Emergency Solutions Grant (ESG) Written Standards
August 29, 2016
Program Overview

The Emergency Solutions Grant (ESG) is a federal program that provides funding to states and local governments for emergency services and housing supports for homeless and at-risk households. Under the 2009 HEARTH Act, eligible activities under ESG were expanded from traditional shelter and outreach services to also include rapid re-housing and targeted homeless prevention. The purpose of this expansion was to help people quickly regain stability in permanent housing after experiencing a housing crisis and/or homelessness.

The purpose of the ESG Program is to provide funding to:
- Engage homeless individuals and families living on the street
- Improve the number and quality of emergency shelters for homeless individuals and families
- Help operate shelters
- Rapidly re-house homeless individuals and families
- Prevent families and individuals from becoming homeless

The amended ESG Program is designed to identify sheltered and unsheltered homeless persons, as well as those at risk of homelessness, and provide services necessary to help those persons quickly regain stability in permanent housing after experiencing a housing crisis and/or homelessness. The program’s focus changed from addressing the needs of homeless people in emergency or transitional shelters to assisting people to quickly regain stability in permanent housing after experiencing a housing crisis and/or homelessness.

In order to align ESG with other HUD homeless sub-recipients, new regulations (24 CFR 576.400) require ESG Recipients to consult with the Continuum of Care (CoC) entity in their region to determine how to allocate ESG funds, develop performance standards and evaluate the outcomes of projects and activities funded with ESG. They also must develop written policies and procedures for determining which households will receive assistance and for determining the type, amount, and length of assistance to be offered to eligible households.

MaineHousing, in conjunction with the Maine CoC Board of Directors and ESG sub-recipients has developed the following standards for providing assistance, which are in accordance with the interim rule for the Emergency Solutions Grant Program released by the HUD on December 4, 2011, and the final rule for the definition of homelessness also released by the HUD on December 4, 2011; and the Continuum of Care Program Interim Rule released by HUD on July 31, 2012.

It is expected that the standards will adjust as programs evolve, members gain more experience, and HMIS data from programs and services is analyzed. The Standards may serve as the guiding principles for funding ESG programs. Each recipient and sub-recipient shall comply with the minimum written standards for providing assistance and all funds used to provide services to clients served by these programs, including any match and program income funding, shall comply with these same requirements. Further they may decide to set standards on their provision of assistance that exceeds these minimum standards, but will at the very least comply with the following guidelines in this document. Details about the ESG program requirements can be found at https://www.hudexchange.info/esg/esg-law-regulations-and-notices.
Eligible Program Activities

ESG regulations require that shelters receiving ESG funds must assist homeless individuals in accessing mainstream programs and permanent housing. There are five eligible activities under the ESG program:

1. Street Outreach;
2. Emergency Shelter;
3. Homeless Prevention and Rapid Re-housing;
4. Data Collection; and
5. Administration.

The following section will identify and explain each eligible activity. Although all are possible eligible activities, MaineHousing will provide funding for the activities outlined in the Homeless Program Rule which was changed in 2015 based on feedback from stakeholders including ESG subrecipients, Maine’s two CoC’s and the Statewide Homeless Council. Please refer to the Glossary for the updated definition of a homeless person and a person at risk of homelessness.

Street Outreach:  
Street Outreach activities are designed to meet the immediate needs of unsheltered homeless persons by connecting them with emergency shelter, housing, and/or critical health services. Street Outreach funds are eligible for People who are qualify as ‘unsheltered homeless,’ based on category (1)(i) of the “homeless” definition found at 24 CFR 576.2 (UNSHELTERED HOMELESS PEOPLE, (Category 1 of Homeless Definition and PEOPLE FLEEING DOMESTIC VIOLENCE, (Category 4 of Homeless Definition) are eligible for the following activities, in compliance with federal ESG rules (24 CFR 576.101): engagement, case management, emergency health and mental health services, transportation.

Please refer to the Interim Rule, § 576.101 Street Outreach Component for more details on eligible activities. Generally, eligible costs include funds may be used for costs of providing essential services necessary to reach out to unsheltered homeless people; connect them with emergency shelter, housing, or critical services; and provide urgent, non facility-based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility. “Unsheltered homeless people” means individuals and families who qualify as homeless under paragraph (1)(i) of the “homeless” definition under § 576.2. These include engagement, case management, emergency health services, transportation, and services for special populations. However, this activity will not be funded as per the Homeless Rule.

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

Emergency Shelter funds may be used for costs of providing essential services to homeless families and individuals in emergency shelters, renovating buildings to be used as emergency shelter
for homeless families and individuals, and operating emergency shelters. Please refer to the Interim Rule, § 576.102 Emergency Shelter Component for more details on eligible activities. Individuals and families who are eligible are those defined as homeless under the homeless definition in categories 1, 2, 3, and 4.

**Major Rehabilitation, Conversion, or Renovation of a building to serve as a homeless shelter:**
Site must serve homeless persons for at least 3 or 10 years, depending on the cost. Note: Property acquisition and new construction are ineligible ESG activities. These activities will NOT be funded program year 2014/2015.

**Operation of Emergency Shelters:**
ESG funds can provide annual operating support to programs that provide for the basic needs of homeless persons with the goal of preventing further deterioration of their quality of life. The purpose is to assure that homeless persons have access to food, safe shelter, shower and restroom facilities and other services to maintain health and hygiene. Eligible costs include: maintenance (including minor or routine repairs), rent, security, fuel, insurance, utilities, food, furnishings, equipment, and supplies necessary for the operation of the emergency shelter and hotel/motel voucher for an individual or family. However, this activity will not be funded as per the Homeless Rule.

**Providing Essential Supportive Services for Emergency Shelter clients:**
A portion of the ESG allocation can be used to provide essential supportive services that homeless people need in order to regain stability and housing. Essential supportive services include financial assistance on behalf of a client to remove obstacles to self-sufficiency. Such financial assistance may include bus passes, gas vouchers, or child care while a parent searches for or engages in employment; help getting the work cards necessary to accept employment. Essential supportive services also includes assistance in obtaining permanent housing, and in obtaining other Federal, State, or local assistance such as TANF, SNAP (formerly Food Stamps), child support enforcement, etc. and the staff salaries necessary to provide such service coordination efforts (case management). However, this activity will not be funded as per the Homeless Rule.

**Homeless Prevention and Rapid Re-Housing**
*Homelessness Prevention* activities are designed to prevent an individual or family from moving into an emergency shelter or living in a public or private place not meant for human habitation through housing relocation and stabilization services and short- and/or medium-term rental assistance. However, this activity will not be funded as per the Homeless Rule.

*Rapid Re-Housing* activities are designed to move homeless persons quickly to permanent housing through housing relocation and stabilization services and short- and/or medium-term rental assistance. ESG funded rapid rehousing will follow the standards as set forth below. People who qualify as ‘homeless,’ based on categories (1 or 4) of the “homeless” definition found at 24 CFR 576.2 and/or 578.3 and who are moving into a housing unit that meets HUD’s habitability and lead-based paint standards are eligible for the following activities, in compliance with federal ESG and CoC rules (24 CFR 576.104, 576.105, 576.106, 578.37, 578.51 and 578.77). Additionally persons receiving rapid rehousing through the ESG program must have incomes at or below 30% of the area median income (AMI) at annual recertification.
Data Collection & HMIS

Grant funds may be used for the costs of participating in an existing HMIS of the Continuum of Care where the project is located (for information, please reference 24 CFR 576.107). HMIS (Homeless Management Information System) activities are designed to fund ESG recipients’ and sub-recipients’ participation in the HMIS collection and analyses of data on individuals and families who are homeless and at-risk of homelessness.

Administration

Up to 7.5 percent of a recipient's allocation can be used for general management, oversight, coordination, and reporting on the program. State recipients must share administrative funds with their Sub-recipients who are local governments and may share with their Sub-recipients who are nonprofit organizations. The availability of these funds may vary from year to year (for information, please reference 24 CFR 576.108).
ESG Required Written Standards

At a minimum these written standards must include:

**Required for ALL PROGRAMS:**

1. Standard policies and procedures for evaluating eligibility.
2. Policies and procedures for coordination among emergency shelter providers, essential services providers, homelessness prevention, and rapid rehousing assistance providers; other homeless assistance providers; and mainstream service and housing providers (see § 576.400(b) and (c) for a list of programs with which ESG-funded activities must be coordinated and Integrated to the maximum extent practicable);
3. Participation in HMIS or a comparable data base for victim service providers. The grantee must ensure that data on all persons served and all activities assisted under ESG are entered into the HMIS. If the grantee is a victim service provider, it may use a comparable data base, to collect client-level data over time (i.e., longitudinal data) and generates unduplicated aggregate reports based on the data.

**Additional standards for STREET OUTREACH:**

1. Standards for targeting and providing essential services related to street outreach.

**Additional standards for EMERGENCY SHELTER:**

1. Policies and procedures for admission, diversion, referral, and discharge by emergency shelters, including standards regarding length of stay, if any, and safeguards to meet the safety and shelter needs of special populations, [e.g., victims of domestic violence, dating violence, sexual assault, and stalking; and individuals and families who have the highest barriers to housing and are likely to be homeless the longest]
2. Policies and procedures for assessing, prioritizing, and reassessing needs for essential services related to emergency shelter

**Additional standards for PREVENTION and RAPID RE-HOUSING:**

1. Policies and procedures for determining and prioritizing homelessness prevention and rapid re-housing assistance;
2. Standards for determining what percentage or amount of rent and utilities costs, if any, each program participant must pay while receiving homelessness prevention or rapid re-housing assistance;
3. Standards for determining how long a particular program participant will be provided with rental assistance and whether and how the amount of that assistance will be adjusted over time, if at all
4. Standards for determining the type, amount, and duration of housing stabilization and/or relocation services to provide, including the limits, if any, on the homelessness prevention or rapid re-housing assistance that each program participant may receive, such as the maximum amount of assistance, maximum number of months in the program; or the maximum number of times the program participant may receive assistance.
General Written Standards

Confidentiality of Client Records

Sub-recipients must have policies and/or procedures to ensure that client records are maintained in a confidential manner and keep written records or files pertaining to households under lock and key with designated personnel granted access to those files.

Conflicts of Interest

Minimum standards for conflicts of interest are:

Organizational conflicts of interest:

- ESG and CoC assistance will not be contingent on the individual’s or family’s acceptance or occupancy of emergency shelter or housing owned by the provider or a provider’s subsidiary or parent.

- No provider, with respect to individuals or families occupying housing owned by the provider or a provider’s subsidiary or parent, will carry out the initial evaluation under 24 CFR 576.401 or administer homelessness prevention assistance under 24 CFR 576.103.

Individual conflicts of interest:

When procuring goods and services, the provider will comply with codes of conduct and conflict of interest requirements under 24 CFR 84.42 (private non-profit) or 24 CFR 85.36 (government).

All transactions/activities:

No CoC board member may participate in or influence discussions or resulting decisions concerning the award of a grant or other financial benefits to the organization that the member represents.

Conflicts prohibited:

No person involved with the ESG or CoC programs or who is in a position to participate in a decision-making process or gain inside information regarding the program’s activities, shall obtain a financial interest or benefit from an assisted activity; have a financial interest in any related contract, subcontract, or assisted activity; or have a financial interest in the activity’s proceeds (either himself or herself or those with whom he or she has family or business ties) during his or her tenure or for one year following tenure.

Persons covered:

These conflict of interest provisions apply to any employee, agent, consultant, officer or elected or appointed official of the provider’s agency.
Connection with Other Resources

Minimum standards for connection with other resources consist of assisting each participant to obtain, if applicable:

Appropriate support services including:

- Permanent housing;
- Medical health treatment;
- Behavioral health services;
- Counseling;
- Supervision; and
- Other services needed for independent living.

Other governmental and private assistance available to help with housing stability including:

- Medicaid;
- Medicare
- Supplemental Nutrition Assistance Program;
- Women, Infants and Children (WIC);
- Federal-State Unemployment Insurance Program;
- Supplemental Security Income (SSI);
- Social Security Disability Insurance (SSDI);
- Child and Adult Care Food Program; and
- Other available assistance.

Coordinated Assessment

Minimum standards for centralized or coordinated assessment system are:

- Once the Continuum of Care has developed and adopted a centralized or coordinated assessment system in accordance with HUD’s requirements (24 CFR Part 578) all providers within the Continuum of Care’s area, except for victim service providers, shall use that assessment system.

- A victim service provider may choose not to use the Continuum of Care’s assessment system. However, all victim service providers are required to use a centralized or coordinated assessment system that meets HUDS’s minimum requirements.

- This shall include the use of a standardized assessment tool by all providers to determine the appropriate intervention to address the episode of homelessness and the prioritization of individuals and families for assistance based on the severity of their service needs and the length of time homeless.
• Ongoing training and support will be provided to all CoC and ESG funded providers in the assessment, prioritization and placement process.

All homeless projects in the both of Maine’s CoC’s including HP, ES, TH, RRH, SH, and PSH, must participate in their Homeless Planning Region’s coordinated entry system (CES). This includes using the region’s common assessment forms, following the region’s agreed upon referral process, using the region’s common PSH waitlist, and anything else as appropriate.

Upon adoption of these written standards, the CoC Joint Board of Directors must review their coordinated entry plans and update as necessary to ensure there are no contradictions between the coordinated entry system and these program standards. Any needed updates to coordinated entry plans must be completed and communicated to the public, as appropriate.

**Coordination with Programs**

Minimum standards for program coordination consist of on-going system and program coordination and integration of ESG and CoC funded activities to the maximum extent practicable with the following:

a. Emergency shelter providers, essential services providers, homelessness prevention, transitional housing, permanent supportive housing and rapid rehousing assistance providers;

b. Other homeless assistance providers, including:

• HUD-Veterans Affairs Supportive Housing (HUD-VASH);
• Education for Homeless Children and Youth Grants for State and Local Activities
• (McKinney-Vento Homeless Assistance Act);
• Grants for the Benefit of Homeless Individuals;
• Healthcare for the Homeless;
• Programs for Runaway and Homeless Youth;
• Projects for the Assistance in the Transition from Homelessness;
• Services in Supportive Housing Grants;
• Emergency Food and Shelter Program;
• Transitional Housing Assistance Grants for Victims of Sexual Abuse, Domestic Violence, and Stalking Program;
• Homeless Veterans Reintegration Program;
• Domiciliary Care for Homeless Veterans Program;
• VA Homeless Providers Grant and Per Diem Program;
• Health Care for Homeless Veterans Program;
• Homeless Veterans Dental Program; and
• Supportive Services for Veterans Families Program
c. Mainstream service and housing providers:

- Public housing programs assisted under section 9 of the U.S. Housing Act of 1937;
- Housing programs receiving Section 8 tenant based or project based assistance;
- Supportive Housing for Persons with Disabilities;
- HOME Investment Partnerships Program;
- Temporary Assistance for Needy Families;
- State Children’s Health Insurance Program;
- Head Start;
- Mental Health and Substance Abuse Block Grants;
- Services funded under the Workforce Investment Act; and
- State Housing Related Assistance Program for Adults with Serious Mental Illness

d. Continuum of Care (CoC) Networks:

- Local Continuum of Care (CoC) meetings – Maine has two CoC’s: the City of Portland and the Maine Balance of State (MBoS) Continuum of Care and both meet monthly. BoS Committee meetings – Each of the five Local CoCs (excluding Omaha & Lincoln) has two voting representatives on the Joint CoC Board of Directors for both CoC’s;
- Statewide Homeless Council and
- Various other committees, task forces and workgroups.

Displacement

Minimum standards for minimizing the displacement of persons (families, individuals, businesses, nonprofit organizations and farms) as a result of a project assisted under ESG and/or CoC shall comply with §576.408 and/or 578.83 and consist of:

**Minimizing displacement** – Consistent with ESG/CoC goals and objectives, the providers shall minimize displacing people as a result of ESG/CoC-funded projects.

**Temporary relocation not permitted** - No temporary relocation shall be required for an ESG/CoC-funded project. When a tenant has to move for an ESG/CoC-funded project, the tenant shall be treated as permanently displaced and offered relocation assistance and payments.

**Relocation assistance for displaced persons** -

**In general** – A displaced person shall be provided relocation assistance and advised of his or her Fair Housing Rights.

**Displaced Person** - A “displaced person” is defined as any person that moves from a permanent home as a result of ESG/CoC-funded acquisition, rehabilitation, or demolition of a project.
A person does not qualify as a “displaced person” if the person:

- Was evicted based on a violation of the lease or occupancy agreement; violation of the law; and the recipient determines that the eviction was not undertaken to evade the obligation to provide relocation assistance.
- Moved into the property after the application was submitted but was provided with written notice that he or she would not qualify as a “displaced person.”
- The person is ineligible under 49 CFR 4.2.
- HUD determines that the person was not displaced as a result of the project.

The State or the provider may request that HUD determine whether or not displacement would be covered by this rule.

**Real property acquisition requirements** – The acquisition of real property for an ESG/CoC funded project is subject to the URA and Federal government wide regulations.

**Appeals** - A person who disagrees with the recipient’s determination concerning whether the person qualifies as a displaced person, or the amount of relocation assistance may file a written appeal. A low-income person who disagrees with the recipient’s determination may submit a written request for review of that determination by HUD.

**Documentation**

**Households must have the following**:  

*All of this information must be clearly noted and documented in the client’s case file.*

1. **Initial Consultation & Eligibility Determination:**

   The household must receive an initial consultation and eligibility assessment to determine income and housing status eligibility and the appropriate type of assistance needed to regain stability in permanent housing.

2. **Assistance in obtaining mainstream and other resources:**

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

3. **Housing stability plan to include:**

   i. Needs assessment to include specific housing and self-sufficiency goals;
   ii. Action steps to retain permanent housing after ESG assistance ends; and
   iii. Households receiving assistance from a victim service provider may be exempted from the case management requirement.
Re-Evaluation

Household eligibility and the types and amounts of assistance the household needs must be re-evaluated and documented not less than once every 3 months for households receiving homelessness prevention assistance, and every six months for households receiving rapid re-housing assistance. At a minimum, each re-evaluation of eligibility must establish that:

1. The household does not have an annual income that exceeds 30 percent of median family income for the area, as determined by HUD; **AND**

2. The household lacks sufficient resources and support networks necessary to retain housing without ESG assistance.

Educational Assurances

ESG sub-recipients are expected to collaborate with local education authorities to assist in the identification of individuals and families who become or remain homeless and are informed of the eligibility for services under subtitle B of the title VII of the Act. This includes demonstrating that providers establish policies to ensure all children are enrolled in early childhood programs or in school and connected to appropriate services in the community. Providers shall collaborate with local school districts and early childhood education providers to identify homeless households with children to ensure they understand their eligibility for educational services.

Faith-Based Activities

Minimum standards for faith-based activities (24 CFR 576.406 and 578.87) are:

- Providers receiving ESG/CoC funding shall not engage in inherently religious activities as part of the ESG/CoC-funded programs or services. Such activities must be offered separately from ESG/CoC-funded programs and services and participation must be voluntary.

- A religious organization receiving ESG/CoC funding retains independence from government and may continue with its mission provided that ESG/CoC funds are not used to support inherently religious activities. An ESG/CoC-funded organization retains its authority over its internal governance.

- An organization receiving ESG/CoC funding shall not discriminate against a participant or prospective participant based on religion or religious beliefs.

- ESG/CoC funding shall not be used for the rehabilitation of structures used specifically for religious activities, but may be used for rehabilitating structures that are used for ESG/CoC-eligible activities.
**HMIS**

Minimum standards for ESG data are:

- Providers, except for victim service providers shall actively utilize the Homeless Management Information System (HMIS), to enter data on people served and assistance provided under ESG.

- Victim service providers shall actively utilize a comparable data system that meets HUD’s standards (24 CFR 576.107).

All ESG sub-recipients must use the Homeless Management Information System (HMIS) to maintain client and project-level data. The HMIS is a valuable resource because of its capacity to integrate and unduplicated data across projects. HMIS aggregate data can be used to understand the size, characteristics, and needs of the homeless population at the client, project, and community level. **The only exception to the HMIS participation requirement is for domestic violence victim services agencies, which are prohibited from entering data into HMIS and must instead use a comparable database.**

All ESG sub-recipients participating in HMIS must abide by the Policies and Procedures Manual, which lays out the CoC’s policies related to maintaining system security and client confidentiality, as well as the CoC’s processes for complying with all federal regulations related to the creation and maintenance of an HMIS. Homeless projects must also comply with the Data Quality Standards, which outline expectations for ensuring that quality data is entered into and maintained in the HMIS. **Homeless Participation**

**Minimum standards for homeless participation are:**

- Each funded provider of CoC or ESG assistance must provide for the participation of not less than one homeless individual or formerly homeless individual on the board of directors or equivalent policymaking entity of the provider. (24 CFR 578.75(g))

- To the maximum extent possible, the provider shall involve homeless individuals and families in paid or volunteer work on the ESG or CoC funded facilities, in providing services under ESG or CoC and in providing services for occupants of ESG or CoC funded facilities (24 CFR 576.405 and 578.75).

**Housing First**

All ESG subrecipients must adopt a Housing First approach. Adoption of Housing First practices will be documented via program policies and procedures, and any other relevant documents, that evidence the incorporation of the practices into the design and operation of the project.
At its most basic, Housing First is a model of housing assistance that centers on providing people experiencing homelessness with housing first and then providing voluntary services as needed and desired. Housing First programs operate under the assumption that everyone is ready for housing.

In addition to the basic idea of providing housing first, Housing First programs share a few critical elements, including:

- Rapid exit from homelessness
- Minimal barriers to program entry
- Voluntary Supportive Services
- Housing Focused Assistance

**Rapid Exit from Homelessness**

Whether at the emergency shelter or permanent housing point, Housing First providers work to get homeless individuals and families out of homelessness and into permanent housing as quickly as possible. For shelter providers, this means working hard to identify any rapid re-housing assistance that may be needed to move the household out of homelessness, or referring to permanent supportive housing where available and appropriate. For permanent housing providers, this means speeding up and/or streamlining intake processes wherever possible, and ensuring that prioritized clients are coming from literally homeless locations.

**Minimal Barriers to Program Entry**

In the past, many homeless programs had policies that would prevent homeless persons from entering the program if they didn’t meet a number of requirements. Common program requirements often included having a minimum income, no criminal history, no history of substance abuse (sometimes drug tests were used to confirm), poor rental history or evictions, and no past involuntary terminations from other homeless programs. Housing First programs, in contrast, remove every barrier to entry possible, in part to make their programs and services available to those with the most severe needs and longest histories of homelessness, i.e., people who likely would have been screened out of their program under previous practices.

Although the Housing First model involves reducing barriers to entry, including removing drug testing at program entry, this does not mean that homeless services providers are required to serve/house persons who are significantly under the influence or actively using to the point where their presence in the program poses a danger to themselves, staff, or other residents. For example, in some instances, homeless persons who are in active withdrawal from substances may need to be referred for medical attention rather than accepted into a program. In all cases, homeless program staff should do their due diligence to find alternative means of shelter/housing in the event that their program is unable to serve a client based on safety issues related to substance use.

A common practice, particularly among emergency shelters and other congregate facilities, is to conduct background checks on prospective clients. This practice is not
prohibited under Housing First practices. However, program policies should only deny program entry in cases where a criminal history shows a pattern of violent offenses (including violent sexual offenses). Past convictions for public intoxication or disorderly conduct, for example, should not, in and of themselves, cause a homeless person to be denied entry into a homeless program. Clients should also not be denied services or shelter while waiting on the results of the background check. In addition, homeless program staff should do their due diligence to find alternative means of shelter/housing in the event that their program is unable to serve a client based on the client’s criminal background.

**Voluntary Supportive Services**

The Housing First model requires that all supportive services be offered to clients on a voluntary basis. Refusal to participate in supportive services cannot be a reason to terminate someone from a homeless program. However, even under a voluntary services model, clients may be required to participate in regular assessment of needs in order to determine if ongoing assistance is needed and desired – in fact, monthly meetings with case management staff are required in CoC-funded rapid re-housing programs. Similarly, PSH projects should regularly check in with all clients, including those not receiving or requesting supportive services, to ensure that the client has ongoing need for PSH.

**Housing Focused Assistance**

Housing First programs offer voluntary supportive services that are first and foremost focused on obtaining and maintaining housing. In emergency shelters, for example, case managers should work with shelter residents to identify permanent housing options and help residents get connected to housing. Homeless programs providing supportive services designed to address other persona issues should ensure that those services are directly connected to helping clients obtain or maintain housing.

Additional information about Housing First practices can be found at the following links:

- [http://www.endhomelessness.org/pages/housing_first](http://www.endhomelessness.org/pages/housing_first)
- [http://www.desc.org/housingfirst.html](http://www.desc.org/housingfirst.html)

**Income Determination**

Minimum standards for determination of an individual or family’s annual income consist of calculating income in compliance with 24 CFR 5.609. Annual income is defined as:

*Annual income* means all amounts, monetary or not, which:

- Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or

- 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 paragraph (c) of 24 CFR 5.609.

• Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

**Individuals and families assisted under ESG are required to have annual incomes at or below 30% of Area Median.** There are no income limits for CoC assistance but in all instances in which participants are charged rent or occupancy charges, the amount charged must be based on participant’s verified annual income for all sources.

In verifying income, ESG and CoC funded providers are required to obtain third party verification whenever possible. Self-certification or verification is to be accepted only when all efforts have been made to obtain third party verification have not produced results.

### Lead-Based Paint

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

#### Lead-based Paint 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, Sub-recipients must comply with the Lead-based Paint Poisoning Prevention Act of 1973 and its applicable regulations found at 24 CFR 35, Parts A, B, M, and R.

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

1. The household moving into or remaining in their current unit is receiving ESG financial assistance. **AND**
2. The unit was constructed prior to 1978. **AND**
3. A child under the age of six or a pregnant woman is, or will be, living in the unit.

A visual assessment must be conducted prior to providing ESG financial 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 and must be documented on the HQS or HSS and maintained in the client file.

### Exceptions to the Lead-based Paint Visual Assessment Requirement

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

1. It is a zero-bedroom or SRO-sized unit;
2. 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;
3. The property has had all lead-based paint identified and removed in accordance with HUD regulations;
4. The unit has already undergone a visual assessment within the past 12 months –obtain documentation that a visual assessment has been conducted; or
5. It meets any of the other exemptions described in 24 CFR Part 35.115(a).

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

Nondiscrimination/Equal Opportunity/Affirmative Outreach

Minimum standards shall comply with the requirements for nondiscrimination, equal opportunity and affirmative outreach identified in §576.407 and 578.93(a-b).

Program Income

Minimum standards for private non-profit organizations for the program income earned during the project period are that the program income shall be retained and used to finance the non-Federal share of the project or program. Records of the receipt and use of program income shall be retained. Program income may not be used to meet matching funding requirements.

Safety, Sanitation and Privacy

Any emergency shelter that receives ESG assistance for shelter operations must meet the following minimum safety, sanitation, and privacy standards. Grantees may also establish standards that exceed or add to these minimum standards. Minimum standards for all shelters and program participant-occupied housing consist of compliance with the safety, sanitation & privacy requirements identified in 24 CFR 576.403 and 578.75, including:

1. **Structure and materials**
The shelter building must be structurally sound to protect residents from the elements and not pose any threat to health and safety of the residents.

2. **Access**
The shelter must be accessible in accordance with Section 504 of the Rehabilitation Act (29 U.S.C. 794) and implementing regulations at 24 CFR part 8; the Fair Housing Act (42 U.S.C. 3601 et seq.) and implementing regulations at 24 CFR part 100; and Title II of the Americans with Disabilities Act (42 U.S.C. 12131 et seq.) and 28 CFR part 35; where applicable.
3. **Space and security**
Except where the shelter is intended for day use only, the shelter must provide each program participant in the shelter with an acceptable place to sleep and adequate space and security for themselves and their belongings.

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

5. **Water supply**
The shelter’s water supply must be free of contamination.

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

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

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

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

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

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

The public areas of all housing must be equipped with a sufficient number, but not less than one for each area, of battery-operated or hard-wired smoke detectors. Public areas include, but are not limited to, laundry rooms, community rooms, day care centers, hallways, stairwells, and other common areas.
Recovered Materials

Minimum standards for the procurement of recovered materials shall comply with the requirements identified in §576.407(f) and 578.99(b), including that the recipient and its contractors must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds $10,000 or the value of the quantity acquired by the preceding fiscal year exceeded $10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

Records and Recordkeeping

Minimum standards shall ensure sufficient written records are established and maintained to enable the State and HUD to determine whether ESG/CoC requirements are being met and comply with §576.500 and 578.103, including the following:

Program participant records shall include written:

- Determination and verification/certification that the program participant met the criteria for being Homeless or At Risk of Homelessness and that an effort was made to obtain written third-party verification, when possible and applicable.
- For CoC funded projects, acceptable evidence of homeless status as set forth in 576.500(b).
- Determination and verification/certification that the program participant was eligible or ineligible for the particular services and/or financial assistance
- Determination and verification/certification that the program participant lacked sufficient resources and support networks to provide the assistance
- Determination and verification/certification that the program participant met income requirements and that an effort was made to obtain written third-party verification, when possible and applicable. This includes annual documentation of income for each program participant who receives housing assistance where rent or an occupancy charge is paid by the program participant.
- Determination and verification/certification that the only households served through permanent supportive housing meet HUD's requirements of having a family member be a person with disabilities.
- Identification of the specific services and financial assistance amounts that were provided to the program participant
- When applicable, verification that the services were terminated in compliance with 576.402 and/or 578.91.
- When adopted by the Continuum of Care, a copy of the CoC-approved centralized
or coordinated assessment of the program participant
- Copies of written leases and rental agreements, documentation of payments made, including dates of occupancy, and compliance with fair market rent, rent reasonableness and utility allowance requirements
- Determination and verification that the housing unit met HUD’s habitability and lead-based paint standards
- Copy of individualized housing stability plan
- Notes verifying case management services were provided at least monthly, unless exempt from this requirement
- Notes verifying program participant’s eligibility was re-evaluated at least every 3 months for homelessness prevention services or at least annually for rapid rehousing services
- Notes verifying program participant was assisted to obtain necessary mainstream and other resources

Program policies and procedures shall indicate:

- Services are coordinated with Continuum(s) of Care, other homeless assistance/prevention programs and mainstream service and assistance programs
- Compliance with HUD’s ESG (24 CFR 576 and 578) requirements for:
  - Shelter and housing standards
  - Conflict of interest
  - Homeless participation
  - Faith-based activity
  - Nondiscrimination, equal opportunity and affirmative outreach
  - Uniform administrative rules (24 CFR part 84)
  - Environmental review
  - Lobbying and disclosure (24 CFR part 87)
  - Displacement, relocation and acquisition
  - Procurement (24 CFR 84.40-84.48)
  - Program participant records are kept secure and confidential
  - Participation in HMIS or comparable database

Financial records shall include:

- Supporting documentation for all costs charged to ESG or CoC grant
- Documentation showing ESG or CoC funds were spent on allowable costs in accordance with the requirements for eligible activities and costs principles
- Documentation of the receipt and use of program income
- Documentation of the receipt and use of matching funds
- Copies of procurement contracts
Serving Families in Homeless Projects

Equal Access

Maine’s homeless projects serving families must ensure they comply with the Equal Access Rule, as outlined by HUD. The Equal Access Rule outlines the federal definition of ‘family’ for purposes of receiving assistance from certain programs. For Maine’s homeless projects, the definition of ‘family’ is as follows:

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

What this means is that any group of people that present together for assistance and identify themselves as a family, regardless of age or relationship or other factors, are considered to be a family and must be served together as such. Homeless projects cannot discriminate against a group of people presenting as a family based on the composition of the family (e.g., adults and children or just adults), the age of any member’s family, and the disability status of any members of the family, marital status, actual or perceived sexual orientation, or gender identity. More specifically, all homeless projects with dedicated family beds/units must serve families, regardless of the marital status or sexual orientation of the adults.

Prohibition against Involuntary Family Separation

The age and gender of a child under age 18 must not be used as a basis for denying any family’s admission to any housing or shelter receiving funding from either ESG or CoC (578.93(e)). Shelter projects serving families are required to serve the intact family, where desired by the client. Family members, regardless of age, gender, or other factors, cannot be separated from other family members during their program stay.

Serving Transgender Persons in Emergency Shelters and Other Sex-Segregated Facilities

ESG Sub-recipients must make their resources available to individuals and families without regard to actual or perceived sex, sexual orientation, or gender identity. Although emergency shelters with shared sleeping areas or bathrooms are permitted to inquire about sex or gender identity for purposes of determining room assignment, best practices suggest that where there is uncertainty about sex or gender identity shelter providers should ask where individuals feel most comfortable sleeping. This may mean that the person should be provided with a private changing, shower, and/or sleeping space, or stagger use of facilities so that the person may shower and change alone. Decisions about how and where someone is housed should be made on a case-by-case basis strongly taking into account the person’s preference about where to sleep, and keeping safety a priority.
In situations where providers are unsure of a person’s sex or gender identity, providers may not ask for documentation of sex or gender. The best way to proceed if a provider is unsure is to tell a client that the agency provides shelter according to the gender with which the client identifies. Do not ask, “What is your sex/gender?” Do say, “This is a shelter for women, if you would rather be in a different shelter, let us help you find one where you feel safe and comfortable.” It is understood that not every facility can accommodate every gender expression. The spirit of this guidance is about helping people to feel safe and comfortable in their temporary accommodations. This may mean telling a client what the local options are, without asking about their gender, and doing the most possible to get that person to a place they want to be. Gender-based violence can be inflicted on transgender people and providers are obligated to protect transgender people from such violence the same way they protect women, for example, from violence.


**Termination, Complaints, Appeals and Confidentiality Policies**

As part of each program’s policies and procedures, grantees must develop policies regarding termination of assistance to participants, complaints, appeals, and confidentiality procedures. The policies and/or procedures should be readily available to households either in written information or by posting the policy in a public place. It is important to effectively communicate these policies and/or procedures to households and ensure that they are fully understood.

Minimum standards for termination of assistance are:

**In general** – If a program violation occurs and the provider terminates assistance as a result, the termination shall follow an established process that recognizes the rights of the individuals affected. The grantee must exercise judgment and examine all extenuating circumstances in determining when violations warrant termination so that a program participant’s assistance is terminated only in the most severe cases. Termination shall only occur in the most severe cases after other remedies have been attempted.

**Due process rights for individuals and families facing program termination** – When an ESG or CoC funded homeless assistance program seeks to terminate participation for any household, the required formal process shall minimally consist of:

- Written notice clearly stating the reasons for termination;
- Review of the decision that gives the participant opportunity to present objections to the decision and to have representation.
Any appeal of a decision shall be heard by an individual different from and not subordinate to the initial decision-maker; and
Prompt written notice of the final decision on the appeal.

**Ability to provide further assistance** – Termination will not bar the provider from providing later additional assistance to the same family or individual.

**Prevention and Rapid Re-Housing Terminations**
To terminate rental assistance or housing relocation and stabilization services to a program participant, the required formal process, at a minimum, must consist of:

- Written notice to the program participant containing a clear statement of the reasons for termination;
- A review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision; **AND**
- Prompt written notice of the final decision to the program participant.

**Ability to Provide Further Assistance**
Termination does not bar the grantee from providing further assistance at a later date to the same family or individual.
ESG Minimum Standards

Street Outreach Standards

MINIMUM STANDARDS:

Targeting/Engagement:
Providers of Street Outreach services shall target unsheltered homeless individuals and families, meaning those with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station airport or camping ground.

Assessment/Service Provision/Referral/Prioritization:
• Individuals and families shall be offered an initial need and eligibility assessment and qualifying program participants, including those meeting special population criteria, will be offered the following Street Outreach services, as needed and appropriate: engagement, case management, emergency health and mental health, transportation services.

• When appropriate based on the individual’s needs and wishes, the provision of or referral to rapid rehousing services that can quickly assist individuals to obtain safe, permanent housing shall be prioritized over the provision of or referral to emergency shelter or transitional housing services.

Emergency Shelter Standards

An emergency shelter means any facility, the primary purpose of which is to provide a temporary shelter for the homeless in general or for specific populations of the homeless, and which does not require occupants to sign leases or occupancy agreements. Only projects funded as an emergency shelter under the Fiscal Year 2010 Emergency Shelter Grant program may continue to be funded under the Emergency Solutions Grant program. The following minimum standards shall be required of any emergency shelter funded through the Emergency Solutions Grant program:

MINIMUM STANDARDS:

Admission:
Providers of Emergency Shelter services shall admit individuals and families who meet the HUD definition of “homeless,” as specified in 24 CFR 576.2 (1, 2, & 4) and agencies’ eligibility criteria.

Assessment:
Individuals and families shall be offered an initial need and eligibility assessment and qualifying program participants, including those meeting special population criteria, will be offered Emergency Shelter services, as needed and appropriate. Assessment shall be based on the coordinated assessment process employed by the CoC.
**Prioritization/Diversion/Referral:**
When appropriate based on the individual’s needs and wishes, the provision of or referral to Homeless Prevention or Rapid Rehousing services or other available housing programs offered through the Continuum of Care that can quickly assist individuals to maintain or obtain safe, permanent housing shall be prioritized over the provision of Emergency Shelter or Transitional Housing services.

**Reassessment:**
Program participants will be reassessed as case management progresses, based on the individual service provider’s policies.

**Discharge/Length of Stay:**
Program participants shall be discharged from Emergency Shelter services when they choose to leave or when they have successfully obtained safe, permanent housing. Any Length of Stay limitations shall be determined by the individual service provider’s policies and clearly communicated to program participants. Providers of shelter services are strongly encouraged not to discharge individuals and families who have not secured permanent housing and maintain those households in shelter until they can be placed in appropriate permanent housing.

**Safety and Shelter Safeguards for Special Populations:**
Safety and Shelter Safeguards shall be determined by the individual Special Population service provider’s policies and clearly communicated to program participants.

**Homeless Prevention and Rapid Re-Housing Standards**

**ELIGIBILITY/PRIORITY:**
Minimum standards for determining and prioritizing which eligible families and individuals shall receive homelessness prevention assistance and which eligible families and individuals shall receive rapid rehousing assistance are:

**Rapid Re-housing (RR)** – To be eligible for RR Housing Relocation and Stabilization Services and Short-term and Medium-term Rental Assistance, people must:
- Meet the federal criteria under category (1) of the “homeless” definition in 24 CFR 576.2 and live in an emergency shelter or other place described in category (1) of the “homeless” definition.
- Program participant’s annual income, at annual review must be less than or equal to 30% of the Area Median Income.
- Meet the federal requirements under categories 1, 2, or 4. (literally homeless, imminently losing primary nighttime residence, and fleeing domestic violence) for CoC funded projects.
- All participants must lack sufficient resources or support networks to retain housing without ESG or CoC assistance.

**Homelessness Prevention (HP) ESG** – To be eligible for HP Housing Relocation and Stabilization Services and Short-term and Medium-term Rental Assistance, people must require HP services to prevent moving into an emergency shelter or another place.
described in category (1) of the “homeless” definition in 24 CFR 576.2, have an annual income below 30% of the median income for the area and:

- Meet the federal criteria under the “at risk of homelessness” definition in 24 CFR 576.2 OR
- Meet the criteria in category (2), or (4) of the “homeless” definition in 24 CFR 576.2.

Priority populations for Rapid Rehousing.

In providing rapid rehousing assistance, providers shall prioritize the following sub-populations:

- Families with children;
- Domestic violence survivors;
- Single persons without long term disabilities; and
- Veterans, especially those persons who have served in the US military but are not eligible for services from the Department of Veterans Affairs (VA) or who are unable to access services from the VA.

SERVICES PROVIDED:

Housing Relocation and Stabilization Services:

- **Housing search and placement services** – Payment shall only be made for assisting participants to locate, obtain and retain suitable permanent housing through provision of the following services: assessment of housing barriers, needs and preferences, development of an action plan for locating housing; housing search, outreach to and negotiation with owners, assistance with submitting rental applications and understanding leases, assessment of housing for compliance with ESG requirements for ability, lead-based paint and rent reasonableness, assistance with obtaining utilities and making moving arrangements and tenant counseling. Payment for housing search and placement services shall not exceed 24 months during any 3-year period.

- **Housing stability case management** – Payment shall only be made for assessing, arranging, coordinating and monitoring the delivery of individualized services to facilitate housing stability for a participant who resides in permanent housing or to assist a participant in overcoming immediate barriers to obtaining housing through provision of the following services: using the centralized or coordinated assessment system, conducting the initial evaluation, including verifying and documenting participant eligibility, counseling, developing, securing and coordinating services and obtaining Federal, State and local benefits, monitoring and evaluating participant progress, providing information and referral to other providers, developing an individualized housing and service plan and conducting re-evaluations.

Payment for housing stability case management services provided while the participant is seeking permanent housing shall not exceed 30 days. Payment for housing stability case management services provided while the participant is living in permanent
PARTICIPANT CONTRIBUTION:

Minimum standards for determining what percentage or amount of rent and utilities costs each program participant shall pay while receiving homelessness prevention or rapid re-housing assistance are:

- Participant’s income shall be verified prior to approval for initial and additional financial assistance. Documentation of the participant’s income and expenses, including how the participant is contributing to housing costs, if at all, shall be maintained in participant's file. This file shall also contain a plan to sustain housing following the assistance, including either a plan to increase income or decrease expenses or both.

- Participants are not required to contribute rent. Providers funded under ESG or CoC may pay up to 100 percent of the reasonable rent and utility costs for program participants. Providers may, at their discretion, choose to impose rental charges on participants. In the event that providers elect to charge rent or occupancy charges, these charges may not exceed those established in 24 CFR 578.77.

- Any additional requirements regarding the percentage or amount of rent and utilities costs each program participant shall pay shall be determined by the individual service provider's policies and clearly communicated to program participants.

RENTAL ASSISTANCE DURATION AND ADJUSTMENT:

Minimum standards for determining how long a particular program participant shall be provided with rental assistance and whether and how the amount of that assistance shall be adjusted over time are:

- Participants receive approval for the minimum amount of financial assistance necessary to prevent homelessness. Documentation of financial need shall be kept in the participant’s file for each month of financial assistance received. Participants shall not be approved for more rental assistance than can be justified given their income and expenses at a given time.

- Approval for rental assistance shall be granted in three month increments. Providers must re-assess the continuing need for rental assistance before approving an additional three month increment. In no event will assistance under rapid rehousing exceed 24 months in any 36 month period.

- Any additional requirements regarding how long a program participant shall be provided with rental assistance and whether and how the amount of that assistance shall be adjusted over time shall be determined by the individual service provider’s policies and clearly communicated to program participants.

SERVICE TYPE, AMOUNT & DURATION:

Minimum standards for determining the type, amount, and duration of housing stabilization and/or relocation services to provide to a program participant, including the limits, if any, on the homelessness prevention or rapid rehousing assistance that each program participant shall receive,
such as the maximum amount of assistance, maximum number of months the program participant may receive assistance; or the maximum number of times the program participant may receive assistance are:

**Financial Assistance:**
- **Use with other subsidies** – Payment for Financial Assistance costs shall not be provided to a participant who is receiving the same type of financial assistance through other public sources or to a participant who has been provided with replacement housing payments under the URA, during the period of time covered by the URA payments.
- **Rental application fees** – Payment shall only be made for fees charged by the owner to all applicants.
- **Security deposits** – Payment shall not exceed two (2) month’s rent.
- **Last month’s rent** – Payment shall not exceed one (1) month’s rent and shall be included in calculating the participant’s total rental assistance.
- **Utility deposits [ESG/CoC]** – Payment shall only be made for gas, electric, water and sewage deposits.
- **Utility payments:**
  - Payment shall not exceed 24 months per participant, including no more than 6 months of utility payments in arrears, per service.
  - A partial payment counts as 1 month.
  - Payment shall only be made if the utility account is in the name of the participant or a member of the same household.
  - Payment shall only be made for gas, electric, water and sewage costs.
  - Participants shall not receive more than 24 months of utility assistance within any 3-year period.
- **Moving costs** – reasonable one-time moving expenses are eligible.

**RE-EVALUATIONS:**

Minimum standards for completing eligibility re-evaluations of individuals and families are:

**Timing:**

- **Homelessness Prevention** – participants shall be re-evaluated not less than once every three months
- **Rapid Rehousing** – participants shall be re-evaluated not less than once annually

**Eligibility:**

- The participant shall have an annual income that is 30 percent of median family income for the area or less, as determined by HUD [ESG only]; and
- The participant shall lack sufficient resources and support networks necessary to retain housing without ESG/CoC assistance.
ESG Policies and Procedures

1. **Standard policies and procedures for evaluating individuals’ and families’ eligibility for assistance under Emergency Solutions Grant (ESG)**

Individuals and families eligible for emergency shelter housing funded by ESG funds must be homeless as defined by the General Definition of Homeless Individual, found in the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH Act) Section 103 [42 USC 11302].

Clients assisted with ESG funds need to be entered into HMIS during client intake, agency must maintain a minimum HMIS data quality of 90%. Agencies solely providing emergency shelter to victims of domestic violence, stalking, sexual abuse, and trafficking are exempt. In those cases, a comparable database should be used that protects the identity and safety of clients.

2. **Standards for targeting and providing essential services related to street outreach**

ESG Funds are not used for Street Outreach activities therefore, no standards are being submitted for this component.

3. **Policies and procedures for admission, diversion, referral, and discharge by emergency shelters assisted under ESG, including standards regarding length of stay, if any, and safeguards to meet the safety and shelter needs of special populations, e.g., victims of domestic violence, dating violence, sexual assault, and stalking; and individuals and families who have the highest barriers to housing and are likely to be homeless the longest;**

**Homeless individuals/families** seeking shelter must be provided shelter based on availability. If there are no appropriate or available beds immediately available for the client at the location he/she is seeking assistance, then the agency must collaborate with another provider to place client into another appropriate shelter.

Shelters must meet or exceed minimum habitability standards specified in CFR 576.403 that cover building structure and materials, access, space and security, interior air quality, water supply, sanitary facilities, thermal environment, illumination and electricity, food preparation, sanitary conditions, and fire safety.

There is no imposed limit on the length of stay. It is the discretion of the agency and program providing shelter services to set limits, if any, on the length of stay depending on the target population, client's barriers to obtain permanent housing, and other circumstances the client is facing.

Per HUD, sheltered families with children cannot be broken apart. If no shelter is available on-site, an alternative living arrangement must place the family together which may include placement at another shelter that houses families, or hotel-motel rooms (only in areas where no other appropriate shelter is available).
Providers should aim to have clients leave the program into a permanent and stable housing situation. This can be placement into supportive housing, or client may become self-sufficient and able to maintain his/her own housing with a stable source in income. If client leaves the program and is not stably housed, all efforts should be made to place client into another more appropriate shelter/housing situation.

**Vulnerable populations** seeking shelter need access to appropriate shelter that is safe, sanitary, and meets or exceeds minimum habitability standards. This population includes victims of domestic violence, youth, people with special needs, the elderly, medically frail, mentally ill, and victims of human trafficking. Upon intake and if necessary, client may be referred and sheltered elsewhere in a more appropriate location. Emergency shelters that provide housing to victims of domestic violence must have an appropriate security system in place to protect housed victims of domestic violence from their perpetrators. Currently there are a few providers that offer emergency shelter beds and supportive services to these vulnerable populations. There is no time limit on their length of stay. Clients are not discharged back out to the street or into unsafe living conditions, but if necessary are referred to another appropriate housing program.

In addition to homeless clients seeking shelter, street outreach is conducted by local homeless providers including Maine’s DHHS PATH Program as well as local youth serving agencies funded by DHHS and/or ACYF to get homeless people located in places not meant for human habitation into emergency shelter or transitional/permanent housing.

4. **Policies and procedures for assessing, prioritizing, and reassessing individuals’ and families’ needs for essential services related to emergency shelter;**

Clients assisted with ESG funds are to be entered into HMIS during client intake and agency must maintain a minimum HMIS data quality of 90% except agencies solely providing emergency shelter to victims of domestic violence, stalking, sexual abuse, and trafficking are exempt. In those cases, a comparable database should be used that protects the identity and safety of clients.

Clients must be assisted to the maximum extent possible with connections to other programs targeted to homeless people in the local Continuum of Care area, as well as mainstream housing, health, social services, employment, education and youth programs for which they may be eligible (see 576.4 Area-wide systems coordination, sections b and c for a full list). This includes CoC, HUD-VASH, Education for homeless Children and Youth, Health Care for Homeless, Runaway and Homeless Youth, Homeless Veterans Reintegration, Section 8, Public Housing, HOME Investment Partnership, Workforce Investment Act, and TANF programs. When assisting vulnerable populations, services need to be tailored to address their special needs. Individualized case management is also highly encouraged. To improve awareness of services, ESG funded agencies are required to attend training and meeting sessions on homeless services in the community. This includes the Mainstream Programs Basic Training, the CoC Committees and SOAR training when available.

5. **Policies and procedures for coordination among emergency shelter providers, essential services providers, homelessness prevention, and rapid re-housing assistance providers;**
other homeless assistance providers; and mainstream service and housing providers. See § 576.400(b) and (c) for a list of programs with which ESG-funded activities must be coordinated and integrated to the maximum extent practicable.

Given this context, Sub-recipients that receive funding through ESG will be subject to the following coordination requirements:

- **Street Outreach:** Street outreach providers must coordinate their services with emergency shelters and utilize the centralized intake system whenever possible (i.e. contact centralized intake to see if the client has already used services within the system, work with emergency shelters to meet the immediate need for shelter, etc.). It is expected that outreach providers will coordinate with emergency shelters for unsheltered clients who need shelter while looking for permanent housing.

- **Emergency Shelter:** Shelter providers must partner with Rapid Re-housing providers to ensure that shelter clients have access to services that can quickly re-stabilize their housing situation (i.e. link with permanent housing).

- **Homelessness Prevention:** Sub-recipients receiving Homelessness Prevention funding will be expected to participate in a coordinated service system.

- **Rapid Re-housing:** Sub-recipients receiving ESG funding for rapid-re-housing services will be expected to use the centralized intake system to get referrals. In addition, the following requirements apply:

Once a centralized coordinated intake is in adopted by the Continuum of Care and in place in the state of Maine, providers assisted with ESG funds must participate in the centralized coordinated intake system. Providers are also required have their most recent information updated in Nevada 2-11. To improve collaboration and awareness of services, ESG funded agencies are required to attend training and meeting sessions on homeless services in the community.

Case management and intake staff are required to attend Mainstream Programs Basic Training classes which provide information on the local and federal resources and programs covering the following core topics include: Income Supports, Employment Services, Health Care, Legal Services, and Housing Resources. Specialized topics typically include: Veterans, Housing Resources, Employment Services/Income Supports, Addictions & Mental Health, Homeless Youth/Young Adults and Families w/ Children, Human Trafficking, Senior Services/HealthCare Services, Legal Services/ Financial Literacy, Domestic Violence, HIV/AIDS, and Services for Persons with Disabilities.

ESG sub recipients on the director or management level are required to be a member of one of Maine’s two CoC’s and to participate on at least one sub committee.

vi. **Policies and procedures for determining and prioritizing which eligible families and individuals will receive homelessness prevention assistance and which eligible families and individuals will receive rapid re-housing assistance;**
Homelessness Prevention Assistance: For households that meet the minimum eligibility requirements, priority will be given to subpopulations that are at high risk of losing their housing without rental assistance.

- Families who are about to enter shelter
- Families who show evidence they will be literally homeless in three business days or less (and have no other options)
- Single mothers under the age of 30 without a high school diploma or GED, with two or more children, currently on public assistance
- Families where the head of household was in foster care as a youth

Rapid Re-housing Assistance: For households that meet the minimum eligibility requirements, priority will be given to clients in the following order:

- Unsheltered individuals and families (currently staying in a place not meant for human habitation)
- Individuals and families in emergency shelters
- All other individuals and families who meet the definition of “literally homeless”

Intake and HMIS: Sub-recipients are required to use HMIS during client intake and also complete the Vi-SPDAT Assessment when conducting client intake for homeless prevention or rapid re-housing assistance. Criteria must be supported by documentation that has been copied and uploaded into the electronic file in HMIS and stored in the client’s paper file.

Homeless Prevention: ESG Funds are not used for Homeless Prevention activities therefore, no standards are being submitted for this component.

Rapid Re-housing: Eligible participants need to be literally homeless. To be eligible beneficiaries must meet the definition of homelessness under paragraph 1 of the “homeless definition” defined by the ESG interim rule, or meet criteria under paragraph 4 of homeless definition AND live in an emergency shelter or other place described in paragraph 1 of homeless definition. Clients eligible under the HUD definition of literally homeless and who score over 30 points on the Housing Needs Assessment matrix will receive priority over other eligible persons.

6. Standards for determining what percentage or amount of rent and utilities costs each program participant must pay while receiving homelessness prevention or rapid re-housing assistance;

For both homelessness prevention and rapid re-housing services, the following standards apply to determining the client’s share of rent and utilities:

- Each household is required to contribute at least 30% of their current income toward their rent each month and cover 100% of their utilities. This amount needs to be clearly documented and includes a utility allowance if they pay for utilities directly. The actual contribution will be determined monthly, based on each household's specific situation and financial resources. Program staff will help households obtain outside utility assistance if they are unable to pay for the utilities themselves (i.e. no income). In rare cases where the household is unable to locate other utility assistance, ESG funds can be used if the household demonstrates a clear need for assistance (i.e. utility shut-off notice, monthly budget indicating the inability to pay utilities). If ESG funds are used, the payment should
take into consideration the previous utility allowance given to the household in the client contribution calculation for rent.

- Up to six months of payment towards rent/utility arrears may be provided. If a household is more than two (2) months in arrears, program staff should attempt to negotiate a payment plan and/or identify other community resources to assist the household.

8. Standards for determining how long a particular program participant will be provided with rental assistance and whether and how the amount of that assistance will be adjusted over time;

The duration of rental assistance provided to program participants will be determined by the following policies:

- The standard duration of rental assistance will be 12 months
  - Reassessment of eligibility will occur every 3 months for Homelessness Prevention, and every 6 months for Rapid Re-housing
- On a case-by-case basis, service providers may request an extension in assistance, up to a maximum of 24 months. Requests will be made in writing to the Pierce County Community Connections.
  - For households that are extended beyond 12 months, a reassessment of eligibility will occur every 3 months

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

The following policies apply when determining the type, amount, and duration of housing stabilization and/or relocation services to program participants:

- The standard duration of stabilization services will be 12 months
- Reassessment of eligibility and need for services will occur every 3 months for Homelessness Prevention, and every 6 months for Rapid Re-housing
- On a case-by-case basis, service providers may request an extension in services, up to a maximum of 24 months.
- For households that are extended beyond 12 months, a reassessment of eligibility and need for services will occur every 3 months