

# **HORRY COUNTY**

## *Emergency Solutions Grants Program*

# **Policies & Procedures Manual**

Adopted by the Horry County Council

Rev. July 2017

## I. Introduction

Horry County has determined that the standards contained within this document shall be applied to all projects funded utilizing Emergency Solutions Grant Funding and in collaboration with the regional Continuum of Care COC

### Purpose for Standards

The purpose of the *Standards* is to:

- ✓ Provide detail on participant eligibility;
- ✓ Outline the allowable activities; and
- ✓ Provide standards for documenting eligibility.

Local policies and procedures are subject to change at any time.

### Overview of the HEARTH Act

The U.S. Department of Housing and Urban Development (HUD) Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act) was signed into law on May 20, 2009. The HEARTH Act reauthorizes the McKinney-Vento Homeless Assistance Act of 1987, but with some important changes, including:

- The consolidation of HUD's competitive grant programs, the Supportive Housing Program (SHP), Shelter Plus Care Program (SPC) and the Section 8 Moderate Rehabilitation Program;
- The revision of the Emergency Shelter Grants Program and renaming it as the Emergency Solutions Grants (ESG) Program;
- The creation of a Rural Housing Stability Assistance Program;
- A change in HUD's definition of homelessness and chronic homelessness;
- A simplified match requirement;
- An increase in prevention resources; and,
- An increased emphasis on performance.

The HEARTH Act implementation is occurring in stages, including the publication of the following regulations:

#### ❖ **Definition of Homeless (Final Rule) Docket No. FR-5333-F-02**

This final rule was published on December 5, 2011 and provided the definition of "homeless", "disability", and "developmental disability". Additionally, the rule established clear recordkeeping requirements for verifying eligibility to receive assistance.

❖ **Emergency Solutions Grant (Interim Rule) 24 CFR § 576**

The interim rule revises the Emergency Shelter Grants Program and renames it the Emergency Solutions Grants Program to broaden existing emergency shelter and homelessness prevention activities and to add short- and medium-term rental assistance and support services to rapidly rehouse homeless people. There is now a greater emphasis on helping people quickly regain stability in permanent housing after experiencing a housing crisis and/or homelessness. The key changes that reflect this new emphasis are the expansion of the homeless prevention component and the addition of the rapid rehousing assistance component.

❖ **Conforming Amendments to the Consolidated Plan (Interim Rule) 24 CFR § 91**

This interim rule updated the annual action plan requirements, revising the homeless needs narrative to describe the local one-year goals and specific action steps for reducing and ending homelessness. In addition, the ESG narrative section was revised to include new requirements such as written standards for the provision of ESG assistance, performance standards for evaluating ESG activities, and a homeless outreach and consultation strategy.

The annual report requirements were updated to include an evaluation of the jurisdiction's progress in meeting its specific objectives in reducing and ending homelessness. The ESG narrative section was also revised to include additional reporting information on ESG, including the evaluation of the outcomes for ESG activities measured under the new performance standards developed.

## **II. Program Overviews**

**a. Emergency Solutions Grants Program**

The Emergency Solutions Grants (ESG) Program is designed to respond to crisis and provide emergency assistance to prevent homelessness and enable homeless households to move toward independent living. ESG funds are authorized under the McKinney-Vento Homeless Assistance Act and are intended to help improve the quality of existing emergency shelters for the homeless, make additional shelters available, meet the costs of operating these facilities, rapidly rehouse homeless individuals and families, provide essential services to them, and to prevent homelessness. ESG projects will be required to assist people in moving to permanent housing and reduce the time spent in shelters and on the streets.

Recent changes to ESG funding have further defined the purpose and expanded the breadth of activities and going forward, the funds will be used for a variety of assistance, including: *Emergency Shelter, short- or medium-term Rental Assistance, Housing Search and Placement, and Housing Stability Case Management*. The Homelessness Prevention component includes various housing relocation and stabilization services and short- and medium-term rental assistance. The Rapid Rehousing component includes similar services and assistance to help people who are homeless move quickly into permanent housing and achieve stability in that housing. The funds under this program are intended to target households who would be unsheltered but for this assistance.

The Continuum of Care (CoC) Program consists of projects that provide housing and supportive services to formerly homeless individuals and families. The goal of projects funded under the CoC Program is to assist households with attaining and sustaining permanent housing as quickly as possible. Horry County is an active member of the CoC with the goal of aligning and leveraging

funding to “functionally end homelessness” in Horry County and the region.

### **III. Subrecipient Requirements**

Participation in the CoC is an important component of the HUD CDBG and ESG 5 year Consolidated Plan and Annual Action Plan process. Through this participation, Horry County strives to:

- ✓ Increase systems coordination among the various housing and service providers;
- ✓ Improve access for participants;
- ✓ Better target funding; and
- ✓ Better address the housing and service needs in our community.

#### **a. Coordinated Entry and Assessment System**

The Continuum of Care’s Coordinated Entry and Assessment system (CEA) has been developed in accordance with the HUD Continuum of Care Regulations. See ECHO Continuum of Care: Coordinated Entry Process and Policies, incorporated herein by reference.

#### **b. Fair Housing and Equal Opportunity**

##### **i. Affirmatively Furthering Fair Housing**

Recipients shall market housing and supportive services to eligible persons regardless of race, color, national origin, religion, sex, age, familial status, or handicap; and, shall provide program applicants and participants with information, in writing, on their rights and remedies under applicable federal, state, and local fair housing and civil rights laws. 24 CFR § 578.93(c).

##### **ii. Integration and Accessibility**

Housing and supportive services must be offered in an integrated manner, such that persons with disabilities may enjoy a meaningful life within the community. See *Olmstead v. L.C.* (527 U.S. 581 (1999) 138 F.3d 893). Horry County shall require housing and supportive services to enable individuals with disabilities to interact with nondisabled persons to the fullest extent possible. 24 CFR § 578.93(d). Reasonable accommodations and modifications must be offered when appropriate. See [Reasonable Accommodations and Modifications](#) below.

##### **iii. Reasonable Accommodations and Modifications for Persons with Disabilities**

Horry County ensures the provision to reasonable accommodations and modifications for persons with disabilities. A reasonable accommodation is defined as changing the rules, policies, or services so that a person with a disability has equal opportunity to use and enjoy a dwelling unit or common space. Permitting a person with a disability to have a service animal is an example of a reasonable accommodation. A reasonable modification is defined as modifying a structure so that a person with a disability has the full enjoyment of the housing and related facilities. Installing a grab bar in the bathroom of a person with a disability is an example of a reasonable modification. For federally-funded housing, the recipient bears the burden of paying for the modification. Recipients must inform applicants during the intake process of their right to request a reasonable accommodation or modification.

**iv. Preventing Involuntary Family Separation**

In an effort to maintain family unity, for housing serving families with children, the age and gender of a child under age 18 shall not be used as a basis for denying any family’s admission. 24 CFR § 578.93(e). Additionally, Horry County and its subrecipients may not deny admission to any member of the family (e.g., 15-year old son).

**v. Prioritized Subpopulations and Fair Housing Implications**

Horry County shall comply with applicable civil rights laws, including the Fair Housing Act. Within this framework, these standards establish subpopulations to be prioritized for housing and services that align with the identified needs of the local community and the goals of the Federal Strategic Plan to End Homelessness. Subpopulations may be prioritized as long as doing so does not discriminate against any protected class under federal nondiscrimination laws in 24 CFR § 5.105; subpopulations may also be prioritized according to who needs the specialized supportive services that are offered by the project. 24 CFR § 578.93(b)(2) and (7).

*1. Dedicated versus Prioritized*

Projects and/or beds that are *dedicated* to serving a specific subpopulation must continue serving only this subpopulation. (For instance, a Permanent Supportive Housing project that is dedicated to serving chronically homeless individuals must continue serving only chronically homeless individuals). Projects and/or beds that are not currently dedicated to serving a specific subpopulation must give the designated subpopulations priority for admission, in the order established by these standards, when a bed becomes available through turnover. This means that if two otherwise eligible individuals are seeking admission into the program, one who falls within the designated prioritized subpopulation and one who does not, the individual who is in the designated prioritized subpopulation must be given priority for admission. **For both dedicated and prioritized beds, if there are no persons on a waiting list or applying for entrance to the program who fall within the dedicated or first priority subpopulation, Horry County will not require the unit remain vacant, but instead will serve the next prioritized subpopulation who may benefit from the services being provided.**

*2. Fair Housing Implications*

Horry County Local Standards establish priority subpopulations by project type (i.e. Permanent Supportive Housing); Horry County may not set more restrictive priorities unless a federal statute or executive order specifically authorizes this limitation, or unless expressly authorized by 24 CFR § 578.93(b)(1) to (7). For instance, while a Permanent Supportive Housing project may prioritize chronically homeless persons with a qualifying disability

**IV. Policies & Procedures**

In order to best meet the needs of the community and in accordance with 24 CFR § 576 and 24 CFR § 578, the following policies and procedures have been established to ensure consistent practices in regard to admission, service requirements, duration of assistance, and exiting for all homeless housing projects within Horry County

**a. Emergency Shelter**

The overarching goal of ESG projects is to reduce the time spent homeless. ESG Emergency Shelter

funds are intended to respond to crisis and provide short-term emergency assistance to enable homeless households to move toward independent living by obtaining permanent housing as quickly as possible.

**i. Admission**

To the extent practicable, recipients will prioritize individuals and families who are currently living in Horry County who have an identified prior residence as living in places not designed for, or not ordinarily used as, a regular sleeping accommodation including a car, a park, an abandoned building, a bus or train station, an airport, or a campground. Recipients that are defined as Victim Service Providers will exclusively serve individuals and families who are fleeing or attempting to flee domestic violence. *See Section IV, [Victim Service Providers](#), and [Table 6.2](#), Category 4, for additional details.* All participants served in Emergency Shelter must meet the appropriate eligibility requirements as described in Section VI, [Participant Eligibility](#).

*Diversion and Referrals*

Reasonable efforts must be made to divert households from entering emergency shelter. The intent is to catch people who are losing housing before they enter the homeless system. If homeless persons have contacted emergency shelters they may be provided Prevention assistance so that they remain in existing housing, move to other permanent housing, or are connected quickly to permanent housing. Coordination between Emergency Shelters, Rapid Rehousing, and Prevention projects is required to help persons find short-term emergency assistance. To the extent practicable, recipients will refer households to Rapid Rehousing and Prevention projects to prevent them from entering shelter or assisting them to rapidly exit shelter. When Prevention and Rapid Rehousing are either inappropriate or unavailable, recipients will refer households to other resources in the community in order to best meet the households' needs.

The tracking of diversion and referral efforts requires that information be collected on those seeking emergency shelter. Information pertaining to the appropriate referrals or the alternative intervention will be recorded in HMIS. The specific information is outlined in the ECHO Continuum of Care: Coordinated Entry Process and Policies, incorporated by reference.

**ii. Service Requirement**

Each participant will be assessed to identify needs and barriers to obtain housing and increase self-sufficiency. An initial evaluation and assessment must be completed at program entry, including verifying and documenting eligibility. If a participant's stay in

Emergency Shelter is longer than 30 days, then the recipient must reassess and document the need for continued services every 30 days while the participant continues in shelter. The reassessment must show that the participant needs additional time in shelter to obtain other housing, and would be unsheltered without ESG assistance.

Obtaining appropriate housing, particularly permanent housing, and addressing the most immediate and manageable barriers is the priority for emergency shelters. Given the expected short-period of assistance, the focus is on those barriers that can be addressed during the timeframe of assistance. Each participant will have a housing stability/service plan that may include longer-term solutions to other barriers or risk-factors that might destabilize a household after assistance has ended. See *Section XII, Recordkeeping Requirements*. This plan is to be completed at program entry and updated at least every 30 days for Emergency Shelter. The plan will be derived from the assessment and include at a minimum, housing stability goals and other goals as appropriate to the essential services identified. Each participant will participate in developing her/his own individualized housing stability/service plan to obtain housing and maintain housing stability after ESG-funded assistance ends.

**iii. Duration of Assistance**

ESG-Emergency Shelters must operate a maximum 90-day project model. To the extent practicable, participants will be assisted in obtaining housing within 30 days of entry into the emergency shelter. All ESG-shelters will strive to reduce the average length of stay. However, participants may stay longer in order to prevent them from becoming homeless, on the streets, or other places not meant for human habitation.

**iv. Exiting**

To the degree practicable, participants exiting emergency shelter will be assisted in accessing housing that best fits their needs, with a preference for assisting participants to access permanent housing. Exits may also include participants entering treatment facilities to address mental health, substance abuse, or medical needs; coordination with the treatment provider to support a successful transition. When possible, housing options

per the Local Standards, beds may not be reserved to persons with a *specific* disability (i.e. physical disability). If an individual who is otherwise qualified but who does not have a *physical* disability seeks admission and would benefit from the services offered, this person may not be excluded from the project.

or other resources should be provided at exit, so that participants have knowledge of where to go when treatment is completed.

**b. Homelessness Prevention**

Homelessness Prevention is intended to prevent households from moving into emergency shelter or other homeless situations. ESG funds may be used for Prevention.

**i. Admission**

Prevention assistance will be prioritized for individuals and families who are currently living in Horry County, cannot be more appropriately served by another program or system of care, lack a support network and have no other options or resources for housing. Persons who have been homeless previously, have received Prevention assistance in the past, or have a history of chronic homelessness will be prioritized. Prevention projects must collect documentation that participants would become homeless but for this assistance. All participants served under Prevention must meet the appropriate eligibility requirements as described in Section VI, [Participant Eligibility](#).

**ii. Service Requirement**

Prevention projects must require the participant to develop a plan on how they will retain permanent housing after assistance ends and to meet with a case manager not less than once per month\* to assist the participant in maintaining long-term housing stability as set forth in 24 CFR § 576.401 (e)(1)(i). *See Section XII, [Recordkeeping Requirements](#).*

**\*Exception:** Recipients that also receive funding under the Violence Against Women Act of 1994 (VAWA) or the Family Violence Prevention and Services Act (FVSP) are exempt from the requirement to meet with participants monthly because these programs prohibit making housing conditional on the participant’s acceptance of services. *See § 576.401(e)(2). See also [Victim Service Providers](#).*

Re-evaluation of eligibility is required for Prevention; re-evaluation must occur at least every three (3) months. Re-evaluations must be documented in each participant’s file and demonstrate that the participant lacks sufficient resources and support networks necessary to retain housing without assistance. Re-evaluations must also demonstrate that the household’s annual income is less than or equal to 30% of the Area Median Income (AMI). Projects must follow evaluation and participant eligibility rules and regulations as set forth in 24 CFR § 576.401(a) through (e).

All supportive services will be provided as necessary to help participants maintain permanent housing, or move as quickly as possible into permanent housing and achieve stability in that housing. Supportive services are limited with ESG funds and may be used only to provide housing relocation and stabilization services. Prevention assistance must be provided in accordance with the housing relocation and stabilization services requirements in 24 CFR § 576.104 and 576.105, the short- and medium-term rental assistance requirements in 24 CFR § 576.106, and the written standards and procedures established under 24 CFR § 576.400.

*Rent Subsidy Models*

Prevention funds are used to assist participants to remain in permanent housing and regain stability. Or, where the current housing does not meet the participant’s needs, the participant may move to more suitable housing. Funds may be used to provide short-term (up to 3 months) or medium-term (4 to 24 months) rental assistance over a 3-year period.



The steps must be known (and documented) in advance and act as deadlines for increasing income. Whether the rent subsidy is based on participants' income or a fixed rate, the subsidy declines in "steps" until the participants assume full responsibility for monthly housing costs either by:

- using a fixed timeline; or
- when the participant has reached specific goals

Rent assistance will be graduated, so the participants' share of rent will increase until they pay full rent. Should participants experience a situation that prevents them from achieving the graduated subsidy goal, then the subsidy may be extended or adjusted with a revised graduated subsidy established. Participants must be in compliance with the program and working on their housing stability plan to be considered for an extension or revised graduated subsidy plan.

Participants may receive up to two subsequent financial assistance payments after their graduated subsidy has ended if they were compliant with their housing stability plan and they experienced a hardship that prevented them from making their payment. Hardships may include a job loss or reduction in pay/hours, medical expenses, or other similar situation. The participant must not have exited the program to receive assistance. However, at no time may the rental assistance exceed 24 months in any three (3) year period.

**iii. Duration of Assistance**

For participants seeking permanent housing, housing stability case management may not exceed 30 days. Once permanent housing is obtained, rental assistance may not exceed 24 months during any three (3) year period, although the assistance may be further limited or defined by Horry County. A graduated subsidy model must be identified and applied to all participants as outlined above in Section c.ii, [Service Requirement](#).

**iv. Exiting**

Prior to the assistance ending, a plan must be in place that identifies how the participant will maintain stability in permanent housing. If the participant is not yet able to retain permanent housing, they will be re-assessed. Participants may receive additional assistance to prevent them from becoming homeless, on the streets, or other places not meant for human habitation. However, participants may not receive more than 24 months of rental assistance in any three (3) year period.

**c. Rapid Rehousing**

Rapid Rehousing is a type of permanent housing that offers supportive services, as needed, and/or short-term (up to three (3) months) or medium-term (three (3) to 24 months) rental assistance in order to help homeless individuals or families move as quickly as possible into permanent housing and achieve stability. 24 CFR § 578.37(a)(1)(ii). Participants may locate housing of their choice in the private rental market within Horry County.

**i. Admission**

Rapid Rehousing assistance will be prioritized for individuals and families who are currently living in Horry County, cannot be more appropriately served by another program or system of care, lack a support network and have no other options or resources for housing. Persons who have been homeless previously, have received Prevention assistance in the past, or have a history of chronic homelessness will be prioritized. Rapid Rehousing projects must collect documentation that participants would become homeless but for this assistance. All participants served under Rapid Rehousing must meet the appropriate eligibility requirements as described in Section VI, [Participant Eligibility](#).

**ii. Service Requirement**

Refer to the **Written Standards for Providing ESG Assistance**

**iii. Duration of Assistance**

Refer to the **Written Standards for Providing ESG Assistance**

**iv. Exiting**

Refer to the **Written Standards for Providing ESG Assistance**

**d. Safeguards, Safety and Needs of Special Populations and Other Policies**

**i. Confidentiality and Record Retention Policy**

**Confidentiality** In addition to meeting the specific confidentiality and security requirements for HMIS data, the recipient and its subrecipients must develop and implement written procedures to ensure:

- (1) All records containing protected identifying information of any individual or family who applies for and/or receives assistance will be kept secure and confidential;
- (2) The address or location of any family violence project assisted with funds will not be made public, except with written authorization of the person responsible for the operation of the project; and
- (3) The address or location of any housing of a program participant will not be made public, except as provided under a preexisting privacy policy of the recipient or subrecipient and consistent with State and local laws regarding privacy and obligations of confidentiality;

**Period of record retention.** All records pertaining to ESG funds must be retained for the greater of 5 years or the period specified below. Copies made by microfilming, photocopying, or similar methods may be substituted for the original records.

- (1) Documentation of each program participant qualification as a family or individual at risk of homelessness or as a homeless family or individual and other program participant records must be retained for 5 years after the expenditure of all funds from the grant under which the program participant was served; and

**ii. Connection to Public Benefits**

Participants that meet eligibility requirements and participate in the Horry County ESG housing program Will be screened through a common assessment for mainstream benefits, including but not limited to, TANF, food stamps, SSI, cell phone programs, Medicaid, Medicare etc. This can be done by a certified SC Thrive counselor at <https://secure.thebenefitbank.org/> or a SOAR Specialist.

**iii. Street Outreach**

Outreach is to be conducted in both service settings (Organizational outreach) and in places not meant for human habitation by all case managers and dedicated outreach workers. Outreach services are to be documented in an outreach log or in HMIS.

The concept of street outreach is to reach homeless individuals and families who are least likely to request housing or services. Another component of outreach can be to affirmatively further fair housing.

**iv. Victim Service Providers**

The term 'victim service provider' means a private nonprofit organization whose primary mission is to provide services to victims of domestic violence, dating violence, sexual assault, or stalking. Such organizations include rape crisis centers, battered women's shelters, domestic violence transitional housing programs, and other programs (Section 401(32) McKinney-Vento Act).

Projects serving individuals or families qualified under Category 4 of the Defining "Homeless" Rule (persons fleeing or attempting to flee violent situations) must follow all related federal and state laws, follow confidentiality policies, and have written policies and procedures regarding the provision of specific services to meet the safety and special needs of this population.

**v. High Needs**

Projects serving individuals and families with very high needs must provide shelter and services that meet the special needs for these populations.

**vi. Imminent Threat of Harm**

Participants who are receiving *Tenant-Based Rental Assistance* and have complied with all program requirements during their residence and who have been a victim of domestic violence, dating violence, sexual assault, or stalking, and who reasonably believe they are imminently threatened by harm from further domestic violence, dating violence, sexual assault, or stalking (which would include threats from a third party, such as a friend or family member of the perpetrator of the violence), if they remain in the assisted unit, and are able to document the violence and basis for their belief, may retain the rental assistance and move to a different Continuum of Care geographic area if they move out of the assisted unit to protect their health and safety. Recipients must retain a record of the Imminent Threat of Harm for both participants who enter and exit under provisions as described at 24 CFR § 578.51(c)(3).

**vii. Education Services**

The educational needs of children and youth must be accounted for, to the maximum extent practicable, and families with children and unaccompanied youth must be placed as close as possible to the school of origin so as not to disrupt the children's education. Projects that serve homeless families with children and/or unaccompanied youth must have policies and practices in place that are consistent with the laws related to providing education services to children and youth. These recipients must have a designated staff person to ensure that children and youth are enrolled in school and receive education services, as appropriate. 42 U.S.C. 11432 et. seq. Homeless families with children and unaccompanied youth must be informed of their eligibility for McKinney-Vento education services. Horry County shall require documentation in the participant's case file to demonstrate that these requirements have been met.

### **viii. Faith – based activities**

Horry County follows and adheres to the faith – based activities as described at 24 CFR §576.406; (ESG) 24 CFR 578.87(b),578.103(a)(13); (CoC).

1. *Equal treatment of program participants and program beneficiaries.*
  1. *Program participants.* Organizations that are religious or faith-based are eligible, on the same basis as any other organization, to participate in the ESG program. Neither the Federal Government nor a State or local government receiving funds under the ESG program shall discriminate against an organization on the basis of the organization's religious character or affiliation. Recipients and subrecipients of program funds shall not, in providing program assistance, discriminate against a program participant or prospective program participant on the basis of religion or religious belief.
  2. *Beneficiaries.* In providing services supported in whole or in part with federal financial assistance, and in their outreach activities related to such services, program participants shall not discriminate against current or prospective program beneficiaries on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice.
2. *Separation of explicitly religious activities.* Recipients and subrecipients of ESG funds that engage in explicitly religious activities, including activities that involve overt religious content such as worship, religious instruction, or proselytization, must perform such activities and offer such services outside of programs that are supported with federal financial assistance separately, in time or location, from the programs or services funded under this part, and participation in any such explicitly religious activities must be voluntary for the program beneficiaries of the HUD-funded programs or services.
3. *Religious identity.* A faith-based organization that is a recipient or subrecipient of ESG program funds is eligible to use such funds as provided under the regulations of this part without impairing its independence, autonomy, expression of religious beliefs, or religious character. Such organization will retain its independence from federal, State, and local government, and may continue to carry out its mission, including the definition, development, practice, and expression of its religious beliefs, provided that it does not use direct program funds to support or engage in any explicitly religious activities, including activities that involve overt religious content, such as worship, religious instruction, or proselytization, or any manner prohibited by law. Among other things, faith-based organizations may use space in their facilities to provide program-funded services, without removing or altering religious art, icons, scriptures, or other religious symbols. In addition, a Continuum of Care program-funded religious organization retains its authority over its internal governance, and it may retain religious terms in its organization's name, select its board members on a religious basis, and include religious references in its organization's mission statements and other governing documents.
4. *Structures.* Program funds may not be used for the acquisition, construction, or rehabilitation of structures to the extent that those structures are used for explicitly religious activities. Program funds may be used for the acquisition, construction, or rehabilitation of structures only to the extent that those structures are used for conducting eligible activities under this part. When a structure is used for both eligible and explicitly religious activities, program funds may not exceed the cost of those portions of the acquisition, new construction, or rehabilitation that are attributable to eligible

activities in accordance with the cost accounting requirements applicable to the Continuum of Care program. Sanctuaries, chapels, or other rooms that a Continuum of Care program-funded religious congregation uses as its principal place of worship, however, are ineligible for Continuum of Care program-funded improvements. Disposition of real property after the term of the grant, or any change in the use of the property during the term of the grant, is subject to governmentwide regulations governing real property disposition (see 24 CFR parts 84 and 85).

5. *Supplemental funds.* If a State or local government voluntarily contributes its own funds to supplement federally funded activities, the State or local government has the option to segregate the federal funds or commingle them. However, if the funds are commingled, this section applies to all of the commingled funds.

**ix. Veterans**

Projects serving homeless veterans must prioritize those veterans who are ineligible for Veterans Affairs (VA) services, and work closely with the local Department of Veterans Affairs and coordinate resources with VA-funded housing and services (e.g. HUD-VASH, Supportive Services for Veteran Families (SSVF)). Veterans must be screened for eligibility for VA-funded housing and/or services.

**x. Housing First**

Horry County follows a Housing First model. All other permanent housing projects are required to use a Housing First model to facilitate homeless individuals’ and families’ rapid return to housing. A housing first approach allows eligible homeless individuals and families to enter the project without barriers, such as income or sobriety requirements, or service participation requirements. Application and admission policies should be as streamlined and short as possible to move eligible individuals and families into permanent housing as quickly as possible.

**V. Components and Eligible Activities**

This section will help to determine and define the allowable activities within a project as defined by the project component under the ESG program. Activities are a set of allowable costs.

ESG has five eligible components that are detailed in [Table 5.1](#) (ESG). Rapid Rehousing, Homeless Prevention and HMIS are allowable components of both funding sources; however, the activities that are allowable vary by Program. Street Outreach and Emergency Shelter are eligible under ESG only.

The funded components of a project are described in the contract with HUD for direct recipients or for Subrecipients.

**a. Emergency Solutions Grant**

**i. Eligible ESG Components**

<i>Table 5.1</i>		<i>ESG Eligible Components</i>		
Street Outreach	Emergency Shelter	Homelessness Prevention	Rapid Rehousing	HMIS

ii. **Eligible ESG Activities**

1. *Street Outreach 24 CFR § 576.101 (ESG Only)*

ESG funds may be used for costs of providing essential services necessary to reach out to unsheltered homeless people, referred to as Street Outreach.

<i>Table 5.2</i>		<b><i>ESG Street Outreach - Eligible Activities</i></b>			
<i>Essential Services</i>					
Engagement	Case Management	Emergency Health Services	Transportation	Emergency Mental Health Services	Services for Special Populations

2. *Emergency Shelter 24 CFR § 576.102 (ESG Only)*

*Definition*

Emergency Shelter is defined as any facility, where the primary purpose is to provide “a temporary shelter for the homeless in general, or for specific populations of the homeless people and which does not require occupants to sign leases or occupancy agreements. Any project that was funded under a Fiscal Year 2010 Emergency Solutions Grant may continue to be funded under ESG (24 CFR § 576.2).” However, because of the limited number of funding sources for which emergency shelter costs are eligible, Emergency Shelter will be prioritized for funding under ESG.

<i>Table 5.3</i>		<b><i>ESG Emergency Shelter – Eligible Activities</i></b>		
<i>Essential Services</i>				
Case Management	Child Care	Education Services	Employment Assistance & Job Search	
Outpatient Health Services	Legal Services	Life Skills Training		
Mental Health Services	Substance Abuse Treatment Services	Transportation	Services for Special Populations	
<i>Renovation</i>				
<i>Shelter Operations</i>				
<i>Assistance Required Under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970</i>				

1. *Homelessness Prevention 24 CFR § 576.103 (ESG Only)*

*Definition*

Homelessness Prevention provides housing relocation, stabilization services and short- and medium-term rental assistance necessary to prevent an individual or family from moving into an emergency shelter or another place described in Category 1 of the Defining “Homeless” Rule, see [Table 6.2](#).

<i>Table 5.4</i>		<b><i>ESG Homelessness Prevention – Eligible Activities</i></b>
		<i>Housing Relocation &amp; Stabilization Services</i>
		<i>Short- and/or Medium-Term Rental Assistance</i>

2. *Rapid Rehousing 24 CFR § 576.104 (ESG)*

*Definition*

Rapid Rehousing provides housing relocation, stabilization services and short- and medium-term rental assistance to help homeless individuals or families move as quickly as possible into permanent housing and achieve stability in that housing.

*Please note: Rapid Rehousing varies between ESG and CoC Program Regulations. For a comparison of costs and activities between ESG and CoC Rapid Rehousing, see [Appendix D](#)*

<b>Table 5.5</b>	<b>ESG Rapid Re-Housing – Eligible Activities</b>
	<i>Housing Relocation &amp; Stabilization Services</i>
	<i>Short- and/or Medium-Term Rental Assistance</i>

3. *HMIS Component 24 CFR § 576.107 (ESG)*  
 Section 416(f) of the McKinney-Vento Act requires for the first time that ESG-funded projects participate in the Homeless Management Information System (HMIS). The ESG interim rule makes certain costs eligible to the extent necessary to enable this participation. HUD published a proposed rule on HMIS, 24 CFR part 580, that will govern HMIS when it is published as final.

*Please note: the HMIS Component varies between the ESG and CoC Program Regulations. See Section V.b for CoC information on the [HMIS component](#) and [HMIS eligible activities](#).*

4. *Administrative Costs (ESG)*

<b>Table 5.6</b>	<b>ESG Administrative Costs</b>
	The Department of Administration retains all administrative funds to manage contracts, complete monitoring and cost reimbursement activities.

## VI. Participant Eligibility

Eligibility for assistance under ESG Programs is determined by HUD Regulation and 24 CFR § 576. Eligibility is further defined by project component. The table below provides an overview of eligibility by component and funding type. Eligibility may be further restricted by the contract.

### a. Eligibility By Component

<i>Table 6.1</i>	<i>Eligibility By Component</i>							
Component	Funding	Homeless Status Category*			Income**		Disability	Chronic Homeless
		1	2	4	30%	50%		
<a href="#">Shelter</a>	ESG	X	X	X	N/A			
<a href="#">Prevention</a>	ESG		X	X	X			
<a href="#">RRH</a>	ESG	X			P	S		
P = Primary Focus S = Secondary Focus X = Required N/A = Not Applicable *Homeless Status Categories are established by the Defining “Homeless” Rule; see Table 5.2 for corresponding categories **Participant’s annual income may not exceed the specified % of median family income for the area (AMI), as determined by HUD								



## b. Homeless Eligibility Criteria

In order to receive assistance, persons must meet the HUD definition of homeless as detailed below in [Table 6.2](#) for the duration of their participation in ESG projects, and at entry for CoC projects.

<i>Table 6.2</i>		<i>Homeless Eligibility Criteria</i>	
<b>Cat.</b>	<b>Description</b>	<b>Component</b>	<b>Criteria</b>
<b>1</b>	<b>Literally Homeless</b>	<i>Emergency Shelter</i> <i>Transitional Housing</i> <i>Rapid Rehousing</i> <i>Permanent Supportive Housing</i>	<b>A household is literally homeless if they lack fixed, regular &amp; adequate nighttime residence, meaning:</b> <ul style="list-style-type: none"> <li>• Sleeping in a place not designed for, or not ordinarily used as, a regular sleeping accommodation, including a car, a park, an abandoned building, a bus or train station, an airport, or a campground.</li> <li>• Living in a shelter designated to provide temporary living arrangements, including congregate shelters, transitional housing, hotels/motels paid for by charitable organizations, or federal/state/local government programs.</li> <li>• Exiting an institution such as a jail or hospital where they resided for 90 days or less AND was residing in an emergency shelter or place not meant for human habitation immediately before entering the institution.</li> </ul>
<b>2</b>	<b>Imminent Risk of Homelessness</b>	<i>Emergency Shelter</i> <i>Transitional Housing</i> <i>Prevention</i>	<b>A household that will imminently lose their primary nighttime residence provided that:</b> <ul style="list-style-type: none"> <li>• The residence will be lost within 14 days of the application for assistance</li> <li>• No subsequent residence has been identified; AND</li> <li>• The individual or family lacks the resources or support networks needed to obtain other permanent housing</li> </ul>
<b>3</b>	<b>Unaccompanied Youth</b>		
<b>4</b>	<b>Fleeing or Attempting to Flee Domestic Violence</b>	<i>Emergency Shelter</i> <i>Transitional Housing</i> <i>Prevention</i>	<b>Households fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking or other dangerous or life threatening conditions related to violence, who:</b> <ul style="list-style-type: none"> <li>• Have no identified subsequent residence; AND</li> <li>• Lack the resources and support networks needed to obtain other permanent housing.</li> </ul>

## c. Income 24 CFR § 576.103

Income limits are based on Area Median Income (AMI) and are updated at least annually by HUD. Projects that have an income eligibility requirement must ensure they are using the most current information available. Current income limits can be found at <http://www.huduser.org/portal/datasets/il.html>

**d. Definition of Chronic Homelessness 24 CFR § 578.3**

An individual or a family with at least one adult member who has a disabling condition and who has either been continuously homeless for a year or more OR has had a least four (4) episodes of homelessness in the past three (3) years. To be considered chronically homeless, persons must have been sleeping in a place not meant for human habitation (e.g., living on the streets) and/or in an emergency shelter/safe haven during that time. A disabling condition is defined as a substance use disorder, serious mental illness, developmental disability (as defined in section 102 of the Developmental Disabilities Assistance Bill of Rights Act of 2000 (42 U.S.C. 15002)), post-traumatic stress disorder, cognitive impairments resulting from brain injury, or chronic physical illness or disability. If a person meets all of the criteria of the definition of chronic homelessness, it can be reasonably assumed that this person’s disability is of long and continuing duration, substantially impedes his or her ability to live independently, and is improved by the provision of more suitable housing conditions.

<i>Table 6.4</i>		<i>Duration of Homelessness</i>
<b>Duration</b>	<b>Definition</b>	
<b>Continuous, for at least one (1) year</b>		
On the streets or emergency shelter continuously, without a break, for at least one (1) year		
<b>Continuous</b>	A stay on the streets or in emergency shelter without a break.	
<b>Break</b>	At least seven (7) or more consecutive nights not residing on the streets or in emergency shelter.	
<b>One (1) year</b>	Twelve (12) consecutive calendar months.	
	NOTE: If the person has a documented encounter with a homeless service provider on a single day within a given month, this is sufficient to consider the person homeless for the entire calendar month, unless there is evidence of a break in homelessness. This applies ONLY if the encounter is documented by third-party documentation – a self-declaration is insufficient.	
<b>At least four (4) separate occasions in the last three (3) years</b>		
On the streets or emergency shelter on four (4) separate, distinct, and sustained occasions in the last three (3) years		
<b>Occasion</b>	<b>Separate and Distinct</b>	Stay on the streets or in emergency shelter is interrupted by a period of seven (7) or more consecutive nights residing in a place other than on the streets or in emergency shelter.
	<b>Sustained</b>	Stay on the streets or in emergency shelter is more than one (1) night. A sustained stay is two (2) or more consecutive nights on the streets or in emergency shelter.
<b>Three (3) years</b>	Thirty-six (36) consecutive months	
<b>Priority for 12 months homeless</b>	Four (4) separate occasions on the streets or emergency shelter that equal a cumulative total of 12 months, meaning 365 days.	

**i. Chronically Homeless Veterans**

The Department of Veteran’s Affairs (VA) conducts an initial verification of status and subsequently provides services to qualified veterans through a single episode of care. This VA “episode of care” may consist of services provided by different VA providers and/or different VA programs. Veterans who have been identified as chronically homeless through the VA’s initial intake maintain this status throughout his/her episode of VA care. Therefore, projects that are dedicated to or prioritized for chronically homeless persons may serve a person documented as chronically homeless by the VA, no matter the services received during his/her episode of VA care (i.e., a project may serve a person identified as chronically homeless by the VA, even if (s)he was in VA-transitional housing).

**ii. Chronic Homelessness and Rapid Rehousing**

Persons identified as chronically homeless prior to enrolling in a rapid rehousing project maintain their status as chronically homeless while they receive rapid rehousing assistance. However, chronic homelessness must be documented (as described in Section VII, [Documentation Standards](#)) prior to entering the rapid rehousing program. Therefore, projects that are dedicated to or prioritized for chronically homeless persons may serve a person who is receiving rapid rehousing assistance as long as his/her chronic homeless status was documented prior to entering the rapid rehousing project.

**e. Special Considerations for Serving a Person Who May be Undocumented**

Eligibility for the receipt of public benefits is restricted by The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 which provides that people who are undocumented are not to receive public benefits. The Act further specifies how to inquire into a person’s status. However, programs that are necessary for the protection of life or safety, which provide short-term shelter or housing assistance, non-cash services at the community level, which is not means-tested are exempt.

This exemption does not apply to permanent housing programs however. HUD clarifies this matter through the SHP Desk Guide as such, “[...] nonprofit organizations are not required to, but may, verify an applicant’s citizenship or immigration status before providing assistance. If a nonprofit elects to verify citizenship or immigration status, they must follow the procedures required by the Act and should consult with their legal counsel on how to comply.”

**VII. Documentation Standards for Eligibility for Assistance**

**a. Eligibility Overview**

Participants must be deemed eligible as described in Section VI, [Participant Eligibility](#). The tables below describe the required documentation for each funding source and project component and details the type of documentation required to meet federal requirements and local standards. Required documentation must be clearly noted and documented in the participant’s case file.

**b. Homeless Verification**

<i>Table 7.1</i>		<i>Homeless Verification – Documentation</i>	
<b>Cat.</b>	<b>Description</b>	<b>Component</b>	<b>Documentation</b>
<b>1</b>	<b>Literally Homeless</b>	<i>Emergency Shelter</i> <i>Rapid Rehousing</i> <i>Transitional Housing</i> <i>Permanent Supportive Housing</i>	<ol style="list-style-type: none"> <li>1. Written observation by outreach worker of the conditions where the individual or family is living; OR</li> <li>2. Written referral by another housing or service provider; OR</li> <li>3. Certification by the household seeking assistance/self-declaration*.</li> <li>4. For households exiting an institution – one of the above AND discharge paperwork or written/oral referral, OR written record of intake worker’s due diligence to obtain evidence AND self-declaration* by individual that they exited institution.</li> </ol>
<b>2</b>	<b>Imminent Risk of Homelessness</b>	<i>Emergency Shelter</i> <i>Prevention</i> <i>Transitional Housing</i>	<ol style="list-style-type: none"> <li>1. Court order resulting from an eviction action notifying the household they must leave; OR</li> <li>2. For household leaving hotel/motel that they were paying for, evidence that they lack the financial resources to stay; OR</li> <li>3. Documented and verified oral statement; AND               <ol style="list-style-type: none"> <li>a. Certification that no subsequent residence is identified; AND</li> <li>b. Self-declaration* or other written documentation that the individual lacks the financial resources and support necessary to obtain permanent housing.</li> </ol> </li> </ol>
<b>3</b>	<b>Fleeing/Attempting to Flee Domestic Violence</b>	<i>Emergency Shelter</i> <i>Prevention</i> <i>Transitional Housing</i>	<p><b>For victim service providers:</b></p> <p>Self-declaration/oral statement by the household seeking assistance which states: they are fleeing, they have no subsequent residence, and they lack resources. The statement must be certified by intake worker.</p> <p><b>For non-victim service providers:</b></p> <ol style="list-style-type: none"> <li>1. Self-declaration/oral statement by household seeking assistance which states: they are fleeing, they have no subsequent residence, and they lack resources.</li> <li>2. If the household is not jeopardized, the oral statement that the household is fleeing must be verified by intake worker or by written referral by an organization from which assistance was sought for domestic violence.</li> </ol>
<p>*Self-Declarations must generally be accompanied by intake worker documentation of due diligence to obtain third-party verification. Due diligence must describe efforts to obtain third-party documentation (e.g. phone logs, email correspondence, copies of certified letters), including the outcome of the effort and obstacles encountered, and must be signed and dated by intake staff as true and complete.</p>			

**c. Disability Verification**

<i>Table 7.2</i>	<i>Disability Verification</i>
1. Written verification of the disability from a professional licensed* by the state to diagnose and treat the disability and his or her certification that the disability is expected to be long-continuing or of indefinite duration and substantially impedes the individual’s ability to live independently; OR	
2. Written verification from the Social Security Administration; OR	
3. The receipt of a disability check; OR	
4. Intake staff-recorded observation of a disability that, no later than 45 days of the application for assistance, is confirmed and accompanied by evidence (as outlined in this table number 1, 2, 3 or 5)**; OR	
5. Other documentation approve by HUD.	
*An exception to the licensing requirement is made only for persons certified as a Chemical Dependency Professional (CDP), as defined in Chapter 18.205 RCW; this exception does not extend to a certified Chemical Dependency Professional – Trainee (CDP-T).	
**Recipients are discouraged from admitting participants into their project without confirmation of a qualifying disability and documented evidence of that disability. Recipients that choose to admit participants under Category 4 of the table above, do so at their own risk. If confirmation of disability and evidence are not attained within 45 days, the recipient will not be reimbursed for costs incurred for that participant.	

**d. Special Considerations for Documenting Chronic Homelessness**

For each person applying to the project, written documentation must be provided by an appropriate third party that verifies the person’s status as chronically homeless. Letters may be written and signed by either homeless shelter providers, homeless outreach workers or other homeless service providers. An HMIS printout that demonstrates that the individual or family meets the criteria for chronic homelessness may be substituted for a letter. Letters and HMIS printouts must:

- ✓ Be on letterhead stationery with the name, address and phone number of the agency;
- ✓ Contain the full name of the participant;
- ✓ Contain dates verifying the timeframe of homelessness including both a start date and completion date; and
- ✓ Be signed by a staff member whose title appears on the letter.

If all other efforts to obtain third-party documentation have been exhausted and unsuccessful, a participant self-declaration may be used in the absence of any other documentation. However, this should be a rare exception to the composition of most homelessness records for participants; recipients must document their attempts to obtain documentation in order to demonstrate due diligence and must document the severity of the situation in which the individual has been living. Self-declarations should be used only in the most rare and extreme cases (e.g. where the individual has been in a place not meant for human habitation in a secluded area without any contact with anyone for that period).

Recipients should expect that chronic homeless documentation for the majority of participants will be pieced together from several sources.

**i. Documenting Duration of Homelessness**

To properly document the length of time homeless, documentation must include the start

and end date of each occasion of homelessness.

<i>Table 7.3</i>		<i>Documenting Duration of Homelessness</i>	
<b>Definition</b>		<b>Documentation</b>	
<b>Continuous, for at least one (1) year:</b> On the streets or emergency shelter continuously, without a break, for at least one (1) year.		At least nine (9) months of the one-year period must be documented through third-party documentation.	
<b>At least four (4) separate occasions in the last three (3) years:</b> On the streets or emergency shelter on four (4) separate, distinct, and sustained occasions in the last three (3) years.		At least three (3) of the four (4) occasions must be documented through third-party documentation.	

**i. Documenting Disability**

The [disabling conditions to qualify as chronically homeless](#) vary from the [disabling conditions](#) under the Defining “Homeless” Rule to qualify for Permanent Supportive Housing (PSH). However, the same forms of verification may be used. See [Table 7.2 above](#).

**ii. Documenting Severity of Service Needs for Prioritization**

Chronically homeless individuals or families with the most severe service needs must be [prioritized](#) for permanent supportive housing projects. Severe service needs must be identified and verified through data-driven methods such as an administrative data match or through the use of a standardized assessment tool that can identify the severity of needs, such as the Investing in Futures Housing Assessment. This determination must be based on the severity of the needs of the individual, not on a specific diagnosis or disability type.

Further information regarding documenting Chronic Homelessness can be found in HUD’s Notice on Prioritizing Persons Experiencing Chronic Homelessness and Other Vulnerable Homeless Persons in Permanent Supportive Housing and Recordkeeping Requirements for Documenting Chronic Homeless Status, located at:

<https://www.onecpd.info/resources/documents/Notice-CPD-14-012-Prioritizing-Persons-Experiencing-Chronic-Homelessness-in-PSH-and-Recordkeeping-Requirements.pdf>

## **VIII. Determining Income and Calculating Rent**

**a. 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, and are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and which are not specifically excluded in 24 CFR § 5.609(c) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

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.

**b. Income Inclusions Examples**

<i>Table 8.1</i>		<i>Income Inclusions Examples</i>	
<i>Not an exhaustive list</i>			
(1)	The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;		
(2)	The full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts, including lump sum payment for delayed start of a periodic payment;		
(3)	Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay;		
(4)	Welfare assistance. Welfare or other payments to families or individuals, based on need, that are made under program funded, separately or jointly, by Federal, State or local governments (e.g., Social Security Income (SSI) and general assistance available through state welfare programs);		
(5)	Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing in the dwelling;		
(6)	Net income from the operation of a business or profession;		
(7)	Interest, dividends, and other net income of any kind from real and personal property;		
(8)	All regular pay, special pay and allowances of a member of the Armed Forces, except special hostile fire pay.		

### c. Income Exclusions

<i>Table 8.2</i>	<i>Income Exclusions</i>
(1)	Income from employment of children (including foster children) under the age of 18 years;
(2)	Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);
(3)	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 paragraph (b)(5) of this section);
(4)	Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
(5)	Income of a live-in aide, as defined in 24 CFR § 5.403;
(6)	Subject to paragraph (b)(9) of this section, the full amount of student financial assistance paid directly to the student or to the educational institution;
(7)	The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
(8)	Amounts received under training programs funded by HUD;
	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);
	Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;
	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;
	Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs 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;
(9)	Temporary, nonrecurring or sporadic income (including gifts);
(10)	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)	Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
(12)	Adoption assistance payments in excess of \$480 per adopted child;
(13)	Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts.
(14)	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)	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 the developmentally disabled family member at home; or
(16)	Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR § 5.609(c) apply.



**d. Deductions**

<i>Table 8.3</i>		<i>Deductions</i>	
<i>Mandatory Deductions</i>			
(1)		\$480 for each dependent;	
(2)		\$400 for any elderly family or disabled family;	
(3)		The sum of the following, to the extent the sum exceeds three percent of annual income:	
	(a)	Unreimbursed medical expenses of any elderly family or disabled family; and	
	(b)	Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed. This deduction may not exceed the earned income received by family members who are 18 years of age or older and who are able to work because of such attendant care or auxiliary apparatus; and	
(4)		Any reasonable child care expenses necessary to enable a member of the family to be employed or to further his or her education.	

**e. Income Review Requirements**

<i>Table 8.4</i>		<i>Income Review Requirements</i>		
<b>Funding</b>	<b>Component</b>	<b>Activity</b>	<b>Required to Charge Rent?</b>	<b>Frequency</b>
ESG	Rapid Rehousing	Rental Assistance	Yes	Initially, annually and as changes in income are identified
	Prevention	Rental Assistance	Yes	Initially, annually and as changes in income are identified

**f. 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
- ✓ Standards and procedures for documenting *Income* are further detailed in [Appendix A](#).

**IX. Termination of Participation, Denial and Grievance Procedures**

Recipients must have written termination, denial, and grievance policies and/or procedures. The policies and/or procedures should be readily available to applicants and participants of assistance. With the exception of high volume shelters where it is acceptable to have policies posted in a public place, applicants and participants must receive written information about program policies. It is important to effectively communicate these policies and/or procedures to ensure that they are fully understood.

- ✓ **Denial and Grievance**

Causes of denial of assistance include, but are not limited to, the person's ineligibility or failure to provide verifiable evidence of eligibility, etc. Established procedures should describe:

- Circumstances in which persons may not qualify or would be denied;
- Notification of denial; and
- A person's right to review a recipient's decision.

#### ✓ **Termination of Participation and Grievance**

Involuntary termination from any project funded under the HEARTH Act places the participant at great risk because (s)he will likely exit to a place that is less safe than the project in which (s)he is currently participating. Termination is a last option. Recipients are encouraged to limit rules of participation to only that which constitutes immediate danger. For example, in a communal living project, it would not be appropriate to terminate a participant's housing because (s)he did not complete her/his chores. Recipients are encouraged to find other strategies to increase participants' contributions to their community by encouraging engagement rather than threatening loss of housing.

That being said, there may be instances where termination cannot be avoided. The written grievance procedure must include:

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

For projects where participants are required to request a review of the termination decision, participants must be given an adequate amount of time to submit their request. The review must be held at a mutually agreeable time.

## **X. Confidentiality of Participant Records**

Recipients must have policies and/or procedures to ensure that participant records, including electronic records, are maintained in a confidential manner as per RCW 43.185C.030, 24 CFR § 578.103(b), and 24 CFR § 576.500(x), and keep records or files pertaining to participants under lock and key with designated personnel only granted access to those documents. All records that contain protected identifying information (e.g. Name, Social Security Number, Date of Birth, etc.) of persons applying for and/or receiving housing and/or services must be kept secure and confidential.

## **XI. Inspection Requirements**

### **a. Emergency Solutions Grant**

#### **i. Emergency Shelter**

Projects that receive ESG funds for shelter operations must comply with minimum safety, sanitation and privacy standards as outlined in 24 CFR § 576.403.

#### **ii. Rapid Rehousing**

Projects providing Rapid Rehousing assistance with ESG funds are required to perform Habitability Standards inspections and maintain documentation of these inspections as defined in 24 CFR § 576.403(c). These inspections must be done at least annually. Recipients of ESG-Rapid Rehousing may adopt the HUD Housing Quality Standards (HQS) inspection procedures or the Habitability Standards. If HQS is adopted, inspectors must be trained. A record of the inspections must be kept and readily available.

#### **iii. Housing Quality Standards**

<i>Table 11.1</i>	<i>Housing Quality Standards – Key Aspects</i>	
Sanitary facilities	Food preparation and refuse disposal	
Space and security	Thermal environment	
Illumination and electricity	Structure and materials	
Interior air quality	Water supply	
Access	Site and neighborhood	
Sanitary condition	Smoke detectors	

Physical inspections of units to ensure compliance with HQS must be completed prior to the issuance of assistance. Additionally, recipients must inspect all units at least annually to ensure ongoing compliance with HQS. Deficiencies must be remedied within 30 days of

inspection, with the exception of emergency failures, see below. Payment may not be issued beyond the annual recertification date for units that do not meet HQS.

Recipients must comply with applicable conflict of interest requirements and shall not conduct HQS inspections of property that the recipient or a related entity owns. See 24 CFR § 578.95(c).

The following deficiencies constitute an emergency fail and repairs must occur and be verified within 24 hours (rather than the standard 30 days) of inspection (24 CFR 982.401(a)).

- Lack of security for the unit
- Waterlogged ceiling in imminent danger of falling
- Major plumbing leaks or flooding
- Natural gas leaks or fumes
- Electrical problem which could result in shock or fire
- No heat when outside temperature is below 40°F and the temperature inside the unit is below 55°F
- Utilities not in service
- No running hot water
- Broken glass where someone could be injured
- Obstacle which prevents entrance or exit
- Lack of functioning toilet
- Inoperable smoke detector

**iv. Suitable Dwelling Size**

Participants must be placed in units that are of suitable size: the unit must have at least one bedroom or living/sleeping room for each two persons. 24 CFR § 578.75(c).

**b. Lead-Based Paint Requirements**

**i. Visual Assessments**

The lead-based paint visual assessment requirement exists to protect vulnerable families from potential health hazards. To prevent lead poisoning in young children, recipients must comply with the Lead-based Paint Poisoning Prevention Act of 1973 and its applicable regulations found at 24 CFR § 35.

The applicable parts of 24 CFR § 35 are as such:

1. For ESG-funded shelters and housing occupied by project participants, recipients must comply with subparts A, B, H, J, K, 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 remaining in their current unit is being assisted with either ESG rent/utility assistance, ESG arrears assistance, CoC rent assistance, or it is a residential property using CoC funds to fund leasing, services or operating costs.
2. The unit was constructed prior to 1978.
3. A child under the age of six or a pregnant woman is, or will be, living in the unit.

For units and facilities that meet these conditions, recipients must conduct a visual assessment at least annually. For rental units, a visual assessment must be conducted prior to providing rent assistance and on an annual basis thereafter (as long as assistance is provided). The recipient must maintain the record on file with the inspection's record and readily available for review.

Visual assessments must be conducted by a HUD-Certified Visual Assessor. Agency staff may complete the Visual Assessment Training at <http://www.hud.gov/offices/lead/training/visualassessment/h00101.htm>. The certificate of completion must be maintained on record and readily available for review. For rental units, documentation must be kept with the HQS or Habitability Standards Worksheet and maintained in the participant file.

#### **ii. 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 § 35.115(a).

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

## **XII. Recordkeeping Requirements**

In order to receive assistance, the following information must be documented in the participant file:

### **a. Initial Consultation & Eligibility Determination**

The participant must lack sufficient resources and support networks to obtain/retain housing and this must be documented in the file. The participant must receive an initial consultation and eligibility assessment to determine housing status eligibility and the appropriate type of assistance needed to regain stability in permanent housing.

### **b. Housing Stability Plan**

The Housing Stability Plan (ESG-Emergency Shelter, ESG-Prevention, ESG-Rapid Rehousing) must include:

- ✓ Needs assessment to identify barriers and specific housing and self-sufficiency goals
- ✓ Action steps to retain permanent housing after assistance ends
- ✓ Households receiving assistance from a victim service provider may be exempted from the case management requirement.

### **c. Assistance in obtaining mainstream and other resources**

Participants must receive appropriate supportive services and referrals essential to achieving independent living through other federal, state, local, and private assistance.

### **d. Proof of Complete Inspection**

Please see Section XI, [Inspection Requirements](#), for full detail.

- ✓ [Habitability](#) (ESG)
- ✓ [Housing Quality Standards](#) (CoC)

Completed inspection forms must be retained in the file and must contain the date the inspection was performed and the signature of the staff person who performed the inspection.

### **e. Proof of Complete Lead Based Paint Visual Assessment**

See Section XI, [Inspection Requirements](#), for full detail. Completed assessments must be retained in the file and must contain the date the inspection was performed and the signature of the staff person who performed the inspection.

### **f. Rent Reasonableness**

Please see [Appendix B](#) for full detail.

Recipients must:

- ✓ Use the Rent Reasonableness Certification Form (Attachment A) to document rent reasonableness
- ✓ Retain a copy the Rent Reasonableness Survey every year, beginning in April 2013
- ✓ Retain documentation of any supplemental documents used to compare rents i.e. copies of advertisements for properties for rent, etc.

**g. Case notes and record of services received**

Files must contain case notes that align with either the Housing Stability Plan or the Individual Support Plan, be legible, dated and contain a record of the staff member responsible for each note.

**XIII. Reporting Requirements**

Subrecipients shall follow the reporting requirements as outlined in the Contract with the County.

Recipients shall participate in ECHO Continuum of Care activities, which includes participation in planning activities, and the annual Point-in-Time (PIT) count of the homeless. Recipients will complete the Annual Homeless Housing Inventory Chart (HIC), which includes data on beds, units, HMIS participation, services, and financial data on all projects.

Horry County tracks all ESG activity in the HUD IDIS system. Horry County requires subrecipients to provide financial data and narratives regarding their project, To further reporting requirements, Horry requires ESG subrecipients to input required data in a comparable database, the majority of the data required for the CAPER will be generated from the Homeless Management Information System (HMIS).

**XIV. Homeless Management Information Systems Participation**

Recipients will participate in the ECHO Homeless Management Information System (“ECHO HMIS”) which is administered by the ECHO. ECHO HMIS is an electronic database that collects data on homeless persons who receive outreach, homelessness prevention and intervention services, emergency shelter, transitional housing, supportive services not linked with housing, and permanent supportive housing.

*HMIS Participation will include:*

- Technical set up;
- Staff training;
- Development of and adherence to an HMIS implementation schedule;
- Adherence to the requirements set forth in the ECHO HMIS POLICIES AND PROCEDURES MANUAL including:
  - Confidentiality
  - Privacy and Security Protocols
  - Adherence to the Data Quality Plan
- Adherence to the requirements set forth in the “Agency Partner Agreement” and “User Policy, Code of Ethics and Responsibility Statement” executed by the Recipient and the Recipient’s staff.

## **XV. Performance Standards**

Performance standards are established by project type, based upon HUD's national targets, as well as local targets that account for the unique needs of the homeless population and subpopulations within Horry County. To set these performance targets, HUD established performance areas, including those for High-Performing Communities and those included in the application review criteria in the CoC Notice of Funding Availability (NOFA), as well as HMIS and performance data for CoC- and ESG-funded projects.

Performance will be monitored per project performance on an ongoing basis through HMIS data as well as annually through the Consolidated Annual Performance and Evaluation Report (CAPER). In addition:

- Once Subrecipients are selected and projects begin operating, the County utilizes a Program Monitoring Tool – Subrecipient Risk Assessment to assess whether Subrecipients qualify as “high risk,” which is determined, in part, by a review of project performance.

The County will take the following action against poor performers:

- Provide technical assistance (TA)
- Provide a corrective action plan if:
  - o TA is not implemented by the Subrecipient; or
  - o The poor performance is of serious concern; or
  - o Prior TA was not followed by the Subrecipient.
- Review all necessary materials and conduct on-site visit(s) as needed
- Follow contracting procedures for suspension or termination of the Contract if the Subrecipient fails to respond and correct the issue(s)
- Request funds be returned if necessary and appropriate.



## Appendix A

### Income Eligibility Documentation Standards

While Horry County has established standards for various types of income, Horry County 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, Projects 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
<b>Wages and Salary</b>	<p>Obtain copy of most recent pay stub(s) and include in participant file.</p> <p><i>OR Written 3<sup>rd</sup> 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 participant 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 participant file.</p> <p><i>OR Oral 3<sup>rd</sup> Party Verification</i></p> <p>Contact the employer by phone or in person. At a minimum, oral verification must include: name of employer and participant 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 participant file.</p> <p><i>OR Self Declaration</i></p> <p>Obtain signed and dated self-declaration from the participant. At a minimum must include source of income, income amount and frequency, and be signed. Copy kept in participant file. Case manager must document attempts to obtain written and oral verification.</p>
<b>Self-Employment and Business Income</b>	<p>Obtain copy of most recent federal and state tax return from the applicant and keep copy in participant file.</p> <p><i>OR Self Declaration</i></p> <p>Obtain signed and dated self-declaration from the participant. At a minimum must include source of income, income amount and frequency and be signed. Copy kept in participant file. Case manager must document attempts to obtain written and oral verification.</p>

<p><b>Interest and Dividend Income</b></p>	<p>Obtain copy of most recent interest or dividend income statement from participant and keep copy in participant file.</p> <p><i>OR</i></p> <p>Obtain copy of most recent federal and state tax return from the applicant and keep copy in participant file.</p> <p><i>OR Self Declaration</i></p> <p>Obtain signed and dated self-declaration from the participant. At a minimum must include source of income, income amount and frequency and be signed. Copy kept in participant file. Case manager must document attempts to obtain written and oral verification.</p>
<p><b>Pension/Retirement Income</b></p>	<p>Obtain copy of most recent payment statement or benefit notice from Social Security, pension provider or other source. Copy kept in participant file.</p> <p><i>OR Written 3<sup>rd</sup> Party Verification</i></p> <p>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 participant file.</p> <p><i>OR Oral 3<sup>rd</sup> Party Verification</i></p> <p>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 participant file.</p> <p><i>OR Self Declaration</i></p> <p>Obtain signed and dated self-declaration from the participant. At a minimum must include source of income, income amount and frequency and be signed. Copy kept in participant file. Case manager must document attempts to obtain written and oral verification.</p>
<p><b>Unemployment and Disability Income</b></p>	<p>Obtain copy of most recent payment statement and or benefit notice. Copy kept in participant file.</p> <p><i>OR Written 3<sup>rd</sup> Party Verification</i></p> <p>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 participant file.</p> <p><i>OR Oral 3<sup>rd</sup> Party Verification</i></p> <p>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 participant file.</p>

	<p><i>OR Self Declaration</i></p> <p>Obtain signed and dated self-declaration from the participant. At a minimum must include source of income, income amount and frequency and be signed. Copy kept in participant file. Case manager must document attempts to obtain written and oral verification.</p>
<b>Public Assistance</b>	<p>Obtain copy of most recent payment statement and or benefit notice. Copy kept in participant file.</p> <p><i>OR Written 3<sup>rd</sup> Party Verification</i></p> <p>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 participant file.</p> <p><i>OR Oral 3<sup>rd</sup> Party Verification</i></p> <p>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 participant file.</p> <p><i>OR Self Declaration</i></p> <p>Obtain signed and dated self-declaration from the participant. At a minimum must include source of income, income amount and frequency and be signed. Copy kept in participant file. Case manager must document attempts to obtain written and oral verification.</p>
<b>Alimony, Child Support, Foster Care Payments</b>	<p>Obtain copy of most recent payment statement, notices or orders. Copy kept in participant file.</p> <p><i>OR Written 3<sup>rd</sup> Party Verification</i></p> <p>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 participant file.</p> <p><i>OR Oral 3<sup>rd</sup> Party Verification</i></p> <p>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 participant file.</p> <p><i>OR Self Declaration</i></p> <p>Obtain signed and dated self-declaration from the participant. At a minimum must include source of income, income amount and frequency and be signed. Copy kept in participant file. Case manager must document attempts to obtain written and oral verification.</p>

## Appendix B

### Rent Reasonableness Policies and Procedures

(Adapted from HUD's Homeless Prevention Rapid Re-Housing Grant Guidelines)

**Determining and Documenting Rent Reasonableness:** Determining and documenting rent reasonableness is required under CoC and ESG. We are required to establish local policies and procedures to determine documentation and record keeping requirements in order to ensure the rent reasonableness standard is met. Below describes the methodology, staffing, data sources, documentation requirements, and special circumstances.

**Methodology:** Methodologies for obtaining comparable rents include:

- Utilizing the HUD guidelines for determination of Rent Reasonableness;
- Obtaining documentation from property owners/managers on current rents charged in comparable unassisted units;
- Obtaining comparable rents on a unit-by-unit basis from other data sources (shown in the data sources section below).

Rent reasonableness will consider the following: location, size, unit type, quality and condition of the unit, accessibility, amenities, age of the unit, and utilities.

**Staffing:** The responsibility of determining and documenting rent reasonableness should be assigned to program staff in the following order of preference:

1. Staff conducting the housing inspection will be responsible for determining and documenting rent reasonableness.
2. The case manager will be responsible for determining and documenting rent reasonableness.

**Data Sources:** Acceptable data sources used in determining rent reasonableness include the following:

- South Carolina Housing Rental Information;
- Newspaper ads (including internet versions of newspaper ads);
- Classified 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.apartments.com](http://www.apartments.com)

**Utilizing the South Carolina Housing Rental Information:** This information is a helpful way to understand the overall rental market of an area and can be a good starting point for certifying rent reasonability. The certifier must follow these steps in utilizing the survey:

- Correctly identify the area the proposed unit is in;
- Identify the correct unit size based on the number of bedrooms;
- Identify the correct building type based on the number of units the building contains;
- Ascertain the average rent for that type of unit

**Strategies for Determining Appropriate Comparable Properties:** Each and every certification of rent reasonableness must consider the following:

- *Location:* It is important that, not only are the properties close in proximity, but that they have similar access to services such as bus lines, grocery stores, etc. and are within the same school boundaries where possible.
- *Square Footage*
- *Unit Type:* Single Family, Duplex, Town House, Low-Rise, High-Rise, Manufactured Home, etc.
- *Quality and Condition of the Unit:* Quality of floor coverings, cabinets, appliances, windows and doors as well as how well the unit has been maintained may make units more or less desirable and may affect the amount of rent the unit commands.
- *Accessibility*
- *Amenities/Facilities:*  
The following amenities/facilities may have an effect on the amount of rent the unit commands assuming that it is in good repair and desirable within the market:
  - Garbage Disposal
  - Dishwasher
  - Washer/Dryer in Unit
  - Patio/Balcony/Deck
  - Fenced Yard
  - Playground
  - Covered/Garage Parking
  - Off-Street Parking
  - Storage Outside of Unit
  - Laundry Facilities
  - Club House
  - Pool
  - Fireplace
- *Age of the Unit and Year of Renovation*
- *Utilities*

**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](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.
- 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, Projects 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., projects should access <http://www.realtor.org/research>.

**Strategy for Addressing Special Cases:** There may be instances where the above methodology and process is not sufficient to establish rent reasonableness for a particular unit.

For example, staff may find in rural areas that there are only one or two comparable units instead of the three units specified by the protocol.

Staff may use alternative methods to determine and document rent reasonableness in the following circumstance:

- In rural areas where it may be difficult to find three comparable units.
- In assessing units with an accessibility feature that the tenant requires due to a disability where it may be difficult to find three comparable units.

**Documentation Requirements:** The following documentation is required to determine rent reasonableness and must be kept in the participant file:

- Rent Reasonableness Certification Form
- Supplemental documents used to compare rents i.e. copies of advertisements for properties for rent etc.

**Special Note Regarding Fair Market Rent:** The gross rent (rent + utility allowance) for units receiving rental assistance from ESG funds, and leasing funds from the CoC Program cannot exceed the HUD Determined Fair Market Rent (FMR). Programs using rental assistance funds from the CoC Program should generally not exceed FMR.

## Appendix C

### Step by Step Guide to Compliance with Lead Based Paint 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 participants (or ensuring they have received it) is an easy thing to do. This is an important opportunity to educate participants 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 assistance.

#### Determining the Age of the Unit

Projects should use formal public records, such as tax assessment records, to establish the age of a unit. These records include the year built or age of the property, some assessment information can be found online. Print out a copy of the screenshot for the case file. If you have trouble finding this information online, contact your local Property Tax Assessment office 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 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.html>

The training teaches individuals how to identify deteriorated paint and how deteriorated paint must be treated. Projects 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, Project cannot approve the unit for assistance until the deteriorating paint has been repaired. At this point, Projects 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 participant to a different program if 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](http://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/>



# Rent Reasonableness Certification

Tenant Name \_\_\_\_\_

## I. Unit Information

Proposed Unit Address and Number

Landlord Name and Address

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date Unit Built: \_\_\_\_\_ Number of Bedrooms \_\_\_\_\_ Square Feet \_\_\_\_\_

Amenities, unit condition, and accessibility (i.e. handicap, etc): \_\_\_\_\_  
\_\_\_\_\_

## II. Establishing Gross Rent

1. Type of Unit (Garden, High Rise, Duplex, Town House, Single Family etc.): \_\_\_\_\_

2. Published Fair Market Rent (FMR): \$ \_\_\_\_\_

3. Owner's Proposed Contract Rent: \$ \_\_\_\_\_

(a) Allowance for tenant-furnished utilities, if any \$ \_\_\_\_\_

(b) Gross Rent \$ \_\_\_\_\_

4. Owner's Most Recent Rent Charged \$ \_\_\_\_\_

(a) Did this rent include all utilities? \_\_\_\_\_ Yes \_\_\_\_\_ No (If No, explain) \_\_\_\_\_

(b) Amount of increase over rent, if any? \$ \_\_\_\_\_

(c) Reason for rent increase? \_\_\_\_\_

(d) Owner's reason for increase in rent justified? Yes \_\_\_\_\_ No \_\_\_\_\_

Does this rent include all utilities? \_\_\_\_\_ Yes \_\_\_\_\_ No (If No, explain) \_\_\_\_\_

(e) What method was used to determine that the rent being proposed for this unit is not more than the amount charged for other unassisted units? \_\_\_\_\_

## III. Rent Survey

According to Horry County Rent Reasonableness information, which area is this unit located in? # \_\_\_\_\_

What is the Average Rent for this area according to the information? \$ \_\_\_\_\_

Is the Proposed Rent less than the Avg. Rent for the Area?

\_\_\_\_\_ Yes (Stop here, complete and sign the certification at the end of the document)

\_\_\_\_\_ No (If No, the unit may not be Rent Reasonable, further analysis is required. Do not sign below. Complete and attach Supplemental Section IV)

Based on the Rental information, I have determined that the proposed rent for the unit [ ] IS [ ] IS NOT reasonable.

Staff Signature: \_\_\_\_\_

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

## Rent Reasonableness – Supplemental

### IV. Comparable Units (Supplemental Analysis)

The Proposed Rent for the unit was above the Average Rent for the Area according to the information, due to the following factors:

- ┆ The information applied to less than 3 buildings for this unit type in this area and therefore is unreliable.
- ┆ The unit is significantly newer than other units or has recently been renovated.
- ┆ The unit has better than average amenities.
- ┆ The unit is Accessible.
- ┆ Other. Explain: \_\_\_\_\_

The specific units listed below are a more accurate reflection of the market for the proposed unit.

	Proposed Unit		Unit #1		Unit #2		Unit #3	
Source of Information								
Address								
Number of Bedrooms/Bathrooms								
Square Feet								
Type of Unit (Low-Rise, Hi-Rise, Single Family, Duplex etc.)								
Housing Condition								
Location/Accessibility								
Amenities (List):								
Yr Built/Renovated								
Utilities Not Included in Rent (E,W,S,G,T)								
Unit Rent	\$		\$		\$		\$	
Utility Allowance	\$		\$		\$		\$	
Gross Rent	\$		\$		\$		\$	
Handicap Accessible?								

Based on a comparison with rents for comparable units, I have determined that the proposed rent for the unit [ ] IS [ ] ISNOT reasonable.

Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_





