



**Erie City & County Continuum of Care (PA-605)**

**Written Standards**

**Revised December 2023**

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## **A. Introduction**

This document outlines the Erie City & County Continuum of Care (CoC) Written Standards, which meet The Housing and Urban Development's (HUD) minimum requirements and address CoC expectations for all Erie City & County CoC-funded projects as well as the Department of Community and Economic Development (DCED) Emergency Solutions Grant (ESG) funded projects. Erie County Department of Human Services (ECDHS) serves as the recipient and collaborative applicant for the CoC funds as well as DCED ESG Rapid Re-Housing funds. CoC and DCED ESG funds are distributed to providers in the community who are referred to as the subrecipients. These program standards were created to insure program accountability to individuals and families experiencing homelessness, program compliance with HUD regulations, and program uniformity across all programs in the geographic area. All subrecipients of CoC and ECDHS ESG program funding are required to follow these standards. Subrecipients of CoC and ECDHS ESG funds must develop additional standards for administering program assistance but these additional standards must not conflict with those established by the Erie City & County CoC or the CoC Program Interim Rule. All recipients or subrecipients of CoC Program Funding must follow these standards and the standards must be applied consistently across the entire CoC's geographic area.

Per CFR 578.7 (a), The City of Erie Department of Economic and Community Development (DECD) maintains ESG Written Standards developed in consultation with the CoC and the Erie County Home Team. HUD's CoC and ESG regulations are similar but may contain requirements specific to the funds and subject to local policies. Subrecipients of City of Erie ESG funds must follow DECD ESG Written Standards and terms of the associated contract/agreement established when conducting ESG-funded activities or incurring ESG-funded costs. The City also consults with the CoC for determinations on performance standards and ESG Rapid Re-Housing policies that may vary from these CoC Written Standards. The City ESG Standards also requires to subrecipients to participate in HMIS (or comparable databases for DV providers) and the CoC's coordinated entry system. Agencies should refer to the applicable standards for specific requirements and applicable terms of the funding stream when determining standards that govern.

To ensure the relevancy of these written standards against HUD requirements, these policies are subject to change depending upon updates to regulations, changes in the housing and service resources available in the CoC, or any other changes as deemed necessary by ECDHS and the CoC. Subrecipients are also responsible for ensuring compliance with 24 CFR Part 578.

## **B. Standards for All Project Types**

The Erie City & County CoC is committed to ensuring that homelessness is rare, brief, and nonrecurring. As part of this effort, the CoC is focused on improving access to and coordination of housing services and enhancing services for highly vulnerable populations including Chronically Homeless, Veterans, Families with Children, and Youth (ages 18-24). The standards below are applicable to all project types and are intended to promote program compliance with regulations, program uniformity, and create evidence-based program guidelines for subrecipients to follow:

## 1. Housing First

- Housing First is a concept that centers on providing individuals who are homeless with housing quickly, without preconditions, then providing supportive services to the individual to assist with any secondary concerns.
- All subrecipients in the Erie City & County CoC are required to abide by Housing First Principles. As such, all programs are expected to ensure low barriers to program entry for participants and there should be few to no programmatic prerequisites to permanent housing entry. Projects must allow entry to participants regardless of income, substance abuse, criminal records, history of domestic violence, gender identity, sexual orientation, or other unnecessary conditions.
- Housing is not contingent on compliance with services or completion of treatment. Supportive services are voluntary but should be encouraged and used to persistently engage participants to ensure long term housing stability.
- Housing and service goals are participant driven.
- Participants in supportive housing are given reasonable flexibility in paying their portion of rent, including payment arrangement and access to representative payee service.
- All CoC HUD providers are required to have Housing First Training.
- All CoC HUD providers not following Housing First principles will be subject to corrective actions included but not limited to; required trainings, increased monitoring of projects, updating policies and procedures, reduced funding, and/or reallocation of project.

## 2. Equal Access, Fair Housing and Non-Discrimination Policies

- All housing providers in the Erie City and County Continuum of Care that receive Federal, State and local funds from Erie County and the City of Erie must comply with all Federal Statutes and regulations including the Fair Housing Act, The Americans with Disabilities Act, and Equal Access to Housing Final Rule.
- Subrecipients of CoC and ESG funds must have agency specific non-discrimination policies in place and assertively outreach to individuals who would be least likely to engage in the homeless system.
- Individuals who present together for assistance, regardless of age or relationship, are considered a household and should be assess for eligibility for assistance as a household.
- The age and gender of a child under 18 must not be used as a basis for denying any family's admission to a project.
- No persons will be discriminated against or refused any Continuum of Care housing service due to race, color, religion, disability and any other protected class under the Fair Housing Act.
- People with disabilities are able to request reasonable accommodations for housing services, including access to facilitation of applications, screenings, access to housing services including physical features to accommodate per
- People with disabilities are able to request reasonable accommodations for housing services, including access to facilitation of applications, screenings, access to housing services including physical features to accommodate persons.

- with disabilities.
- Any person identifying as lesbian, gay, bisexual, transgender, gender non-conforming, or queer will not be refused any housing service including shelter due to their sexual orientation. All participants have the right to receive services at a facility serving persons of the gender with which they identify regardless of the sex assigned at birth, or whether or not they have had medical or other procedures to align their physical bodies with their gender expression. Service providers may not ask for proof of gender and will not require proof of gender an entry requirement. Erie City and County funded shelters will adhere to the following policies:
  - a. Subrecipients choice of shelter where they may choose to stay in shelter with gender of choice.
  - b. Access to bathrooms consistent with their gender identity.
  - c. In some circumstances, there may be accommodations for Safety but the safety of transgender and gender nonconforming clients should be protected without unnecessarily isolating or segregating them from the general population.
  - d. HMIS entry for participants will be based on gender person identifies with regardless of gender at birth.

The Erie City and County CoC is committed to identifying and addressing racial disparities and improving racial equity in our housing programs. The CoC will take the following steps to identify and improve racial equity in our housing programs:

- Annually Update the HUD Racial Equity Tool
- Use HMIS and other housing programs data to measure equity in our projects annually.
- Identify and address any projects where data show there is unequal access to that project due to race or nationality.
- Promote racial equity and inclusion.
- All recipients and subrecipients will attend at least one training on racial equity annually.
- The CoC will encourage agency and program leadership opportunities of persons representing the community served, including persons of color who are overrepresented by the homeless community.
- Additional Erie City and County Continuum of Care requirements for housing programs to ensure equal access and non-discrimination:
  - a. Subrecipients of CoC and ESG funds must have agency specific non-discrimination policies in place and assertively outreach to individuals who would be least likely to engage in the homeless system.
  - b. Individuals who present together for assistance, regardless of age or relationship, are considered a household and should be evaluated for eligibility for assistance as a household.
  - c. The age and gender of a child under 18 must not be used as a basis for denying any family's admission to a project.
  - d. Each child of a participant will have equal access to the same free, appropriate public education, including a public pre-school education as provided to other children and youths.

- e. Recipients and subrecipients will work with participant families/children and the school district so a child remains in the school district they were prior to entering the program, if possible.

### 3. Affirmative Marketing Policy and Procedures

In accordance with the regulations of the HUD CoC program as defined in 24 CFR Part 578.93 (c), Erie City & County CoC commits to non-discrimination and equal opportunity and further commits to affirmatively market all HUD CoC funded programs. Recipients and Subrecipients of HUD CoC funded programs must comply with the County of Erie’s Affirmative Marketing Policy and Procedure requirements. Erie City & County CoC recipients and subrecipients will implement affirmative marketing of programs through the following set of steps:

- All CoC funded and ESG funded projects are required to participate in the CoC’s Coordinated Entry System to obtain referrals.
- ECDHS will inform the public and potential program participants about this policy and Federal Fair Housing Laws as follows: Inform the general public about the ECDHS Affirmative Marketing Policy by placing these Written Standards on the Erie County Home Team Website under Resources; Make these Written Standards available on the Erie County Government Website; Make copies of this policy and written standards available at the ECDHS Mental Health and Intellectual Disabilities Office. The Coordinated Entry Provider, Erie County Care Management, will also make these written standards available on the Erie County Care Management Website.
- In order to inform as well as solicit referrals from persons in the geographic area who are not likely to apply for housing programs without special outreach, ECDHS has established methods that subrecipients of HUD CoC funds must use in order to be in compliance with this policy and to reach this goal. ECDHS requires that all subrecipients use special outreach methods as follows: sub-recipients must contact, at a minimum, one of the following organizations in Erie County at least once annually to inform of program availability:

International Institute of Erie  
 517 East 26<sup>th</sup> Street  
 Erie Pa, 16504  
 814-452-9335  
[www.refugees.org](http://www.refugees.org)

Multi-Cultural Community Resource Center  
 554 East 10<sup>th</sup> Street  
 Erie, Pa 16503  
 814-453-2363  
[www.mcrcerie.org](http://www.mcrcerie.org)

Saint Martin Center  
 1701 Parade Street  
 Erie, Pa 16503  
 814-452-6113  
[www.stmartincenter.org](http://www.stmartincenter.org)

Multi-Cultural Health Evaluation Delivery Systems  
 2928 Peach Street  
 Erie, Pa 16508  
 814-453-6229  
[www.mheds.org](http://www.mheds.org)

### 4. Coordinated Entry Participation

- All CoC funded and ESG funded projects are required to participate in the CoC’s

- Coordinated Entry System to obtain referrals.
- Participation requires following all established policies and procedures for the Erie City & County CoC Coordinated Entry System.
- All other non-CoC or ESG-funded projects are strongly encouraged to participate in the CE System.

## 5. HMIS Participation

- All CoC funded and ESG funded projects are required to participate in the Homeless Management Information System (HMIS). The only exception to HMIS requirement is dedicated Domestic Violence (DV) Providers. DV providers are not required to enter client data in to HMIS but are required to utilize a comparable database to track client information.
- All Erie County Rental Assistance providers, HUD and non-HUD funded are required to enter into HMIS. All rental assistance transactions will be recorded in HMIS to ensure funds are not duplicated. Subrecipients are required to check HMIS for duplication of funds with other rental assistance programs. Erie County DHS will review invoices with HMIS to ensure rental assistance providers entered clients and did not duplicate funds.
- The CoC actively encourages all non-CoC or ESG funded subrecipients to participate in HMIS.
- HMIS users are responsible for ensuring that they are complying with all other Erie County Department of Human Services (ECDHS) HMIS Policies and Procedures, as outlined in the ECDHS Policies and Procedures Manual.

## 6. Access to Mainstream Resources

- The CoC expects that all CoC or ESG funded programs will coordinate with and access mainstream and other targeted homeless resources.
- Subrecipients should assess and assist participants with obtaining any mainstream resource for which they may be eligible for including: TANF, Medicaid/Medicare, Food Stamps, and any other eligible program.
- Where possible, subrecipients should streamline processes of applying for mainstream benefits such as the use of a singular form to apply for benefits.

## 7. Recordkeeping Requirements

- All CoC and ESG funded programs will maintain releases of information, case notes, and all pertinent demographic and identifying data in HMIS. Paper files can also be kept so long as they are stored in an appropriate, locked and secure location.
- The file maintained on each participant should at minimum, include all pertinent information required by HUD such as verification of homeless status, verification of chronic homelessness (as applicable), participation agreements, service plans, case notes, information on the services provided both directly and through referrals to community agencies, and any follow-up and evaluation data that is compiled.



- Client information must be entered into HMIS in accordance with the data quality, timeliness, and additional requirements found in the ECDHS HMIS policies and procedures manual.
- The subrecipient will maintain each participant file in a secure place and shall not disclose information from the file without written permission of the participant, as appropriate, except to project staff and other agencies as required by law.
- All recipients and subrecipients of Federal Grants must retain backup documentation for any administrative costs charged to the Federal Grant Programs. For staff time spent on Grant related activities, recipients and subrecipients must document time spent and activity information.
- All records pertaining to CoC funds must be retained for the greater of five years or the participant records must be retained for five years after the expenditure of all funds from the grant under which the program participant was served. Where CoC funds are used for the acquisition, new construction, or rehabilitation of a project site, the records must be retained for 15 years after the date that the project was first occupied or used by program participants.
- Subrecipients must make all records available to the Grantee as requested for program monitoring purposes.

## 8. Personnel

- The subrecipient shall adequately staff each program with qualified personnel to ensure effective program management to provide safety and stabilization for program participants.
- The subrecipient will select service staff who have appropriate knowledge or experience in working with individuals and families experiencing homelessness.
- The subrecipient shall staff each program with qualified personnel to ensure effective program management and the safety and stabilization of program participants.
- The subrecipient will train all staff on the written standards of the program and on all pertinent skill areas determined by the program.
- All staff have written job descriptions that at minimum address the tasks to be performed and the qualifications required for the position.
- For all programs that are required to use HMIS, all HMIS users must abide by the standard operating procedures found in the ECDHS HMIS policies and procedures manual. Users must adhere to the privacy and confidentiality terms set forth in the User Agreement.
- All staff will have appropriate child abuse clearances, as mandated by Pennsylvania Law.

## 9. Termination and Grievance Process

- Termination is expected to be limited to only the most severe cases. Programs agree to exercise appropriate judgement and examine all extenuating circumstances when determining if violations are serious enough in nature to warrant termination.
- Subrecipients must have a written termination policy outlining program rules and termination processes, including a formal due process.
- At a minimum, this process must consist of:

- a. Providing program participants with a written copy of the program rules and the termination process before the participant begins to receive assistance.
- b. Written notice to the program participant containing a clear statement of the reasons for termination.
- c. A review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person other than the person who made or approved the termination decision.
- d. A prompt written notice of the final decision to the program participant.
- As outlined in 24 CFR 578.91, a program may terminate services when a participant violates the program requirements or conditions of occupancy. Termination does not bar the subrecipient from providing further assistance at a later time to the same individual or family.
- Clients who are entering an institution (for example, jail, a mental health treatment facility, a hospital) should not immediately be terminated from projects. Subrecipients are permitted to maintain open units for individuals and families who are institutionalized for a maximum of 60 days.

## 10. Emergency Transfer Plan

- All Coordinated Entry staff are required to have both domestic violence training, including how to handle emergency situations, and to attend trauma-informed training annually at a minimum.
- Coordinated Entry will first ask all persons calling if they are fleeing a domestic violence situation.
- If a person calling says they are in immediate danger, Coordinated Entry staff will call on their behalf and keep the person on the phone line.
- CE staff determines a person may be in immediate danger but unable to say so on the phone, CE staff will call 911 on their behalf.
- If a person is not determined to be in danger, CE will refer ask if the person wants to be transferred to the City or County DV provider depending on the location of the individual.
- If the person agrees, a “warm handoff” will be made to the DV provider and the call will be transferred.
- Upon the transfer to a DV provider, a safety plan will be developed for persons fleeing an unsafe situation. This could include:
  - a. Placement in a confidentially located emergency shelter.
  - b. Placement in DV bridge transitional housing.
  - c. Assistance with diversion and transportation to family/friends that can provide safe housing.
  - e. Assist with filing a PFA including free legal assistance through our city DV provider.
- All Erie County Continuum of Care and DCED ESG programs homeless assistance programs providing housing or rental assistance must allow participants who are victims of domestic violence, dating violence, sexual assault, stalking, and/or human

trafficking to request an emergency transfer from the participant's current unit to another unit.

- A participant must meet the following requirement to be eligible for an emergency transfer:
  - a. Participant is a victim of domestic violence, dating violence, sexual assault, or stalking. Documentation can be provided by a DV agency, housing provider or any other social service agency (i.e. MH provider, victim services provider etc.
  - b. Participant requests an emergency transfer.
  - c. Participant has been threatened or is in danger of harm from violence if they stay in the current unit.
- Third Party Documentation of Domestic Violence incident should be provided to be eligible for an emergency transfer unless it is not safe to do so. This can include but is not limited to:
  - a. Incident report filled out with housing provider.
  - b. Letter or other paperwork from victim service provider, social worker, mental health provider, legal services, or other professional.
  - c. Restraining order, court order or other court records.
  - d. Emails, voicemails, recordings, text messages or social media posts from the abuse perpetrator.
- Confidentiality; All information concerning an incident of domestic violence to the housing provider including details of the emergency transfer shall be kept confidential. Details of the incident and emergency transfer will not be entered into a shared data base. No employees of the housing provider will have details of the incident unless need to facilitate the emergency transfer. The Housing provider may not disclose any information, except in the case where there is:
  - a. Consent in writing with a time-limited release.
  - b. A court order.
  - c. Required for use in court for an eviction proceeding or other court hearing regarding termination of assistance.
- Documentation for Emergency Transfer will include:
  - a. Name of victim and any family member on the lease (if applicable).
  - b. Names of person transferring.
  - c. Current contact information of victim.
  - d. Address of unit victim is transferring from.
  - e. Date(s), time(s) and location(s) of incident(s)
  - f. Details of incident including name and relationship of perpetrator (this is optional if DV victim does not want to disclose).
  - g. If victim is being transferred due to fear of their safety, describe why victim feels they are being threatened or in danger of harm from violence.

### **C. Eligible Costs of Continuum of Care Permanent Housing Programs**

- Acquisition, Rehabilitation and New Construction – only eligible under PSH projects (Pa-605 CoC currently has no projects associated with these costs).
- Leasing - PSH only, ongoing rental assistance as long as needed.
- Rental assistance – PSH permanent housing subsidy or as long as needed. RRH is 3-24 months rental assistance.
- Financial assistance (under rental assistance): up to 2 months security deposit, first and last month's rent, and one-month rental damages.
- Housing relocation and stabilization services
- HMIS
- Project administrative costs
- Operating Costs – PSH only
- Supportive services including:
  - a. Annual Assessment of Service Needs.
  - b. Assistance with Moving Costs (one-time only).
  - c. Case management – the cost of assessing, arranging, coordination and monitoring the delivery of individual services to meet the needs of participants.
  - d. Child Care - The cost of establishing and operating childcare, and providing childcare vouchers (includes meals and developmental activities).
  - e. Education Services – the cost of improving knowledge and basic educational skills.
  - f. Employment assistance and job training - the costs of establishing operating employment assistance and job training. Reasonable stipends to participants in employee assistance/job training are eligible. Reasonable stipends to participants in employee assistance/job training are eligible.
  - g. Food - the cost of providing meals or groceries.
  - h. Housing search and counseling – costs of assisting participants to locate and obtain housing.
  - i. Legal Services - fees charged by licensed attorneys or persons under their supervision for representation in matters that interfere with participant's ability to obtain or maintain housing.
  - j. Life Training - costs of teaching life management skills (i.e. money management, budgeting, household management, use of public transportation etc.).
  - k. Mental Health Services - costs of direct outpatient mental health treatment by licensed professionals including assessments, counseling, group therapy, management of medications, and crisis intervention.
  - l. Outpatient Health Services – costs of outpatient treatment of medical conditions provided by licensed healthcare workers including assessments, in home healthcare, direct assistance of medical treatment, provision of medicine and prevention care.
  - m. Outreach Services – costs to engage persons to provide immediate

- support and intervention, and to identify potential program participants.
- n. Substance abuse treatment - costs of direct outpatient substance abuse by licensed professionals including assessments, counseling, group therapy and drug testing.
  - o. Transportation - costs of transportation or subrecipient transportation of participants to eligible services under supportive services, mileage allowance for program workers to visit participants, costs of purchasing or leasing a vehicle that transports participants or workers supporting participants, costs of gas, costs of insurance, costs of taxes and costs of maintenance.
  - p. Utility Deposits – must be a one-time fee paid to utility company.
  - q. Direct provision of services – costs of labor, supplies and materials incurred in directly providing supportive services to participants. Salary and benefit packages of recipient and subrecipient staff who deliver direct services.

#### **D. Permanent Supportive Housing**

Permanent Supportive Housing (PSH) is a housing type designed for persons with disabilities. PSH is permanent housing with indefinite leasing or rental assistance coupled with supportive services to assist individuals who are homeless with a disability or families with an adult or child member with a disability achieve long term housing stability. Successful PSH utilizes the Housing First Concept, that all persons can be housed immediately without preconditions of sobriety, income, or other behaviors. Evidence has shown that individuals experiencing homelessness, even chronic homelessness, can be placed in an apartment with case management services, abide by their lease, and successfully remain in housing over a long period of time. The CoC Program Notice of Funding Availability (NOFA) may impose additional eligibility requirements not reflected in these regulations for PSH. Projects funded to perform PSH assistance under the CoC Program must follow the CoC program NOFA, the Interim Rule, and all written standards detailed in this document.

#### **11. Eligibility Criteria**

- All adult program participants must meet the following program eligibility requirements: Literally Homeless or Fleeing Domestic Violence (Category 1 and Category 4 of the HUD Homeless Definition).
- Households must have an individual member with a disability.
- Projects with beds dedicated for chronically homeless persons must also evaluate and document eligibility for the HUD Chronic Homeless Definition.
- All subrecipients shall use the standard Order of Priority for documenting evidence to determine homeless and chronically homeless status. That order shall be as follows:
  - a. Third-party documentation (including HMIS).
  - b. Intake worker observations through outreach and visual assessment.

- c. Certifications from the person seeking assistance. Subrecipients must document in the client intake that due diligence was done to obtain the evidence in the preferred order, as detailed above.
- Evidence of diagnoses with a disability must be evidenced by one of the following forms of documentation:
  - a. Erie County DHS or Erie County Care Management verification of mental illness, substance abuse history, or intellectual disability.
  - b. Written verification of the condition from a professional licensed by the State to diagnose and treat the condition.
  - c. Written verification from the Social Security Administration or documentation that individual receives Social Security.
  - d. Copies of a disability check.
  - e. Staff observation that is confirmed by written verification of the condition from a professional licensed by the State to diagnose and treat the condition that is confirmed no later than 4 days after the application and assistance and accompanied with one of the types of evidence above.
- Subrecipients may not establish additional eligibility requirements beyond those specified in this document and those required by funding sources.
- The only reasons programs may disqualify an eligible individual or family from program entry are: household does not meet the homeless or disability standards, household make-up (provided that it does not violate HUD's Fair Housing and Equal Opportunity requirements (for example, singles-only programs can disqualify households with children, families-only programs can disqualify single households, etc.), PSH funds have been exhausted, and if the housing has in residence at least one family with a child under age 18, the housing may exclude registered sex offenders and persons with criminal records that includes a violent crime from the project so long as the child resides in the same housing facility.
- Programs cannot disqualify an individual or family due to lack of income or employment status, due to prior evictions or poor rental history, gender, or sexual orientation.
- Participants in PSH programs receiving rent assistance can't receive rental assistance from other programs for the same months. Program staff must verify through HMIS that rental assistance is not being duplicated.
- Participants are required to have annual assessments of service needs which will be kept in the participant's file.
- Program staff will fill out rent/income calculation forms at intake with all participants to accurately determine tenant portion of the rent. Rent/income calculation forms will be completed annually and kept in the participant's file.

## 12. Prioritization of Program Participants

The CoC has adopted the orders of priority for PSH as established in HUD Notice CPD 16-11: Prioritizing Persons Experiencing Chronic Homelessness and other

Vulnerable Homeless Persons in Permanent Supportive Housing. As such, all PSH eligible households will be prioritized as follows:

**Dedicated/Prioritized PSH Beds:**

Dedicated PSH beds are those which are required through the project's grant agreement to only be used to house persons experiencing chronic homelessness unless there are no persons within the CoC that meet that criteria. If there are no persons within the CoC's geographic area that meet the definition of chronically homeless at a point in which a dedicated PSH bed is vacant, the recipient may then follow the order of priority for non-dedicated PSH established in CPD Notice 16-11. Dedicated/Prioritized PSH Beds:

1. Chronically Homeless individuals and families with a disability and with the longest history of homelessness and the most severe service needs (Chronically Homeless and 12 continuous months of homelessness or 4 occasions of homelessness over 3 years equaling 12 months cumulatively and having severe service needs- high incidences of ER, jail, behavioral, and physical health needs based on scores from the Erie County Coordinated Entry Housing Prioritization Tool).
2. Chronically Homeless individuals and families with a disability and with the longest history of homelessness (Chronically Homeless and 12 continuous months of homelessness or 4 occasions of homelessness over 3 years equaling 12 months cumulatively and not having severe service needs based on scores from the Erie County Coordinated Entry Housing Prioritization Tool).
3. Homeless individuals and families with a disability and with the most severe service needs (4 occasions of homelessness over 3 years equaling less than 12 months cumulatively and having severe service needs as evidenced by high incidents of ER visits, jail, behavioral and physical health needs (based on scores from the Erie County Housing Prioritization Tool).

**Non-Dedicated/Prioritized PSH Beds:**

1. Homeless individuals and families with a disability with the most severe needs (any length of time homeless with a disability and very high needs).
2. Homeless individuals and families with a disability with a long period of continuous or episodic homelessness (long time-homeless with a disability, regardless of needs).
3. Homeless individuals and families with a disability coming from places not meant for human habitation, emergency shelters, or safe havens (literally homeless with a disability regardless of length of time homeless or severity of service needs).
4. Homeless individuals and families with a disability coming from transitional housing, where prior to residing in transitional housing,

lived on the streets, in an emergency shelter, or a safe haven (coming from transitional housing with a disability, regardless of length of time homeless or severity of service needs).

#### Master List and Master List Meetings:

Erie County DHS in coordination with Erie County Care Management (Coordinated Entry) will maintain a Master List of persons prioritized for Permanent Supportive and Rapid- Rehousing based on scores from the Erie County CoC Housing Prioritization Tool. A monthly master list meeting will be attended by Erie County CoC HUD providers, rental assistance providers, DV provider, VA provider, and community outreach staff to review the Master List to further prioritize participants for openings in permanent supportive housing projects. While prioritization for permanent supportive housing will be based on order of prioritization for eligible participants above and in accordance with the Erie County CoC Housing Prioritization Tool, the final decision for prioritization of any PSH openings will be a majority vote from those in attendance at the Master List meetings.

### 13. Minimum Standards of Assistance

- There can be no predetermined length of stay in a Permanent Supportive Housing program.
- Supportive Services designed to meet the needs of the project participants must be made available to the participants throughout the duration of time in the Permanent Supportive Housing program.
- The program participant may receive Supportive Services up to but no longer than 6 months from exit from the PSH program.
- The subrecipient provides assistance to the participant with accessing suitable housing. The will assist the participant with searching for appropriate housing. The program considers the needs of the individual or family experiencing homelessness when arranging for housing. The program participant may choose the unit of choice within reason.
- Units must comply with HUD's rent reasonableness standards. HUD subrecipients will document a unit is comparable in relation to other units in the same area and keep the documentation in the participant chart. In some cases, HUD rental assistance funds may pay above Fair Market Rent (FMR), if comparable units in the same area are above the FMR.
- To verify that a unit's rent amount reflects what other comparable units are charging for rent, must obtain rental rates for at least two comparable units and maintain supporting documentation of the rental rates for the two comparable units. Examples of documentation for two comparable units include, but are not limited to, newspaper ads, internet searches, and documentation via phone conversations.
- Fair Market Rent: Leasing assistance may only cover up to Fair Market Rent but still need to have documentation of rent reasonableness.
- Inspections of rental units are to be handled by the subrecipient. The subrecipient is responsible for ensuring that the unit is in compliance with HUD



Housing Quality Standards. The subrecipient staff is responsible to document the results of the unit inspection and maintain in the client file.

- In accordance with CFR 578.77, subrecipients are not required to impose occupancy charges on program participants as a condition to reside in the program. If occupancy charges are imposed, they may not exceed the highest of 30% of the household's adjusted gross income; 10% of the household's monthly income; or, if the household is receiving payments for welfare assistance from a public agency and a part of the payments is specifically designated by the agency to meet the household's housing costs, the portion of the payments that is designated for housing costs.
- Project participants must enter into a lease (or sub-lease) agreement for an initial term of at least a year that is renewable and is terminable only for a cause. Leases or subleases must be renewable for a minimum term of one month.
- All CoC funded programs must meet any additional criteria stipulated under the CoC Notice of Funding Availability under which the program is operating.
- Members of any household who were living in a unit at the time of a qualifying participant's death, long-term incarceration or long-term institutionalization have the right to rental assistance until the expiration of the lease that was in effect at the time of the qualifying participant's death, incarceration or institutionalization.

## **E. Rapid Re-Housing**

Rapid Re-Housing is a program created for the purpose of providing an immediate, permanent housing situation, for moderately vulnerable individuals. Recent research has found that RRH is one of the most effective types of housing in the fight to end homelessness from both a cost and housing stability perspective. RRH is a short to medium-term housing intervention designed to resolve the current housing crisis.

Eligibility and standards vary for different types of Rapid Re-Housing: HUD CoC Rapid Re-Housing (Erie County DHS) vs. DCED ESG Rapid Re-Housing (Erie County DHS) vs. HUD ESG-funded Rapid Re-Housing (City of Erie DECD).

### **HUD CoC-funded Rapid Re-Housing (Erie County DHS):**

The CoC Program Notice of Funding Availability (NOFA) may impose additional requirements not reflected in these regulations for Rapid Re-Housing. Projects funded to perform Rapid Re-Housing assistance under the CoC Program must follow the CoC program NOFA, The Interim Rule, and all written standards detailed in this document.

## **14. Eligibility Criteria**

- For HUD CoC-funded Rapid Re-Housing: All adult program participants must meet the following program eligibility requirements: Literally Homeless or Fleeing Domestic Violence (Category 1 and Category 4 of the HUD Homeless

Definition).

- The program will have minimal entry requirements as to ensure that the most vulnerable of the population are being served.
- All adult program participants must meet the program eligibility requirements of their respective RRH Program.
- Re-evaluation of eligibility must include need (amount and type of assistance) and whether the program participant is lacking resources and support networks.
- All subrecipients shall use the standard Order of Priority for documenting evidence to determine homeless and chronically homeless status. That order shall be as follows:
  - a. Third-party documentation (including HMIS).
  - b. Intake worker observations through outreach and visual assessment.
  - c. Certification from the person seeking assistance. Subrecipients must document the client intake that due diligence was done to obtain the evidence in the preferred order, as detailed above.
- The only reasons that programs may have the option to disqualify an eligible individual or family from program entry are household does not meet the homeless or disability standard, household make-up (provided that it does not violate HUD's Fair Housing and Equal Opportunity requirements- for example, singles-only programs can disqualify households with children, families-only programs can disqualify single households, etc.), RRH funds have been exhausted, and if the housing has in residence at least one family with a child under the age of 18, the housing may exclude registered sex offenders and persons with a criminal record that includes a violent crime from the project so long as the child resides in the same housing facility.
- Programs cannot disqualify an individual or family due to lack of income or employment status, prior evictions, poor rental history, persons of a protected class, gender, sexual orientation or sexual identity.
- Participants in RRH programs receiving rent assistance can't receive rental assistance from other programs for the same months. Program staff must verify through HMIS that rental assistance is not being duplicated.
- Program staff will fill out rent/income calculation forms at intake with all participants to accurately determine tenant portion of the rent. Rent/income calculation forms will be completed annually and kept in the participant's file.

## 15. Prioritization for Program Participants

- Chronically Homeless households
- Households with the longest history of homelessness
- Households with the most severe service needs that score in the RRH range or slightly higher as determined by the Erie County CoC Housing Prioritization Tool.

## 16. Minimum Standards

- Housing Standards: units must meet HUD Housing Quality Standards.
- Units must comply with HUD's rent reasonableness standards. HUD

subrecipients will document a unit is comparable in relation to other units in the same area and keep the documentation in the participant chart. In some cases, HUD rental assistance funds may pay above Fair Market Rent (FMR), if comparable units in the same area are above the FMR.

- To verify that a unit's rent amount reflects what other comparable units are charging for rent, the subrecipient must obtain rental rates for at least two comparable units and maintain supporting documentation of the rental rates for the two comparable units. Examples of documentation for two comparable units include, but are not limited to, newspaper ads, internet searches and documentation via phone conversations.
- Lease requirements: program participants receiving tenant-based rental assistance must sign a lease of at least one year that is renewable (for a minimum term of one month) and terminable only for cause.
- Subrecipients of Rapid Re-Housing programs must offer the core components to RRH: at minimum, housing identification, move in, rental assistance, case management and support services.
- Rental Assistance is limited to 24 months per household.
- Case management must be provided throughout the duration of the stay in housing. However, continuation in the program does not depend on participation in supportive service offered.
- Case management should occur not less than once per month to assist the program participant in ensuring long-term housing stability.
- The program participant may receive Supportive Services up to but no longer than 6 months from exit from the RRH program. Inspections of rental units are to be managed by the subrecipient. The subrecipient is responsible for ensuring that the unit is in compliance with HUD Housing Quality Standards. The subrecipient is also responsible to document the results of the unit inspection and maintain in the client file.
- Rental assistance cannot be provided to a program participant who is already receiving rental assistance or living in a housing unit receiving rental assistance or operating assistance through other Federal, State, or local sources.
- Subrecipients must re-evaluate at least once annually that the program participant lacks sufficient resources and support networks necessary to retain housing without assistance.
- The program will work with the participant to determine the amount of rent that is needed to achieve housing stability. The amount of rental assistance must be reviewed and documented by the on an annual basis and continued need determined through consultation with the participation and case management.
- The subrecipient assists participants in locating and obtaining suitable housing. The will assist by methods that may include the following: assessment of housing barriers, needs, and preferences, development of an action plan for locating housing, housing search, outreach to and negotiation with potential landlords, tenant counseling, assessment of housing for compliance with HUD Habitability Standards, assistance with rental applications, arranging for utilities, and assisting with moving arrangements.
- All CoC-funded programs must meet any additional criteria stipulated under the CoC Notice of Funding Availability under which the program is operating.
- Members of any household who were living in a unit at the time of a

qualifying participant's death, long-term incarceration or long-term institutionalization have the right to rental assistance until the expiration of the lease that was in effect at the time of the qualifying participant's death, incarceration or institutionalization.

#### **F. DCED ESG-funded Rapid Re-Housing (Erie County DHS)**

The DCED ESG Program Guidelines may also pose additional program requirements not reflected in these regulations. Programs must follow the DCED ESG Program Guidelines, the Interim Rule and all written standards in this document.

#### **17. Eligibility Criteria**

- For DCED ESG-funded Rapid-Re-Housing: All adult program participants must meet the program eligibility requirements detailed in the most current DCED ESG Program Guidelines which are currently listed as: Literally Homeless or Fleeing Domestic Violence (Category 1 and Category 4 of the HUD Homeless Definition). \*Eligible under Category 4 only if also literally homeless.
- Re-evaluation of eligibility must be done at least annually and include income evaluation, need (amount and type of assistance) and whether the program participant is lacking resources and support networks. The program participants household's annual income must be less than or equal to 30 percent of the Area Median Income (AMI).
- The program will have minimal entry requirements as to ensure that the most vulnerable of the population are being served.
- The program will have minimal entry requirements as to ensure that the most vulnerable of the population are being served.
- Participants in DCED-ESG RRH programs receiving rent assistance can't receive rental assistance from other programs for the same months.  
Program staff must verify through HMIS that rental assistance is not being duplicated.
- All subrecipients shall use the standard Order of Priority for documenting evidence to determine homeless and chronically homeless status. That order shall be as follows:
  - a. Third-party documentation (including HMIS)
  - b. Intake workers observations through outreach and visual assessment.
  - c. Certification from the person seeking assistance. Subrecipients must document in the client intake that due diligence was done to obtain the in the preferred order, as detailed above. The program will have minimal entry requirements as to ensure that the most vulnerable of the population are being served.

## 18. Eligible Costs

- Short-term (up to 3 months) and medium-term (4-24 months) rental assistance.
- Rental arrears (one-time payment of up to 6 months of rent arrears, including any late fees on those arrears).
- Tenant-based rental assistance or project-based rental assistance.
- Housing Relocation and stabilization services:
  - a. Rental application fees
  - b. Up to 2 months security deposits
  - c. Last month's rent
  - d. Utility deposits and payments (up to 24 months, including up to 6 months for payment in arrears).
  - e. Moving costs
- Service Costs
  - a. Housing search and placement
  - b. Housing stability case management
  - c. Mediation
  - d. Legal services
  - e. Credit repair

## 19. Prioritization for Program Participants

- Chronically Homeless households.
- Households with the longest history of homelessness.
- Households with the most severe service needs that score in RRH range or slightly higher as determined by the Erie County Housing Prioritization Tool.

## 20. Minimum Standards of Assistance

- Housing standards: must ensure and document that units pass HUD Habitability Standards.
- Fair Market Rent (FMR): ESG funds may not exceed the FMR. Rent reasonableness is the applicable rent standard.
- Rent reasonableness: subrecipient must ensure and document that units in a structure are in compliance with HUD's rent reasonableness standards.
- The program will work with participants to determine the amount of rent that is needed to achieve housing stability. The amount of rent must be reviewed every 3 months and continued need determined through consultation with the participation and case management.
- Subrecipients of Rapid Re-Housing programs must offer the core components to RRH: at minimum, housing identification, move in and rental assistance, and case management and support services.
- Case management should occur not less than once per month to assist the program participant in ensuring long-term housing stability.
- Rental assistance cannot be provided to a program participant who is already receiving rental assistance or living in a housing unit receiving rental assistance or operating assistance through other Federal, State, or local sources.

- Lease requirements: a written lease between the owner and the program participant is required for Tenant Based Rental Assistance (TBRA) and Project Based Rental Assistance (PBRA); for program participants living in housing with PBRA, the lease must have an initial term of one year. There is no minimum lease

period for TBRA; the only exception to the written lease requirement is in the case of rental assistance provided solely for rental arrears.

### **G. HUD ESG Rapid Re-Housing (City of Erie)**

The City of Erie's Department of Economic and Community Development (DECD) maintains ESG Written Standards developed in consultation with the CoC and Erie County Home Team that contain requirements for the City's ESG Rapid Re-Housing funding. The terms of eligibility, priorities, and amount of assistance of DECD's ESG funds may be modified as needed based on input from the CoC and Erie County Home Team. HUD ESG regulations (24 CFR 576) and City ESG Written Standards may contain additional requirements not listed below.

#### **21. Eligibility Criteria**

- Participants must be Literally Homeless or Fleeing Domestic Violence (Category 1 and Category 4 of HUD's Homeless Definitions).
- Participants must be referred by CoC members to the City's ESG Rapid Re-Housing using current versions of universal forms and releases of information.
- DECD's order of priority for documenting evidence is as follows: 1) Third party documentation (including HMIS); 2) Documented intake worker observations; and 3) Written self-certification of homelessness by the person seeking assistance.
- The household/participant may not already be receiving duplicative rental assistance from other programs.
- Initial income assessments will use the City's current applicable income limits as provided on universal intake forms and subject to medication.
- Participants may not have received ESG Rapid Re-Housing financial assistance within the prior twelve months unless a waiver is granted in accordance with the City's ESG Written Standards.
- Participants in City ESG-RRH programs receiving rent assistance can't receive rental assistance from other programs for the same months. Program staff must verify through HMIS that rental assistance is not being duplicated.

#### **22. Eligible Costs**

Short-term rental assistance (typically one month, but up to three months) and security deposit. Maximum assistance limited to \$2,000.

### 23. Prioritization for Program Participants

DECD Rapid Re-Housing assistance priority will be based on the CoC's Coordinated Entry standards and ESG Rapid Re-Housing procedures (waiting lists, written policies, etc.).

### 24. Minimum Standards of Assistance

- Housing units must meet City of Erie code standards for rental units; Emergency Solutions Grant (ESG) requirements for habitability and lead-based paint; and rent reasonableness based on the current HUD fair market rent (FMR) requirements for the local area.
- The ESG Rapid Re-Housing and landlords must follow the provisions of the City's requirements and HUDs Final Rule (effective December 16, 2016) for Violence Against Women Reauthorization Act, including providing notice of occupancy rights, inclusion of lease provisions, and other applicable protections.
- The ESG Rapid Re-Housing must assess the appropriate amount of assistance from the various funding sources and document this assessment at least once annually.

## **H. HUD CoC Match Requirements**

### **Continuum of Care Match**

The CoC program requires a 25 percent match of the awarded grant. Leasing costs do not require match. Cash or in-kind services match will satisfy match requirements. Recipients and subrecipients must provide match documentation including match letters and Memorandum of Understandings (MOU) for In-Kind services.

### **ESG Match**

The ESG program requires match to be at the minimum equal to the grant award (100%). Cash or in-kind services will satisfy match requirements.

### 25. Types of Cash Match

- Grants from private, local, state and federal resources (if not statutorily prohibited by source.)
- Cash Resources
- Revenues from fundraising efforts organized by the recipient or subrecipient.
- Recipient or subrecipient staff working on grant eligible activities who aren't

- paid from the CoC program grant but are paid from other agency resources.
- Program income.

## 26. Documentation of Cash Match

- Recipient or Subrecipient will demonstrate that a payment of funds was made to cover the cost of CoC program eligible activities expended during the grant term.
- Subrecipients will document:
  - a. Amount of cash to be provided for the project.
  - b. Specific date the cash will be made available.
  - c. The actual grant and fiscal year to which the cash match will be contributed.
  - d. Time period during which the funds will be available.
  - e. Eligible activities to be funded by the cash match.

## 27. Example of In-Kind Match

- Donations used to help fund project.
- Volunteer services provided to project.
- Equipment contributed to project.
- Property contributed to project.
- Other goods contributed to the project.

## 28. Documentation of In-Kind Goods

- Value of donated goods
- Specific dates goods were made available.
- Grant and fiscal year for which match is provided.
- Time period donation is made available.
- Eligible activities provided by donation.
- Value of commitments of land, building and equipment (one-time only).

## 29. Documentation of In-Kind Match

All in-kind services require a Memorandum of Understanding (MOU) between the recipient or subrecipient and the agency providing the service. If the agency providing the service is the subrecipient they must enter an MOU with the recipient. The MOU must require the subrecipient to document the in-kind services and the recipient is required to monitor the subrecipient to ensure the in-kind services meet match requirements. At minimum, an MOU must require the following information:

- Agency information with points of contacts.
- Unconditional commitment of agency providing the service.
- Description of services provided.
- Scope of services provided including the specific amount to be matched, length of time services will be provided, number of clients receiving services, total



- clients receiving services, qualifications of persons providing services, estimated value of services provided (i.e. hourly rate, per-diem rate).
- Documentation of dates/times services were provided.

## **I. Definitions**

*Chronically Homeless-* (1) An individual who : (i) is homeless and lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and (ii) has been homeless and living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter continuously for at least one year or on at least four separate occasions in the last 3 years; and (iii) can be diagnosed with one or more of the following conditions: substance abuse disorder, serious mental illness, developmental disability as defined in section 102 of the Developmental Disabilities Assistance Bill of Rights Act 2000 (42 USC 15002), post-traumatic stress disorder, cognitive impairments resulting from brain injury, or chronic physical illness or disability; (2) an individual who has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, or other similar facility for fewer than 90 days and met all of the criteria in paragraph (1) of this definition, before entering that facility; or (3) a family with an adult head of household who meets all of the criteria in paragraph (1) of this definition, including a family whose composition has fluctuated while the head of household has been homeless. 24 CFR 578.3.

*Centralized or Coordinated Assessment System-*Means a process designed to coordinate program participant intake assessment and provisions of referrals. A centralized or coordinated assessment system covers the geographic area, is easily accessed by individuals and families seeking housing or services, is well advertised, and includes a comprehensive and standardized assessment tool. 24 CFR 578.3.

*Family-* Family includes, but is not limited to, regardless of marital status, actual or perceived sexual orientation, or gender identity, any group of persons presenting for assistance together with or without children and irrespective of age, relationship, or whether or not a member of household has a disability. A child who is temporarily away from the home because of placement in foster care is considered a member of the family.

*Homeless-* means (Category 1) an individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning: (i) an individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodations for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground; (ii) an individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by Federal,

State, or Local Government programs for low-income individuals); or (iii) an individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering the institution; (Category 2). An individual or family who will imminently lose their primary nighttime residence, provided that: (i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance; (ii) No subsequent residence has been identified; and (iii) The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing; or (Category 4) Any individual or family who: (i) Is fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that is related to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence; (ii) Has no other residence; and (iii) Lacks the resources or support networks, e.g., family, friends, and faith-based or other social networks, to obtain other permanent housing. 24 CFR 578.3.

*Housing First*- An approach to connect individuals and families experiencing homelessness quickly and successfully to permanent housing without preconditions and barriers to entry, such as sobriety, treatment or service participation requirements. Supportive services are offered continuously to maximize housing stability and prevent returns to homelessness, as opposed to addressing pre-determined treatment goals prior to permanent housing entry.

*Permanent Housing (PH)*- Community-based housing without a designated length of stay and includes both Permanent Supportive Housing (PSH) and Rapid Re-housing. To be permanent housing, the program participant must be the tenant on a lease for a term of at least one year, which is renewable for terms that are a minimum of one month long and is terminable only for a cause. 24 CFR 578.3.

*Permanent Supportive Housing (PSH)*- Means permanent housing in which supportive services are provided to assist homeless person with a disability to live independently. 24 CFR 578.3.

*Rapid Re-Housing*- An intervention designed to help individuals and families exit homelessness as quickly as possible, return to permanent housing, and achieve stability in that housing. Rapid Re-Housing assistance is offered without preconditions (such as employment, income, absence of criminal record, or sobriety) and the resources and services provided are typically tailored to the unique needs of the household. The core component of a Rapid Re-Housing program are housing identification and relocation, short- and/or medium- term rental assistance and move-in (financial) financial assistance, and case management and housing stabilization services. The assistance is subject to the definitions and requirements set forth in 24 CFR 578.

*Erie County Housing Prioritization Tool* - The data-based and participant based (hybrid)

prescreening tool that is utilized by the Erie County Coordinated Entry System to determine initial acuity (the presence of an issue) and utilized for housing triage prioritization and housing placement.