing that transitions into permanent housing, hospital social workers, PATH and Hope House outreach workers working with Detox and jail populations, NWYS working with foster youth. Although we can identify the population, due to their transitory movement through the community, unpredictable releases, it will be a challenge to capture the pay points.

E. Reporting

Agency Partner HMIS Agreement

All CHG grantees and sub grantees (Contractors) must use HMIS for data collection and reporting purposes. Data must be collected in accordance with the Agency Partner HMIS Agreement (see Attachment B “Agency Partner HMIS Agreement”).

Daily, Monthly, Quarterly and Annual Reports to Stakeholders – Commerce will generate reports from the state data warehouse for reporting to all external stakeholders on the achievement of the performance goals stated in section 8. Commerce will use the most updated federal HMIS Data Standards for all reports. Additional reporting needs in regards to fiscal management, monitoring activities, and other unforeseen report requests will be negotiated with Lead Grantees on an ongoing basis as needed and are expected to be minimal.

Data Quality Reports – Commerce will use the invoice process to ensure timely, accurate, and quality data is being entered into the state data warehouse (for specific required data for Lead/ Contractors, please see Attachment A “Data Collection Directives”). Reimbursements to Lead Grantees will not be paid until data is accurate, timely and of high quality.

Data Sharing with DSHS – On a quarterly basis, identified data is shared with Research and Data Analysis at DSHS for further data analysis and reporting regarding cross-systems performance measures. Quarterly reports on cross-system analysis are posted on the Commerce website at commerce.wa.gov. Lead Grantees can expect an annual county level report via the data sharing agreement Commerce holds with DSHS.

Point-in-Time Counts – Counties are required to conduct a point-in-time count of homeless persons are required under [RCW 43.185C.030](#). Counts must be carried out in compliance with the [Commerce Count Guidelines](#). Commerce can provide some technical assistance as needed. Counties can delegate the organization and execution of the count to other entities, but are ultimately responsible for conducting the count and fulfilling the related Commerce reporting requirements.

Housing Inventory – Annually counties must submit an updated inventory of housing units dedicated to homeless persons, and any units or activities funded using local homeless and affordable housing fees collected under [RCWs 36.22.178-1791](#). The inventory must also enumerate the uses of homeless and affordable housing funds for non-housing based activities such as data collection, planning, and administration. Details collected in the inventory include amounts spent during the prior calendar year from local, state, federal and private sources on each project; the number of units/beds in each project; and the special populations served. Collection of this detailed data is used to describe the use of dedicated homeless resources and allow the calculation of current capacity and costs compared to unmet needs. Units funded by state or local homeless and affordable housing fees will be required to provide information on their total budget.

If a grantee finds errors in the formulas of the Housing Inventory Chart and Budget worksheets, they should contact their CHG representative immediately. The Department of Commerce will correct any errors and notify all grantees of the change.

F. Local Homeless Plans

Counties must update and approve the local homeless plan (RCW 43.185C.050) at least every five years. Adopted plans must be consistent with the Local Plan Guidelines issued by Commerce at the time the plan was adopted. Plans that are more than five years old as of July 2011 must be updated by June 2012.

Whatcom County plans to submit an updated homeless plan to Commerce during the first half of 2012.

G. Washington State Quality Award (WSQA)

According to 43.185C.210 (5) – Beginning in 2011, each eligible organization receiving over five hundred thousand dollars during the previous calendar year from the transitional housing operating and rent program and from sources including: (a) State housing-related funding sources; (b) the affordable housing for all surcharge in RCW 36.22.178; (c) the home security fund surcharges in RCW 36.22.179 and 36.22.1791; and (d) any other surcharge imposed under chapter 36.22 or 43.185C RCW to fund homelessness programs or other housing programs, shall apply to the Washington State quality award program for an independent assessment of its quality management, accountability, and performance system, once every three years.

For more information about WSQA visit their website at www.wsqa.net

III. Programmatic Requirements

A. Eligibility

Who can receive support from CHG funds? People who are *homeless* or *at risk of becoming homeless*.

Homeless

Homeless people are unsheltered or are living in a temporary housing situation and need assistance in order to obtain housing (see Attachment F for documentation requirements).

1. An individual or household who lacks a fixed, regular, and adequate nighttime residence, meaning:
 - An individual or household 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; or
 - An individual or household 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
 - 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;
2. An individual or household who will imminently lose their primary nighttime residence, provided that:

- The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance; and
- No subsequent residence has been identified; and
- The individual or household lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing;

3. Any individual or household who:

- 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 household member, including a child, that has either taken place within the individual's or household's primary nighttime residence or has made the individual or household afraid to return to their primary nighttime residence; and
- Has no other residence; and
- Lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, to obtain other permanent housing.

At Risk of Becoming Homeless

These people are currently housed but are at risk of becoming homeless and need housing assistance to prevent them from becoming homeless. (see Attachment F for documentation requirements).

Income Requirements

Income Eligibility for households staying in congregate living facilities supported by CHG Facility Support funds:

- There are no income eligibility thresholds for households who are homeless and are living in a congregate living facility (single room with multiple households) for up to 24 months (per household).

Income Eligibility for households staying in single-household units (not congregate living) supported by CHG Facility Support funds for less than 90 days:

- There are no income eligibility thresholds for households provided single-household units supported by Facility Support funding if upon entry it is expected that they will be staying less than 90 days. If on a rare basis a household unexpectedly needs to stay in the single-household unit more than 90 days and up to 24 months, the household's continued stay is subject to the following income thresholds: households with minor children must be at or below the Very Low (50%) income Limits, and households without minor children at or below the Extremely Low (30%) Income Limits.
- There is no income eligibility thresholds for households receiving a hotel/motel voucher for 90 days or less because no other housing is available or appropriate.

Income eligibility for 1) Households receiving rental assistance for up to 24 months, and 2) Households living in single-household units (not congregate living) supported by CHG Facility Support funds for more than 90 days and up to 24 months is as follows:

- Households with children who are homeless or who are at risk of becoming homeless and who have household incomes at or below the Very Low (50%) Income Limits for their county are eligible.
- Individuals or households without children who are homeless or at risk of becoming homeless and who have household incomes at or below the Extremely Low (30%) Income Limits for their county are eligible.

How to Determine Income Eligibility

Income limits are established by household size and revised annually by the Department of Housing and Urban Development (HUD). Current income limits for each county can be found at <http://www.huduser.org/portal/datasets/il.html>

Income Definition

Income is money that is paid to, or on behalf of, the head of household or spouse (even if temporarily absent) or to any other household member. (Victims fleeing domestic violence do not have to report the abuser's income.) Income includes the current (not projected) gross income (annualized) of all adult household members and unearned income attributable to a minor.

The following types of income "inclusions" must be counted when calculating current gross income:

- Earned Income
- Self Employment/Business Income
- Interest and Dividend Income
- Pension and Retirement Income
- Unemployment and Disability Income
- TANF/Public Assistance
- Alimony, Child Support and Foster Care Income
- Armed Forces Income

Annualizing Wages and Periodic Payments

When calculating income based on hourly, weekly, or monthly payment information, add the gross amount earned in each payment period that is documented and divide by the number of payment periods. This provides an average wage per payment period. Depending on pay periods used by the employer or the schedule of periodic payments, the following calculations convert the average wage into annual income:

- Hourly Wage multiplied by Hours Worked per Week multiplied by 52 weeks
- Weekly Wage multiplied by 52 weeks
- Bi-Weekly (every other week) Wage multiplied by 26 bi-weekly periods
- Semi-Monthly Wage (twice a month) multiplied by 24 semi-monthly periods
- Monthly Wage multiplied by 12 months

See Attachment C for more detail about how to document *Income Eligibility*.

Recertification of Income Eligibility

A household's income must be re-certified at least every 12 months or more frequently and must be addressed in the Lead/Sub Grantees CHG policies and/or procedures. To ensure that the re-examination process is completed on time it should begin well in advance of the household's one-year anniversary date. Recertified income information must be updated in HMIS.

Households are no longer eligible for rent assistance when incomes exceed:

- Very Low (50%) Income Limits for their county, for households with children.
- Extremely Low (30%) Income Limits for their county, for individuals or households without children.

When households are determined over income, landlords must be notified immediately. When these notices cannot meet a landlord's requirement of timely notification, payments for the current month and one additional month is allowed. While households may no longer receive rent assistance, case management services can continue for up to 6 months.

Recommendation: HMIS Data Standards require that a reassessment be recorded in HMIS every 12 months that a client is engaged in services. Complete the income eligibility recertification at the same time you are completing the 12 month reassessment and record it all at once in HMIS to save you some data entry time.

Eligible Households with Children Composition

Households with children include persons who are pregnant or who have one or more children under the age of 18. Households whose children are over the age of 18 and under 21 qualify if they are living at home. Pregnant or parenting youth under the age of 18 qualify as independent households if they are legally emancipated or reside in DSHS licensed or approved facilities. Children temporarily absent from the home may be counted as household members.

B. Eligible Activities and Expenses

(See Dept. of Commerce Guidelines for Consolidate Homeless Grant for more detail.)

CHG assistance is not intended to provide long-term support for households, nor will it be able to address all of the financial and supportive services needs of households that affect housing stability. Rather, assistance should be focused on housing stabilization, linking households to community resources and mainstream benefits, and helping them develop a plan for future housing stability.

Five allowable CHG activities

1. Rent Assistance

One of the key objectives of the CHG is for an assisted household to be able to maintain stable permanent housing. Contractors should strike a balance between promoting self-sufficiency and providing a safety net. Rent assistance must also be fairly and consistently administered.

Households eligible for rent assistance include (see Section 4 of the guidelines to determine eligibility):

- Households with children who are homeless or who are at risk of becoming homeless and who have household incomes at or below the Very Low (50%) Income Limits for their county and
- Individuals or households without children who are homeless or at risk of becoming homeless and who have household incomes at or below the Extremely Low (30%) Income Limits for their county.

Allowable Rent Assistance Models

CHG rent assistance may be applied to tenant-based, project-based or master leasing arrangements. The rent assistance model must be consistent for all households within each individual program. Each program (defined by program type and location designated a unique row on the housing inventory chart is allowed only one model. An agency may employ more than one model, but only one model may be used per program.

The allowable models:

- Flat Rate
- Household income
- A percentage of the rent
- Graduated subsidy

Contractors please insert your CHG policies and/or procedures which include, at a minimum:

- A clear description of the model, household's share of rent and utilities and how it is calculated.
- Any minimum lease periods (i.e. a year's lease) that may be required.
- Provisions for handling returned deposits made on behalf of clients.
- An explanation of any tenant escrow accounts that may be established for clients.

When rent assistance is based on a household's income the following Contractor's policies and/or procedures must include, at a minimum (please insert here):

- Minimum tenant payments (if any).
- How utilities impact a household's subsidy.
- If households are required to report changes in income prior to recertification. If yes, how will it impact tenant share of rent?

Overarching Lease Requirements

To receive tenant-based rent assistance a lease (or rent agreement) must be between the Contractor and the landlord or the household and the landlord. A copy of the lease must be retained in client files.

Allowable Expenses

- Monthly rent, rent and utilities, and any combination of first and last month's rent for up to 24 months. Utility-only assistance can be provided under very limited circumstances. Contractor must confirm that no other utility assistance, such as LIHEAP, is available to prevent the shut-off. For example, if the household is going to have to abandon the housing due to a lack of utilities and can avoid moving to a shelter by having utilities paid, then CHG funds may be used for this purpose. Under another scenario, an applicant's lease may include a provision requiring utilities be maintained for the unit by the tenant. As a result, a utility shut-off could constitute a lease violation, thus placing the household at risk for eviction. In both cases, it is the grantee or sub grantee's responsibility to confirm and document in the case file that the utility company will in fact shut-off the utility if the amount due is not paid.
- Costs of parking spaces when connected to a unit.
- Security deposits, utility and land line phone deposits for households moving into a new unit (or relocating for health or safety reasons) in conjunction with rental assistance.
- Security deposits and utility deposits may also be paid for households who are moving into permanent housing or for households who are moving from a time-limited housing facility to a transition-in-place rental assistance model. Households must have participated in good faith with the terms and conditions of their Housing Stability Plan.
- Costs associated with household credit checks, reasonable storage costs and landlord incentives (provided there are written policies and/or procedures explaining what constitutes landlord incentives, how they are determined, and who has approval and review responsibilities).

- Reasonable moving costs such as truck rental and hiring a moving company are also allowable. CHG is not a reunification or relocation program and assistance for moving costs related to reuniting households with family members is not eligible unless the participant can live with the family member permanently. If the CHG household has been assessed and determined to meet all eligibility criteria and they have permanent affordable housing identified in another location, funds may be used to pay for reasonable moving costs to another location. However, note that transportation costs (including bus, train, and airplane tickets) for households are not eligible.
- Hotel/Motel vouchers until a rental unit becomes available.
- Other costs as approved by Commerce.

The following expenses are not eligible:

- CHG rent and rent/utility assistance cannot be combined with CHG funded facility support or project based Section 8, unless approved in advance by Commerce.
- A household's share of rent and utilities cannot exceed 50 percent of the household's monthly income, unless approved in advance by Commerce.
- More than 24 months of rent and utility assistance.
- Transportation costs for household members (i.e. bus, train and airplane tickets) related to initial move-in or for any subsequent moves are not eligible CHG costs.
- Furniture
- Pet Deposits. Note: It is an unfair practice for a landlord to charge a tenant with a disability using a dog guide or service animal a pet deposit in addition to any standard cleaning or damage deposit charged to all tenants. (RCW 162-38-100)
- Cable, satellite or internet deposits or services.

Rent Reasonableness

"Rent reasonableness" means that the total rent charged for a unit must be reasonable in relation to the rents being charged for comparable units in the private unassisted market during the same time period. A Contractor must determine and document rent reasonableness for all units for which CHG assistance (including arrears) is provided. This requirement applies when participants are moving into units and when there is a current lease in place.

See Attachment D for specific information on how to document Rent Reasonableness.

Rent Limit/Payment Standard

In conjunction with determining Rent Reasonableness, the Contractor must set a Rent Limit/Payment Standard for each unit size based on the number of bedrooms. (Rent Reasonableness helps you determine the market rate, and the Rent Limit asks you to set a limit for what you will pay.) The standard is intended to represent the cost (rent and utilities) in the Contractor's jurisdiction of moderately priced units.

HUD's Fair Market Rent (FMR) is a common Rent Limit guideline.

Commerce has an interest in capping the amount of CHG funds that is used to subsidize a unit or a household. To that end, Contractors may allow rents to go higher than 120 percent of the FMR for the jurisdiction overall, however, CHG funds for that unit may not exceed 120 percent of the published FMR. If the rent limit is higher

than 120 percent of FMR, the Contractor must ensure that resources from other entities (not from enrolled households) are available to cover the additional cost of a high-cost unit.

With its own knowledge of market conditions and possibly consulting with local housing authorities who have valuable information about the relationship between actual market rents and the published FMRs, the Contractor may set the Rent Limit/Payment Standard anywhere within these parameters.

Rental Arrears

Rental assistance may also be used to pay for up to three months of rental arrears. Rental arrears may be paid if the payment enables the household to remain in the housing unit for which the arrears are being paid or move to another unit. If funds are used to pay rental arrears, arrears must be included in determining the total period of the household's rental assistance, which may not exceed 24 months.

In cases where an eviction cannot be prevented, rental arrears can still be paid if it satisfies the grievance with the evicting landlord and thereby allows the household to obtain different housing. Note that rental arrears can be paid on behalf of a household receiving a subsidy from another public program (e.g., Section 8) because it represents a different time period and cost type than the rental subsidy (i.e., the arrears represents a back payment of the household portion, and the current rental assistance is a forward payment).

Temporary Absence

If a household must be temporarily away from his or her unit, but is expected to return (e.g., participant violates conditions of their DOC supervision and is placed in confinement for 30 days), Contractors may pay for the households rent for up to 60 days and charge the grant for eligible costs. Extensions beyond the 60-day limit must be fully documented in the client file. While a household is temporarily absent, he or she may continue to receive case management.

Portability

Households may not transfer their rent assistance to areas outside of Whatcom County.

Housing Stability Plan

Households receiving rent assistance beyond three months must have a Housing Stability Plan. The household, with the assistance of the case manager, must establish and regularly update a housing stability plan that aids the household in transitioning to stable housing and self-sufficiency. If the household has an existing plan developed through a relationship with another service provider, the existing plan may be used, but it must be updated upon enrollment in the program and include specific housing goals.

2. Facility Support

Facility Support includes costs directly related to the operation of facilities for congregate living and single-household units for households staying up to 24 months.

Households expected to stay less than 90 days should not be charged for services.

Income eligibility for 1) Households receiving rental assistance for to 24 months, and 2) Households living in single-household units (not congregate living) supported by CHG Facility Support funds for more than 90 days and up to 24 months is as follows:

- Households with children who are homeless or who are at risk of becoming homeless and who have household incomes at or below the Very Low (50%) Income Limits for their county are eligible.
- Individuals or households without children who are homeless or at risk of becoming homeless and who have household incomes at or below the Extremely Low (30%) Income Limits for their county are eligible.

Allowable Expenses (including day shelters and homeless drop-in centers)

Lease or rent payment on a building. (If a Contractor owns the building or has a mortgage payment on the building, they may not charge the grant “rent” and then reimburse themselves.)

- Utilities (gas /propane, land line phone, electric, internet, water and sewer, garbage removal).
- Maintenance (janitorial/cleaning supplies, pest control, fire safety, materials and contract or staff maintenance salaries and benefits associated with providing the maintenance).
- Security and Janitorial (salaries and benefits associated with providing security, janitorial services).
- Toiletries and food served in shelters.
- Expendable transportation costs directly related to the transportation of eligible clients (bus tokens and fuel for a shelter van).
- Hotel/Motel vouchers (shelters only) for less than 90 days.
- On site and off site management costs related to the building.
- Facility specific insurance (mortgage insurance is not allowable) and accounting.
- Marketing.

The following expenses are not eligible:

- Direct client services other than the cost of staff time for housing support and move-in costs (other than rent or deposits) as described above.
- Replacement or operating reserves.
- Debt service.
- Construction or rehabilitation of shelter facilities.
- In combination with rent assistance.
- Any costs that are the responsibility of the tenant.

Maintenance for Facility Support

Maintenance activities are cleaning activities; protective or preventative measures to keep a building, its systems, and its grounds in working order (see examples listed in Dept. of Commerce guidelines for CHG)). Maintenance activities should fix, but not make improvements that would add value to the building. Building rehabilitation is not an acceptable cost.

Maintenance activities do not include the repair or replacement of fixtures or parts of the building. A fixture is an object that is physically attached to the building and cannot be removed without damage to the building. Fixtures also include but are not limited to kitchen cabinets, built in shelves, toilets, light fixtures, staircases, crown molding, sinks and bathtubs. Maintenance activities do not include systems designed for occupant comfort and safety such as HVAC, electrical or mechanical systems, sanitation, fire suppression, and plumbing.

Housing Stability Plan

Households residing in units supported by facility support funds beyond three months must have a Housing Stability Plan. The household, with the assistance of the case manager, must establish and regularly update a housing stability plan that aids the household in transitioning to stable housing and self-sufficiency. If the household has an existing plan developed through a relationship with another service provider, the existing plan may be used, but it must be updated upon enrollment in the program and include specific housing goals.

3. Program Operations

Operations are costs specifically attributed to case managers, outreach workers, and/or housing locators (and their supervisors); and other related personnel (such as staff who check in shelter clients, staff the overnight shelter hours and day time activities) and costs specifically related to the CHG such as salaries and benefits for:

- Case management, housing search and placement, outreach (described below)
- Inspections (see Section 9 of Commerce Guidelines for CHG)
- Data collection and entry
- Staff costs to issue rent assistance (described below)
- Office space, utilities, supplies, telephone, internet, training/conferences/travel/perdiem
- General liability insurance and automobile insurance
- Costs of criminal background checks of clients if necessary/required for housing
- Costs of urinalyses for drug testing of clients if necessary/required for housing
- Other costs as approved in advance by Commerce

Case Management

Activities for the arrangement, coordination, monitoring, and delivery of services related to meeting the housing needs of households and helping them obtain housing stability. Services and activities may include: counseling; developing, securing, and coordinating services; monitoring and evaluating household progress; assuring that households' rights are protected; and developing an individualized housing and service plan, including a path to permanent housing stability subsequent to assistance.

Outreach

Services or assistance designed to publicize the availability of programs to make persons who are homeless or almost homeless aware of these and other available services and programs. Not all households assessed will be eligible for assistance. Time spent assessing a household is an eligible expense under this activity.

Housing Search and Placement

Services or activities designed to assist individuals or households in locating, obtaining, and retaining suitable housing. Services or activities may include: tenant counseling, assisting individuals and households to

understand leases, securing utilities, making moving arrangements, representative payee services concerning rent and utilities, and mediation and outreach to property owners related to locating or retaining housing.

Staff Costs to Issue Rent Assistance

This cost is not for case management or the cost of a bookkeeper whose duties extend beyond CHG related activities. This cost is only associated with the appropriate portion of salary and benefits of the bookkeeper who issues checks to landlords, utility companies or paying hotel or motel bills on behalf of a household because it is directly related to the delivery of rent or rent and utility assistance with the CHG funds.

4. Data Collection, Evaluation and Planning

Data collection, evaluation, and planning activities associated with the CHG are eligible for reimbursement, including the following (refer to the *CHG Administrative Guidelines Sections 9-11* for specific information):

- State Data Warehouse and Homeless Management Information System (HMIS)
- Point-in-Time Counts
- Housing Inventory
- Local Homeless Plans
- Washington State Quality Award

Up to five (5) percent of the total grant amount may be used for data collection, evaluation and planning costs and may be shared between the Lead Grantee and Contractors.

Data collection and entry (the time a case manager or program staff spend collecting and reporting data in HMIS) may be budgeted under *Program Operations* or *Data Collection, Evaluation and Planning*.

5. Administrative

This cost is not for a bookkeeper whose duties extend beyond grant related activities. This cost is only associated with the appropriate portion of salary and benefits of the bookkeeper who issues payments on behalf of an eligible client.

Facilities expenses are also allowable administrative expenses. They include the following: rent, building use allowances, and operations and maintenance costs such as janitorial and utilities. This list is not all-inclusive.

Administrative and facilities expenses can be charged to grant cost centers by one of three methods. They can be billed directly such as IT services that are billed by the hour. They can be allocated by means of a cost allocation plan. They can be charged by use of an indirect cost rate which has been appropriately negotiated and approved.

Up to 15 percent of the grant total may be used for administrative costs and must be shared between the lead grantee and any of its Contractors.

Administrative

Up to 7 percent of the grant total may be used for administrative costs and must be shared between the Lead Grantee and any Sub Grantees (Contractor).

Allowable administrative expenses are those expenses that benefit the organization as a whole. They include the following: executive director/accounting/human resources/IT salaries, benefits, office supplies and equipment; general organization insurance; organization wide audits; board expenses; organization-wide membership fees and dues. Staff costs to monitor sub grantees can be charged in Admin or Program Operations. This list is not all-inclusive.

Facilities expenses are also allowable administrative expenses. They include the following: rent, building use allowances, and operations and maintenance costs such as janitorial and utilities. This list is not all-inclusive.

Administrative and facilities expenses can be charged to grant cost centers by one of three methods. They can be billed directly such as IT services that are billed by the hour. They can be allocated by means of a cost allocation plan. They can be charged by use of an indirect cost rate which has been appropriately negotiated and approved.

C. Documentation Standards for Eligibility for Assistance

Contractors are responsible for verifying and documenting the eligibility of all households prior to providing CHG funded assistance. They are also responsible for maintaining this documentation in the households' files.

Standards and procedures for documenting **Housing Status** are further detailed in Attachment F. Standards and procedures for documenting **Income** are further detailed in the Attachment C.

Commerce allows various types of documentation, ranging from third party verification to applicant self declaration. Minimum acceptable types of documentation vary depending on the type of income or particular housing status and circumstance being documented. General documentation standards, *in order of preference*, are as follows:

1. **Written Third Party**—Verification in writing from a third party (e.g., individual employer, Social Security Administration, welfare office, emergency shelter provider, etc.) either directly to staff or via the applicant is most preferred. Written third party documentation may include standardized forms, such as a verification of income statement.
2. **Oral Third Party**—Verification from a third party (e.g., individual employer, Social Security Administration, welfare office, etc.) provided by the third party over the telephone or in-person directly to staff. Oral third party verification is acceptable only if written third party verification cannot be obtained. *Please note this is different from applicant self-declaration of income. If an applicant orally declares income, it would fall under "applicant self-declaration" below.*
3. **Applicant Self-Declaration**—an affidavit of income and housing status as reported by the household is allowable, but is only acceptable if written or verbal third party verification cannot be obtained. Self-declaration of housing status (e.g., eviction) should be rare; it is always a reasonable choice for victims of domestic violence.

Timeliness of Income Documentation

The definition of income reflects a household's income at the time they are seeking assistance. Accordingly, documents and information collected to verify income should be recent. Documentation dated within 30 days is acceptable. However, for public assistance benefits, (e.g., SSI, food stamps), a benefits statement received any time within the twelve months prior to the time of application and reflecting current benefits received by a household is allowed. A copy of a recent bank statement indicating direct deposit is also acceptable.

Self-Declaration of Housing Status for Homelessness Prevention Participants

Contractors should note that self-declaration of housing status for participants who are at-risk of losing housing is acceptable ONLY in very limited circumstances. Commerce recognizes there may be some unusual cases where a third party is not able to provide documentation that a participant is at-risk of losing housing (i.e., death of a landlord). In these rare cases, Contractors must be sure to clearly document the situation in the case file including all attempts to obtain verification of housing status.

D. Termination of Participation, Applicant Denial and Grievance

Termination of Participation and Grievance

Causes for termination may include, but are not limited to, failure to abide by any agreed upon requirements. In terminating assistance to a household, the Contractor must provide a formal process that recognizes the rights of households receiving assistance. This process, at a minimum, must consist of:

- Written notice to the household containing a clear statement of the reasons for termination;
- A review of the decision, in which the household is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision. This may include the household's right to question or confront staff involved; and
- Prompt written notice of the final decision.

Denial of Assistance

Causes of denial of assistance include, but are not limited to, the household's ineligibility or failure to provide verifiable evidence of eligibility, etc. Contractors must have in place a procedure that governs applicant denial and grievance process. These procedures should describe the requirements in which a household may not qualify or be denied, notification of denial and should include information about a household's right to review a Contractor's decision.

Contractors insert Termination, Denial, and Grievance policies/procedures here.

The termination, denial, and grievance procedures should be readily available to households either in written information or by posting the policy in a public place. It is important to effectively communicate these procedures to households and ensure that the procedures are fully understood.

E. Confidentiality of Client Records

Contractors must have policies and/or procedures ensuring client records are maintained in a confidential manner as per RCW 43.185C.030 and keep written records or files pertaining to households under lock and key with designated personnel granted access to those files.

Contractors insert Client Record Policy/ procedure here.

F. Inspections and Washington Residential Landlord-Tenant Act

Contractors providing rental assistance will be required to conduct initial inspections of housing units into which a household will be moving in to and applies only when a household is receiving rent or rent/utility assistance.

- The unit must pass inspection before the subsidy is paid.

- Inspections less than 12 months old performed by other housing providers can be used.
- Complete records of inspections and follow-up actions must be maintained in household file.

Contractors may adopt the *HUD Housing Quality Standards* (HQS) inspection procedures or the *Commerce Housing Safety Standards* (HSS) procedures. If HQS is adopted, inspectors must be certified.

Commerce does not exempt units from having to be compliant with local housing codes. Therefore, if there are requirements that are in both the local housing code and HQS or HSS, the Contractor must comply with the more stringent of the two.

Tenants must be made aware of the Washington Residential Landlord-Tenant Act, RCW 59.18, and be informed on how to use this law when problems arise. Copies of the law are available from the Tenant Union of Washington State at 206.723.0500, local branches of Columbia Legal Services, and on the websites for the Office of the Attorney General (www.atg.wa.gov) and NW Justice Project (www.nwjustice.org). The Tenant Union website (www.tenantsunion.org) answers tenant's questions. The Attorney General's website (www.atg.wa.gov) is a resource for both landlords and tenants.

G. Lead-Based Paint Requirement

The lead-based paint inspection requirement exists to protect vulnerable families from potential health hazards. To prevent lead-poisoning in young children, Contractors must comply with the Lead-Based Paint Poisoning Prevention Act of 1973 and its applicable regulations found at 24 CFR 35, Parts A, B, M, and R.

A lead-based paint visual assessment must be completed for all units that meet the three following conditions:

1. The household moving into or living in the unit is being assisted with CHG rent assistance.
2. The unit was constructed prior to 1978.
3. A child under the age of six is or will be living in the unit.

This requirement applies regardless of whether a household is remaining in an existing unit or moving to a new unit. The visual assessment must be completed prior to CHG assistance being provided, and annually thereafter.

Exceptions to the Requirement

There are certain exceptions to the requirement. Visual assessments are not triggered under the following circumstances:

- It is a zero-bedroom or SRO-sized unit;
- X-ray or laboratory testing of all painted surfaces by certified personnel has been conducted in accordance with HUD regulations and the unit is officially certified to not contain lead-based paint;
- The property has had all lead-based paint identified and removed in accordance with HUD regulations;
- The unit has already undergone a visual assessment within the past 12 months –obtain documentation that a visual assessment has been conducted; or
- It meets any of the other exemptions described in 24 CFR Part 35.115(a).

If any of the conditions outlined above are met, Contractors need to document the condition.

H. Changes to this Implementation Guide or Department of Commerce Guidelines

Whatcom County may revise the Implementation Guide for CHG contractors at any time. Contractors will be notified by e-mail of any changes. The updated version of the Implementation Guide will be found on the Health Department website. www.whatcomcounty.us/health/wchac/index.jsp
Commerce may issue revised or new Guidelines at any time. Contractors will be notified of changes to Commerce Guidelines via e-mail. Update Guidelines can be found on www.commerce.wa.gov

Attachment A

Data Collection Directives

Client Records and Record Retention – Lead and Sub Grantees (Contractors) must enter a record for every client served with grant funds in the state homeless data warehouse (usually referred to as “HMIS”) or in a local data collection system that meets HUD/HMIS data standards. The client record may contain personally identifying data or it may not, depending on whether the client provided informed, written consent to have their identifiers stored in HMIS. As a general rule, Commerce does not want personal identifiers for any client who identifies themselves as a victim of domestic violence, sexual assault, dating violence or stalking.

Agencies must develop and adopt policies governing the retention of paper records containing personally identifying information derived from a Homeless Management Information system. The policy must define how long paper records are retained after they are no longer being actively utilized, and the process that will be used to destroy the records to prevent the release of personally identifying information. The policy must require the destruction of the paper records derived from an HMIS no longer than seven years after the last day the person was served by the organization.

Funding Decisions & Data Collection – Lead Grantees must not make funding or resource allocation decisions of grant funds based on whether a Contractor enters *personal identifiers* for victims of domestic violence, sexual assault, dating violence or stalking or other clients who have not provided informed, written consent. The intent of this guideline is to ensure that clients do not feel coerced into providing consent to share data at any time in any local jurisdiction receiving funds and participating in HMIS.

Data quality is of high concern for purposes of accurate reporting out of HMIS. Commerce recommends that local jurisdictions continue to strive for increased data quality including 1) monitoring completeness of required data elements and 2) monitoring responsible use of HMIS at local agencies. Some suggestions for how to appropriately include data quality in HMIS

Data quality is of high concern for purposes of accurate reporting out of HMIS. Commerce recommends that local jurisdictions continue to strive for increased data quality including 1) monitoring completeness of required data elements and 2) monitoring responsible use of HMIS at local agencies. Some suggestions for how to appropriately include data quality in HMIS as a part of local funding decisions include, but are not limited to:

1) Completeness of required data elements:

- Exclude clients who “refused consent” from the equation
e.g.: Instead of $\frac{\# \text{ NULL values}}{\text{All client records}} = \%$ use $\frac{\# \text{ NULL values}}{\text{Clients who DIDN'T refuse consent}} = \%$

2) Responsible use of HMIS at local agencies:

- Develop a “baseline” rate of “refused consent” locally using HMIS data
- Determine each agency’s rate of “refused consent” as a % deviation from the standard
- Add or subtract points for less or more deviation from the standard rate, depending on reasonableness
- Further training, technical assistance, or other guidance may be more appropriate in this situation instead of, or in addition to, penalties assessed during funding competitions

All local jurisdictions interested in including a measure of HMIS data quality as part of a local funding decision for funding are required to submit a proposal to Commerce for final approval prior to being used in local applications/competitions for funding.

Informed Consent – According to RCW 43.185C.180, personally identifying information about homeless individuals for the Washington homeless client management information system may only be collected after having obtained informed, reasonably time limited, (i) written consent from the homeless individual to whom the information relates, or (ii) telephonic consent from the homeless individual, provided that written consent is obtained at the first time the individual is physically present at an organization with access to the Washington homeless client management information system. Safeguards consistent with federal requirements on data collection must be in place to protect homeless individuals’ right regarding their personally identifying information. Data collection under this subsection shall be done in a manner consistent with federally informed consent guidelines regarding human research which, at a minimum, require that individuals receive: (i) information about the expected duration of their participation in the Washington homeless client management information system; (ii) an explanation of whom to contact for answers to pertinent questions about the data collection and their rights regarding their personal identifying information; (iii) an explanation regarding whom to contact in the event of injury to the individual related to the Washington homeless client management information system; (iv) a description of any reasonably foreseeable risks to the homeless individual; and (v) a statement describing the extent to which confidentiality of records identifying the individual will be maintained.

Personal Identifiers – “Personally Identifying Data”— Individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, could include:

1. a first and last name;
2. a home or other physical address;
3. contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile
4. a social security number; and
5. any other information, including date of birth, racial or ethnic background, or religious affiliation that, in combination with any other non-personally identifying information, would serve to identify any individual collecting “non-identified” client records.

Data Entry for “Non-identified” Client Records

1. Leave the “Name” fields NULL (blank). Do not write in names ***such as “Anonymous” or “Refused” as that will compromise data quality at the state level.***
2. ***If there are no personal identifiers*** for a client record, there needs to be an “Agency Unique ID” of some sort created and stored in the system that can be used by the agency to access the record at a later time (and should not be an algorithm of elements that can lead to the client’s identification).
3. Enter an approximate year of birth – subtract or add one to three years to the actual year of birth.

4. Enter “Refused” for gender, race, and ethnicity when the real answers to those questions, in combination with other data, can potentially lead to identification of the client.

5. Enter any additional answer to the universal, program-specific and optional data elements (from the March 2010 HMIS Data Standards) only if the answers to those questions, in combination with other data, will not lead to the identification of the client.

6. Program Entry Date, Program Exit Date and Service Date are generally required unless those elements can be used in combination with other elements to identify the client. If this is the case, please enter an approximate Program Entry Date, Program Exit Date and Service Date by adding one to three months to the actual dates and keeping the “Length of Stay” (the number of days between program entry and program exit) consistent with reality. Keeping the approximate service date, if used, within the actual service date’s reporting period is also recommended.

Submitting data to the state data warehouse – If a Lead or Sub Grantee is not entering data directly into the state data warehouse, the data being entered into the local HMIS must be submitted on a quarterly basis no later than the 10th day following the end of each quarter to the state data warehouse via the HUD Standard 3.0 XML schema.

Attachment B

Agency Partner HMIS Agreement

The Homeless Management Information System (“HMIS”) is a client management system that maintains information regarding the characteristics and service needs of Clients for a variety of reasons, including the provision of more effective and streamlined services to Clients and the creation of information that communities can use to determine the use and effectiveness of services.

Ultimately, when used correctly and faithfully by all involved parties, the HMIS is designed to benefit multiple stakeholders, including provider agencies, persons who are homeless, funders and the community through improved knowledge about people who are homeless, their services and service needs and a more effective and efficient service delivery system.

The Homeless Housing and Assistance Act of 2005 requires the Department of Commerce to collect HMIS data in the form of a data warehouse. Each homeless service provider will submit HMIS data to Commerce. Agency and the Department of Commerce agree as follows:

1. General Understandings:

a. In this Agreement, the following terms will have the following meanings:

(i) "Client" refers to a consumer of services;

(ii) "Partner Agency" refers generally to any Agency participating in HMIS.

(iii) "Agency staff" refers to both paid employees and volunteers.

(iv) "HMIS" refers to the HMIS system administered by Commerce.

(v) "Enter(ing)" or "entry" refers to the entry of any Client information into HMIS.

(vi) "Shar(e)(ing)," or "Information Shar(e)(ing)" refers to the sharing of information which has been entered in HMIS with another Partner Agency.

(vii) "The Balance of State Continuum of Care Steering Committee" or "Steering Committee" refers to a Commerce advisory body that serves in a consultative and counseling capacity to Commerce as the system administrator. The Steering Committee is comprised of representatives from the State, the Balance of State Continuum of Care regions and at large members.

(viii) "Identified Information" refers to Client data that can be used to identify a specific Client. Also referred to as "Confidential" data or information.

(ix) "De-identified Information" refers to data that has specific Client demographic information removed, allowing use of the data **without identifying** a specific Client. Also referred to as "non-identifying" information.

b. Agency understands that when it enters information into HMIS, such information will be available to Commerce staff who may review the data to administer HMIS; to conduct analysis in partnership with the Research and Data Analysis (RDA) division at the Department of Social and Health Services (DSHS); and to prepare reports that may be submitted to others in de-identified form **without** individual identifying Client information.

- c. Agency understands that Agency will have the ability to indicate whether information Agency entered into HMIS may be shared with and accessible to Partner Agencies in HMIS system. Agency is responsible for determining and designating in HMIS whether information may or may not be shared.

2. Confidentiality:

- a. Agency will not:
 - (i) enter information into HMIS which it is not authorized to enter; and
 - (ii) will not designate information for sharing which Agency is not authorized to share, under any relevant federal, state, or local confidentiality laws, regulations or other restrictions applicable to Client information. By entering information into HMIS or designating it for sharing, Agency represents that it has the authority to enter such information or designate it for sharing.
- b. If Agency is a “covered entity” whose disclosures are restricted under HIPAA (45 CFR 160 and 164) or is subject to Federal Drug and Alcohol Confidentiality Regulations (42 CFR Part 2), a fully executed Business Associate or Business Associate/Qualified Service Organization Agreement must be attached to this agreement before information may be entered. Sharing of information will not be permitted otherwise. More information about “covered entities” can be found here: <http://www.hhs.gov/ocr/privacy/hipaa/understanding/coveredentities/index.html>.
- c. If Agency is subject to any laws or requirements which restrict Agency’s ability to either enter or authorize sharing of information, Agency will ensure that any entry it makes and all designations for sharing fully comply with all applicable laws or other restrictions.
- d. Agency shall comply with the Violence Against Women and Department of Justice Reauthorization Act of 2005 (VAWA) and Washington State RCW 43.185C.030. No Identified Information may be entered into HMIS for Clients in licensed domestic violence programs or for Clients fleeing domestic violence situations.
- e. To the extent that information entered by Agency into HMIS is or becomes subject to additional restrictions, Agency will immediately inform Commerce in writing of such restrictions.

3. Information Collection, Release and Sharing Consent:

- a. **Collection of Client Identified information:** An agency shall collect client identified information only when appropriate to the purposes for which the information is obtained or when required by law. An Agency must collect client information by lawful and fair means and, where appropriate, with the knowledge or consent of the individual.
- b. **Obtaining Client Consent:** In obtaining Client consent, each adult Client in the household must sign the **HMIS Client Release of Information** (or a Commerce-approved equivalent release document) to indicate consent to enter Client identified information into HMIS. If minors are present in the household, at least one adult in the household must consent minors by writing their names on the **HMIS Client Release of Information**. If any adult member of a household does not provide written consent, identifying information may not be entered into HMIS for *anyone* in the household. An unaccompanied youth may sign the consent form for themselves.

- (i) Do not enter personally identifying information into HMIS for clients who are in licensed domestic violence agencies or currently fleeing or in danger from a domestic violence, dating violence, sexual assault or stalking situation.
 - (ii) Telephonic consent from the individual may temporarily substitute written consent provided that written consent is obtained at the first time the individual is physically present at Agency.
 - (iii) A Client may withdraw or revoke consent for Client identified information collection by signing the **HMIS Revocation of Consent**. If a Client revokes their consent, Agency is responsible for immediately contacting Commerce and making appropriate data modifications in HMIS to ensure that Client's personal identified information will not be shared with other Partner Agencies or visible to the Agency staff within the system.
 - (iv) This information is being gathered for the collection and maintenance of a research database and data repository. The consent is in effect until the client revokes the consent in writing.
 - (v) **No Conditioning of Services:** Agency will not condition any services upon or decline to provide any services to a Client based upon a Client's refusal to allow entry of identified information into HMIS.
 - (vi) **Re-release Prohibited:** Agency agrees not to release any Client identifying information received from HMIS to any other person or organization without written informed Client consent, or as required by law.
 - (vii) **Client Inspection/Correction:** Agency will allow a Client to inspect and obtain a copy of his/her own personal information except for information compiled in reasonable anticipation of, or for use in, a civil, criminal or administrative action or proceeding. Agency will also allow a Client to correct information that is inaccurate. Corrections may be made by way of a new entry that is in addition to but is not a replacement for an older entry.
- c. **Security:** Agency will maintain security and confidentiality of HMIS information and is responsible for the actions of its users and for their training and supervision. Among the steps Agency will take to maintain security and confidentiality are:
 - d. **Access:** Agency will permit access to HMIS or information obtained from it only to authorized Agency staff who need access to HMIS for legitimate business purposes (such as to provide services to the Client, to conduct evaluation or research, to administer the program, or to comply with regulatory requirements). Agency will limit the access of such staff to only those records that are immediately relevant to their work assignments.
 - e. **User Policy:** Prior to permitting any user to access HMIS, Agency will require the user to sign a **User Policy, Responsibility Statement & Code of Ethics** ("User Policy"), which is found on the Commerce web page (www.commerce.wa.gov/hmiswa) and is incorporated into this agreement and may be amended from time to time by Commerce. Agency will comply with, and enforce the User Policy and will inform Commerce immediately in writing of any breaches of the User Policy.
 - f. **Computers:** Security for data maintained in HMIS depends on a secure computing environment. Computer security is adapted from relevant provisions of the Department of Housing and Urban Development's (HUD) "Homeless Management Information Systems (HMIS) Data and Technical Standards Notice" (Docket No. FR 4848-N-01; see <http://www.hud.gov/offices/cpd/homeless/hmis/standards/index.cfm>). Agencies are encouraged to directly consult that document for complete documentation of HUD's standards relating to HMIS.

Agency agrees to allow access to HMIS only from computers which are:

- Owned by Agency or approved by Agency for purpose of accessing and working with HMIS.
- Protected from viruses by commercially available virus protection software.
- Protected with a software or hardware firewall.
- Maintained to insure that the computer operating system running the computer used for the HMIS is kept up to date in terms of security and other operating system patches, updates, and fixes.
- Accessed through web browsers with 128-bit encryption (e.g., Internet Explorer, version 6.0). Some browsers have the capacity to remember passwords, so that the user does not need to type in the password when returning to password-protected sites. This default shall **not** be used with respect to Commerce' HMIS; the end-user is expected to physically enter the password each time he or she logs on to the system.
- Staffed at all times when in public areas. When computers are not in use and staff is not present, steps should be taken to ensure that the computers and data are secure and not publicly accessible. These steps should minimally include: logging off the data entry system, physically locking the computer in a secure area, or shutting down the computer entirely.

- g. **Passwords:** Agency will permit access to HMIS only with use of a User ID and password, which the user may not share with others. Written information pertaining to user access (e.g. username and password) shall not be stored or displayed in any publicly accessible location.

Passwords shall be at least eight characters long and meet industry standard complexity requirements, including, but not limited to, the use of at least one of each of the following kinds of characters in the passwords: Upper and lower-case letters, and numbers and symbols. Passwords shall not be, or include, the username, or the HMIS name. In addition, passwords should not consist entirely of any word found in the common dictionary or any of the above spelled backwards. The use of default passwords on initial entry into the HMIS application is allowed so long as the .default password is changed on first use. Passwords and user names shall be consistent with guidelines issued from time to time by HUD and/or Commerce.

- h. **Training/Assistance:** Agency will permit access to HMIS only after the authorized user receives appropriate confidentiality training including that provided by Commerce. Agency will also conduct ongoing basic confidentiality training for all persons with access to HMIS and will train all persons who may receive information produced from HMIS on the confidentiality of such information. Agency will participate in such training as is provided from time to time by Commerce. Commerce will be reasonably available during Commerce defined weekday business hours for technical assistance (i.e. troubleshooting and report generation).
- i. **Records:** Agency and Commerce will maintain records of any disclosures of Client identifying information either of them makes of HMIS information for a period of **seven** years after such disclosure. On written request of a Client, Agency and Commerce will provide an accounting of all such disclosures within the prior **seven**-year period. Commerce will have access to an audit trail from HMIS so as to produce an accounting of disclosures made from one Agency to another by way of sharing of information from HMIS.
- j. **Retention of paper copies of personally identifying information:** Agencies must develop and adopt policies governing the retention of paper records containing personally identifying information derived from a Homeless Management Information system. The policy must define how long paper records are retained after they are no longer being actively utilized, and the process that will be used to destroy the

records to prevent the release of personally identifying information. The policy must require the destruction of the paper records derived from an HMIS no longer than seven years after the last day the person was served by the organization.

4. Information Entry Standards:

- a. Information entered into HMIS by Agency will be truthful, accurate and complete to the best of Agency's knowledge.
- b. Agency will **not** solicit from Clients or enter information about Clients into the HMIS database unless the information is required for a legitimate business purpose such as to provide services to the Client, to conduct evaluation or research, to administer the program, or to comply with regulatory requirements.
- c. Agency will only enter information into HMIS database with respect to individuals that it serves or intends to serve, including through referral.
- d. Agency will enter all data for a particular month into HMIS database by the 5th business day of the following month. Additionally, Agency will make every attempt enter all data for a particular week by the end of that week.
- e. Agency will not alter or over-write information entered by another Agency.

5. Use of HMIS:

- a. Agency will not access identifying information for any individual for whom services are neither sought nor provided by the Agency. Agency may access identifying information of the Clients it serves and may request via writing access to statistical, non-identifying information on both the Clients it serves and Clients served by other HMIS participating agencies.
- b. Agency may report non-identifying information to other entities for funding or planning purposes. Such non-identifying information shall not directly identify individual Clients.
- c. Agency and Commerce will report only non-identifying information in response to requests for information from HMIS unless otherwise required by law.
- d. Agency will use HMIS database for legitimate business purposes only.
- e. Agency will not use HMIS in violation of any federal or state law, including, but not limited to, copyright, trademark and trade secret laws, and laws prohibiting the transmission of material, which is threatening, harassing, or obscene.
- f. Agency will not use the HMIS database to defraud federal, state or local governments, individuals or entities, or conduct any illegal activity.

6. Proprietary Rights of the HMIS:

- a. Agency shall not give or share assigned passwords and access codes for HMIS with any other Agency, business, or individual. Each user shall request their own login and password.
- b. Agency shall take due diligence not to cause in any manner, or way, corruption of the HMIS database, and Agency agrees to be responsible for any damage it may cause.

- c. **Steering Committee:** Commerce will consult with the Steering Committee from time to time regarding issues such as revision to the form of this Agreement. Written Agency complaints that are not resolved may be forwarded to the Steering Committee, which will try to reach a voluntary resolution of the complaint.
- d. **Limitation of Liability and Indemnification:** No party to this Agreement shall assume any additional liability of any kind due to its execution of this agreement of participation in the HMIS. It is the intent of the parties that each party shall remain liable, to the extent provided by law, regarding its own acts and omissions; but that no party shall assume additional liability on its own behalf or liability for the acts of any other person or entity except for the acts and omissions of their own employees, volunteers, agents or contractors through participation in HMIS. The parties specifically agree that this agreement is for the benefit of the parties only and this agreement creates no rights in any third party.
- e. **Limitation of Liability.** Commerce shall not be held liable to any member Agency for any cessation, delay or interruption of services, nor for any malfunction of hardware, software or equipment.
- f. **Disclaimer of Warranties.** Commerce makes no warranties, express or implied, including the warranties of merchantability and fitness for a particular purpose, to any Agency or any other person or entity as to the services of the HMIS to any other matter.

7. Additional Terms and Conditions:

- a. Agency will abide by such guidelines as are promulgated by HUD and/or Commerce from time to time regarding administration of the HMIS.
- b. Agency and Commerce intend to abide by applicable law. Should any term of this agreement be inconsistent with applicable law, or should additional terms be required by applicable law, Agency and Commerce agree to modify the terms of this agreement so as to comply with applicable law.
- c. Neither Commerce nor Agency will transfer or assign any rights or obligations regarding HMIS without the written consent of either party.
- d. Agency agrees to indemnify and hold Commerce and its agents and staffs harmless from all claims, damages, costs, and expenses, including legal fees and disbursements paid or incurred, arising from any breach of this Agreement or any of Agency's obligations under this Agreement.
- e. This Agreement will be in force until terminated by either party. Either party may terminate this agreement at will with 20 days written notice. Either party may terminate this agreement immediately upon a material breach of this Agreement by the other party, including but not limited to the breach of the Commerce Security Policy by Agency.
- f. If this Agreement is terminated, Agency will no longer have access to HMIS. Commerce and the remaining Partner Agencies will maintain their right to use all of the Client information previously entered by Agency except to the extent a restriction is imposed by Client or law.
- g. Copies of Agency data will be provided to the Agency upon written request of termination of this agreement. Data will be provided on CDs or other mutually agreed upon media. Unless otherwise specified in writing, copies of data will be delivered to Agency within fourteen (14) calendar days of receipt of written requests for data copies.

Attachment C

Income Eligibility Documentation Standards

While Commerce has established standards for various types of income, Commerce recognizes that in some instances only applicant self-declaration may be possible. This method should be used only as a *last resort* when all other verification methods are not possible or reasonable. When using applicant self-declaration, Lead/Sub Grantees must document why a higher verification standard was not used. Be sure to include this in the case file.

Gross Income is the amount of income earned before any deductions (such as taxes and health insurance premiums) are made.

Current Income is the income that the household is currently receiving. Income recently terminated should not be included

Type of Income	Acceptable Types of Documentation
Wages and Salary	<p>Obtain copy of most recent pay stub(s) and include in client file.</p> <p><i>OR Written 3rd Party Verification</i></p> <p>Mail, fax or email verification of income request to employer. At a minimum, written verification must include: name of employer and client name, pay amount and frequency, average hours worked per week, amount of any additional compensation and be signed and dated by employer. Copy kept in client file.</p> <p><i>OR Oral 3rd Party Verification</i></p> <p>Contact the employer by phone or in person. At a minimum, oral verification must include: name of employer and client name, pay amount and frequency, average hours worked per week, amount of any additional compensation and be signed and dated by staff who obtained the information. Copy kept in client file.</p> <p><i>OR Self Declaration</i></p> <p>Obtain signed and dated self declaration from the client. At a minimum must include source of income, income amount and frequency, and be signed. Copy kept in client file. Case manager must document attempts to obtain written and oral verification.</p>
Self Employment and Business Income	<p>Obtain copy of most recent federal and state tax return from the applicant and keep copy in client file.</p> <p><i>OR Self Declaration</i></p> <p>Obtain signed and dated self declaration from the client. At a</p>

minimum must include source of income, income amount and frequency and be signed. Copy kept in client file. Case manager must document attempts to obtain written and oral verification.

Interest and Dividend Income

Obtain copy of most recent interest or dividend income statement from client and keep copy in client file.

OR

Obtain copy of most recent federal and state tax return from the applicant and keep copy in client file.

OR Self Declaration

Obtain signed and dated self declaration from the client. At a minimum must include source of income, income amount and frequency and be signed. Copy kept in client file. Case manager must document attempts to obtain written and oral verification.

Pension/Retirement Income

Obtain copy of most recent payment statement or benefit notice from Social Security, pension provider or other source. Copy kept in client file.

OR Written 3rd Party Verification

Mail, fax or email verification of income request to Social Security, pension provider or other source. At a minimum, written verification must include: name of income source, income amount and be signed and dated by income source representative. Copy kept in client file.

OR Oral 3rd Party Verification

Contact the source by phone or in person. At a minimum, oral verification must include:
Name of income source, income amount and be signed and dated by income source representative. Copy kept in client file.

OR Self Declaration

Obtain signed and dated self declaration from the client. At a minimum must include source of income, income amount and frequency and be signed. Copy kept in client file. Case manager must document attempts to obtain written and oral verification.

Unemployment and Disability Income

Obtain copy of most recent payment statement and or benefit notice. Copy kept in client file.

OR Written 3rd Party Verification

Mail, fax or email verification of income request to unemployment administrator, workers compensation administrator of former employer. At a minimum, written verification must include: name of income source, income amount and be signed and dated by income source representative. Copy kept in client file.

OR Oral 3rd Party Verification

Contact the source by phone or in person. At a minimum, oral verification Must include:

Name of income source, income amount and be signed and dated by income source representative. Copy kept in client file.

OR Self Declaration

Obtain signed and dated self declaration from the client. At a minimum must include source of income, income amount and frequency and be signed. Copy kept in client file. Case manager must document attempts to obtain written and oral verification.

TANF/Public Assistance

Obtain copy of most recent payment statement and or benefit notice. Copy kept in client file.

OR Written 3rd Party Verification

Mail, fax or email verification of income request to welfare administrator. At a minimum, written verification must include: name of income source, income amount and be signed and dated by income source representative. Copy kept in client file.

OR Oral 3rd Party Verification

Contact the source by phone or in person. At a minimum, oral verification must include: name of income source, income amount and be signed and dated by income source representative. Copy kept in client file.

OR Self Declaration

Obtain signed and dated self declaration from the client. At a minimum must include source of income, income amount and frequency and be signed. Copy kept in client file. Case manager must document attempts to obtain written and oral verification.

Alimony, Child Support, Foster Care Payments

Obtain copy of most recent payment statement, notices or orders. Copy kept in client file.

OR Written 3rd Party Verification

Mail, fax or email verification of income request to child support enforcement agency, court liaison or other source. At a minimum, written verification must include: name of income source, income amount and be signed and dated by income source representative. Copy kept in client file.

OR Oral 3rd Party Verification

Contact the source by phone or in person. At a minimum, oral verification must include: name of income source, income amount and be signed and dated by income source representative. Copy kept in client file.

OR Self Declaration

Obtain signed and dated self declaration from the client. At a minimum must include source of income, income amount and frequency and be signed. Copy kept in client file. Case manager must document attempts to obtain written and oral verification.

Income Inclusions. The following types of income must be counted when calculating gross income for purposes of determining CHG eligibility.

1. Earned Income	The full amount of gross income earned before taxes and deductions.
2. Self Employment/Business Income	The net income earned from the operation of a business, i.e., total revenue minus business operating expenses. This also includes any withdrawals of cash from the business or profession for your personal use.
3. Interest & Dividend Income	Monthly interest and dividend income credited to an applicant's bank account and available for use.
4. Pension/Retirement Income	The monthly payment amount received from Social Security, annuities, retirement funds, pensions, disability and other similar types of periodic payments.
5. Unemployment & Disability Income	Any monthly payments in lieu of earnings, such as unemployment, disability compensation, SSI, SSDI, and worker's compensation.
6. TANF/Public Assistance	Monthly income from government agencies excluding amounts designated for shelter, and utilities, WIC, food stamps, and childcare.

7. Alimony, Child Support and Foster Care income	Alimony, child support and foster care payments received from organizations or from persons not residing in the dwelling.
8. Armed Forces Income	All basic pay, special day and allowances of a member of the Armed Forces excluding special pay for exposure to hostile fire.

Income Exclusions. The following types of income are not counted when calculating gross income for purposes of determining CHG eligibility:

1. Income of Children	Income from employment of children (including foster children) under the age of 18 years.
2. 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 as provided in number 5 of Income Inclusions).
3. 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.
4. Income of Live-in Aides	Income of a live-in aide (as defined in 24 CFR 5.403).
5. Disabled Persons	Certain increases 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)).
6. Student Financial Aid	The full amount of student financial assistance paid directly to the student or to the educational institution.
7. Armed forces Hostile Fire Pay	The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.
8. Self-Sufficiency Program Income	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 a 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

	<p>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.</p>
9. Other Non Recurring Income	Temporary, nonrecurring, or sporadic income (including gifts).
10. Reparations	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.
11. Income from full-time Students	Annual earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household or spouse).
12. Adoption Assistance Payments	Adoption assistance payments in excess of \$480 annually per adopted child.
13. Social Security & SSI Income	Deferred periodic amounts from SSI and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts.
14. Income Tax and 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.
15. 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.
16. 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 of 24 CFR 5.609(c) apply, including:</p> <ul style="list-style-type: none"> ▫ The value of the allotment made under the Food Stamp Act of 1977; ▫ Payments received under the Domestic Volunteer Service Act of 1973 (employment through 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 sub-marginal land of the United States that is held in trust for certain Indian tribes; ▫ Payments or allowance 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); ¶ 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 In Re Agent Orange 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, state job training programs and career intern programs, AmeriCorps); ¶ Payments by the Indian 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 Service 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.

Attachment D

Rent Reasonableness Documentation Standards (Adapted from HUD's Homeless Prevention Rapid Re-Housing Grant Guidelines)

Determining and Documenting Rent Reasonableness: Determining and documenting rent reasonableness is required under CHG. It is up to the Lead/Contractors to determine exactly what documentation is required in order to ensure the rent reasonableness standard is met.

Contractors should determine rent reasonableness by considering: “(a) the location, quality, size, type, and age of the unit; and (b) any amenities, housing services, maintenance and utilities to be provided by the owner.

Comparable rents can be checked by using a market study, by reviewing comparable units advertised for rent, or with a note from the property owner verifying the comparability of the rent charged to other units owned.”

Rent Reasonableness Forms and/or Data Sources: Contractors must outline requirements for documenting comparable rents and may include specific forms and/or required data sources that must be included in the case file. A common form to collect data on program units will make the data collection process easier. Examples of forms and data resources include:

- The Rent Reasonableness Checklist and Certification, available at www.hud.gov/offices/cpd/affordablehousing/library/forms/rentreasonablechecklist.doc, or other similar forms developed locally;
- Other documentation, such as copies of newspaper advertisements, internet listings, or published rental data sources; and
- Printouts of records from the Contractors rental housing database (if one exists).

Tip: The Rent Reasonable Checklist is a sample form that is used across different housing programs, and as such, includes some concepts and terms that are not applicable to CHG.

Staffing: The responsibility of determining and documenting rent reasonableness may be assigned to a variety of program staff, including (but not limited to):

- The case manager who will, as part of the eligibility assessment, conduct a telephone survey of the property owner/landlord and also review the rental housing database to find comparable units.
- The housing habitability inspector who will complete the documentation at the time of the inspections.

Note: For monitoring purposes, Commerce will look to see that the Contractor developed and followed a process to determine and document that the rent was reasonable and that the basis for the conclusion reached is supported by the evidence gathered. The documentation in the case files should contain the most complete documentation possible, and should outline staff steps, analysis, and conclusions so that Commerce can understand the factors that contributed to the determination.

Contractor Insert Policy here

Components of an effective policy: CHG expects that Lead/Contractor have established a rent reasonableness policy to ensure that rent reasonableness determinations and documentations are defensible, transparent and consistent across their program. At a minimum, an effective policy includes a methodology, documentation requirements, staffing, and strategies for addressing special circumstances.

Policies should provide step-by-step guidance on how comparisons should be made and what documentation should be included in the case file, including any notes from the staff person making the determination. For example, Contractors could create a policy where a provider must consider three units, but the rent paid must be within \$50 of the average comparable rents. In this example, a rent paid could actually be slightly higher than any of the individual comparable units, which would be fine according to the Contractor's policy.

Methodology: Methodologies for obtaining comparable rents include (but are not limited to):

- Using a market analysis or other published data to determine the appropriate rent ranges for units of different sizes, types, locations, and amenities;
- Obtaining documentation from property owners/managers on current rents charged in comparable unassisted units;
- Obtaining comparable rents on a unit-by-unit basis and requiring a check of, for example, at least 3 other units; or
- A combination of these methodologies.

Strategy for Addressing Special Cases: There will be instances where the methodology and process adopted by Contractor is not sufficient to establish rent reasonableness for a particular unit. For example, staff may find that the rental housing database they are required to use does not have comparables for units with 6+ bedrooms. Similarly, rural areas may only find 1 or 2 comparable units instead of the 3 units specified by their protocols. The Contractor policies should outline how to address these situations and the documentation required in these cases. For example, the policy could allow staff to analyze the impact of an extra bedroom on rent for a particular area and calculate a reasonable rent based on their analysis.

Similarly, staff in rural areas may need to either expand the geographic area used to search for comparables and/or establish rent reasonableness on the basis of fewer comparable units.

Again, the documentation in the case files should contain complete documentation, and should outline staff steps, analysis, and conclusions so that an auditor or supervisor can understand the factors that contributed to the determination.

Sources of Rental Housing Data: Regardless of the methodology used to determine rent reasonableness, Contractors should already be aware of sources of rental housing data to use in establishing comparable rents.

Public Sources of Data: There may be organizations within the grantee state, county, or city that collect and aggregate data on the rental housing stock, such as a State or local Public Housing Authority (PHA) or the local Chamber of Commerce.

Real Estate Advertisements and Contacts: Ads in newspapers or online are simple ways to find comparable rents. The following are potential sources of information:

- Newspaper ads (including internet versions of newspaper ads);
- Weekly or monthly neighborhood or shopper newspapers that have rental listings;
- "For Rent" signs in windows or on lawns;
- Real estate agents; and
- Property management companies that handle rental property.
- Rental Listing websites including:

- www.apartmentguide.com
- www.apartments.com
- www.forrentmag.com
- <http://www.move.com/apartments/main.aspx>

Rental Market Studies and Surveys:

- A *Rental Market Study* is an in-depth analysis of a particular rental market. These are often prepared by independent organizations for specific communities. Also, commercial firms will frequently conduct these studies before developing rental housing in a particular location. Rental market studies can provide a good source of data upon which to base a rent reasonableness policy. Appraisals of particular properties and market studies for these properties are also useful in establishing comparable rents, but they are generally prepared by certified real estate appraisers or researchers and are both time-consuming and expensive.
- A *Rental Market Survey* is a survey of various landlords and property management companies in the area. Some local governments conduct surveys to assist with planning activities. Additionally, local associations of rental owners and managers may survey their members periodically and publish the results. Many of these surveys report average rents and/or rent ranges by bedroom category and submarket location. However, such surveys frequently do not have all the detailed information required for rent reasonableness comparisons.

When deciding whether to use a study or a survey, it is important to note that many rental market surveys are designed to show the overall picture of the rental market and may not be very useful in evaluating the rent for a particular unit type. On the other hand, a rental market study may be narrowly focused on a particular type of rental housing and might be useful only for certain housing units assisted.

Tip: When using either a market study or a market survey, it is very important to understand what is and is not included in the rent reported. Some surveys/studies report rents with all utilities included, some without utilities included, and others with only the most typical set of utilities included. When comparing unassisted units with CHG-assisted units, it is important to consider whether utilities and other amenities are included.

Rental Database: Some grantees have found it useful to build a rental database for CHG, in order to search for comparable rents more efficiently. Building a rental database allows the majority of work to be completed on the front end, which eases the rent reasonableness determination and allows assistance to be provided more quickly.

Data in Rural Areas: While there may be fewer rental units in rural areas than in urban and suburban areas, it is possible to find comparable rents or establish rent payment standards for different unit types located in these areas.

- One source of rental housing data for rural areas may be the US Department of Agriculture's Rural Development Agency. USDA provides direct and guaranteed loans for single and multi-family housing development in rural areas as well as for farm laborers. Contact information for Rural Development State and Local Offices or USDA Service Centers is available at http://www.rurdev.usda.gov/recd_map.html. Each Rural Development Office, if it has a Rural Housing component, should have information on the types of rental housing available in various communities throughout the state, as well as unit sizes and rents.
- Some rural communities are also under the jurisdiction of Public Housing Authorities (PHAs). In these cases, the PHA may be a source of comparable rent data.
- Another potential source of comparable rent data are real estate agents. Local real estate agents are not only knowledgeable about real estate prices but often are a source of information on rental housing in the area. They may be able to extrapolate rent comparables based on the general cost of housing in the area. To find real estate agents active in particular communities, grantees can consult the National Association of Realtors on the web at <http://www.realtor.org/>. For demographic information on the housing stock, market trends, etc., grantees should access <http://www.realtor.org/research>.

Attachment E

Step by Step Guide to Compliance with Lead Based Inspection Requirements

Childhood lead poisoning is a major environmental health problem in the United States, especially for low-income families in poor living conditions. If not detected early, children with high levels of lead in their bodies can suffer from damage to the brain and nervous system, behavioral and learning problems (such as hyperactivity), slowed growth, hearing problems, and headaches. To prevent lead-poisoning in young children, Lead/Sub Grantees must comply with the Lead-Based Paint Poisoning Prevention Act of 1973 and its applicable regulations found at 24 CFR 35, Parts A, B, M, and R.

Disclosure Requirements

Disclosure requirements are triggered for ALL properties constructed prior to 1978. These requirements require that lessors (property owners or managers) provide tenants with:

- Disclosure form for rental properties disclosing the presence of known and unknown lead-based paint;
- A copy of the “Protect Your Family from Lead in the Home” pamphlet.

Both the disclosure form and pamphlet are available at:

<http://www.hud.gov/offices/lead/enforcement/disclosure.cfm>

While this actually relates to property owners/managers, sharing this information with your clients (or ensuring they have received it) is an easy thing to do. This is an important opportunity to educate clients about the potential hazards related to lead and their rights as tenants. Informed tenants are more likely to watch for potential problems in their home and proactively work with landlords to address any issues.

Visual Assessment

Visual assessments are only triggered under certain circumstances:

- The leased property was constructed before 1978;
- *AND*
- A child under the age of six will be living in the unit occupied by the household receiving CHG rent assistance.

Determining the Age of the Unit

Contractors should use formal public records, such as tax assessment records, to establish the age of a unit. These records are typically maintained by the state or county and will include the year built or age of the property. In most areas, these records are available online. If you are uncertain where to find this information, a quick internet search should help you locate the data you need. In the search field, try combining your county name with one of the following phrases:

- “property tax records”
- “property tax database”
- “real property sales”

Remember to print out a copy of the screenshot for the case file. If you have trouble finding this information online, contact your local Office of Tax and Revenue for assistance. If not available online, the information is

public and can be requested from the local authorities. (Note, the taxing authority and the assessment entity may be separate governmental entities and office names vary by locality).

Conducting a Visual Assessment

A visual assessment must be conducted prior to providing CHG rent assistance to the unit and on an annual basis thereafter (as long as assistance is provided). Visual assessments must be conducted by a HUD-Certified Visual Assessor. It is important to note that a HUD-Certified Visual Assessor is not equivalent to a Certified Clearance Examiner. Anyone may become a HUD-Certified Visual Assessor by successfully completing a 20-minute online training on HUD's website at:

<http://www.hud.gov/offices/lead/training/visualassessment/h00101.htm>

The training teaches individuals how to identify deteriorated paint and how deteriorated paint must be treated. Contractors may choose to have their program staff complete the visual assessments, or they may procure services from a contractor.

Making Assistance Determinations

If a visual assessment reveals problems with paint surfaces, Contractors cannot approve the unit for CHG assistance until the deteriorating paint has been repaired. At this point, Contractors must make a decision: work with the property owner/manager to complete needed paint stabilization activities and clearance, work with the household to locate a different (lead-safe) unit, or refer the client to a different program if CHG assistance cannot be provided.

Locating a Certified Lead Professional and Further Training

To locate a certified lead professional in your area:

- Call your state government (health department, lead poison prevention program, or housing authority).
- Call the National Lead Information Center at 1-800-424-LEAD (5323).
- Go to the US Environmental Protection Agency website at <http://cfpub.epa.gov/flpp/> and click on "certified abatement/inspection firms."

Lead professionals, training providers, and HUD-sponsored Lead Safe Work Practices training listings can be accessed at www.leadlisting.org or 1-888-LEADLIST.

For more information on the Federal training and certification program for lead professionals, contact the National Lead Information Center (NLIC) at <http://www.epa.gov/lead/pubs/nlic.html> or 1-800-424-LEAD to speak with an information specialist.

The Lead Safe Housing Rule as well as a HUD training module to help recipients of funds effectively implement the requirements of the Lead Safe Housing Rule in their programs can be accessed at <http://www.hud.gov/offices/cpd/affordablehousing/training/web/leadsafe/>

Contractors cannot disclose, transfer, or sell any such information to any party, except as provided by law or, in the case of Personal Information, without the prior written consent of the person to whom the Personal Information pertains

The Data to be shared is confidential in nature and is subject to state and federal confidentiality requirement that bind the Department of Commerce, its staff and their grantees and their staff to protect the confidentiality of the personal information contained in Economic Services Administration data.

Contractors shall maintain the confidentiality of personal data in accordance with state and federal laws, and shall have adequate policies and procedures in place to ensure compliance with confidentiality requirements, including restrictions on re-disclosure.

Contractors shall take reasonable precautions to secure against unauthorized physical and electronic access to client data, which shall be protected in a manner that prevents unauthorized persons, including the general public, from retrieving data by means of computer, remote terminal, or other means.

1. Data Transport. When transporting DSHS Confidential Information electronically, including via email, the data will be protected by:

- a. Transporting the data within the (State Governmental Network) SGN or contractor’s internal network, or;
- b. Encrypting any data that will be in transit outside the SGN or contractor’s internal network. This includes transit over the public Internet.

2. Protection of Data. The Contractor agrees to store data on paper only, no electronic storage is allowable:

- a. **Paper documents.** Any paper records must be protected by storing the records in a secure area which is only accessible to authorized personnel. When not in use, such records must be stored in a locked container, such as a file cabinet, locking drawer, or safe, to which only authorized persons have access.

3. Data Disposition. When the contracted work has been completed or when no longer needed, data shall be returned to DSHS or destroyed. Media on which data may be stored and associated acceptable methods of destruction are as follows:

Data stored on:	Will be destroyed by:
Paper documents with sensitive or confidential data	Recycling through a contracted firm provided the contract with the recycler assures that the confidentiality of data will be protected.
Paper documents containing confidential information requiring special handling (e.g. protected health information)	On-site shredding, pulping, or incineration
Magnetic tape	Degaussing, incinerating or crosscut shredding

4. Notification of Compromise or Potential Compromise. The compromise or potential compromise of DSHS shared data must be reported to Commerce within one (1) business day of discovery.

Attachment F
Housing Status Documentation Standards

Procedures for documenting housing status described below. All documentation of housing status must be included in CHG-assisted client files.

Note: Self-declaration of housing status should be used very rarely and only when written third-party verification cannot be obtained.

When providing rent/utility assistance or bed nights in a program with a maximum length of stay of more than 90 days, the following documentation is required based on where the individual or household is coming from (if providing a bed night in a congregate living facility or program with a maximum stay of 90 days no documentation is required).

Homeless—Individual/Household is Homeless or will be within 14 days

A. Lack a fixed regular and adequate nighttime residence or losing housing within 14 days

1. Letter signed and dated from the provider of the temporary residence (e.g. homeowner, landlord, motel owner/manager). Letter must include:
 - a. Statement verifying the applicant's current living situation **and**
 - b. Date when the household must vacate the temporary housing

OR

2. A telephone call to the provider of temporary housing that is documented, signed, and dated by the case manager making the call

OR

3. Current HMIS record from homeless housing program, including dates of stay

OR

4. Self declaration signed and dated by applicant stating why they are homeless. *Self-declaration of housing status should be used very rarely and only when written third-party verification cannot be obtained.*

B. Exiting an institution

1. Letter signed and dated by hospital/institution representative. Letter must:
 - a. Include statement verifying current hospital/institution stay of individual **and**
 - b. Indicate individual has no housing to return to upon discharge

C. Fleeing domestic violence, dating violence, sexual assault, stalking, etc.

1. Signed and dated self-declaration from individual

At Risk of Becoming Homeless and facing potential eviction due to nonpayment of rent or utilities

A. Nonpayment of rent or other lease violation

1. "Pay or vacate" notice or eviction notice

AND

2. Copy of lease naming individual or household member as lease holder or other written occupancy agreement identifying them as legal tenant of unit

B. Nonpayment of utilities (see program guidelines for eligibility)

1. Copy of lease naming individual or household member as lease holder or other written occupancy agreement identifying them as legal tenant of unit

AND

2. Utility Shut Off Notice that:
 - a. Identifies the individual or household member, **and**
 - b. Indicates that utility will be shut off or disconnected if payment not received, **and**
 - c. Is signed and dated by utility company representative and/or includes utility company contact information

AND

3. A statement from the provider that without CHG assistance the individual/household will lose their housing and become homeless. Staff must check first that LIHEAP or other utility assistance is not feasible.