



**Emergency Solutions Grant
CARES Act COVID-19 Recovery**
2020 Request for Applications

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OKLAHOMA

Emergency Solutions Grant CR

2020 CARES Act CR Application

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Introduction

Congress passed the Coronavirus Aid, Relief and Economic Security Act (CARES Act) on March 27, 2020. The Act provides supplemental Relief funding in addition to the regular Emergency Solutions Grant Program funds. The priorities for this supplemental funding include:

- To prevent, prepare for and respond to the coronavirus by supporting additional homeless assistance and homelessness prevention activities;
- To support additional homeless assistance and homelessness prevention activities; and
- To mitigate the impacts created by coronavirus under the Emergency Solutions Grants program as authorized under the B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 et seq.).

At the moment, we do not have a complete set of regulations to follow for the ESG CR supplemental funds introduced in this application. This application is the start of this process. ODOC Staff over the last few weeks has provided resources from HUD, CDC, National Alliance to End Homelessness and National Low Income Housing Coalition among other service provider organizations to offer the best ideas and examples available. Where the guidance is “silent” we will use our current ESG regulations. As new guidance is released, ODOC will update requirements and policies where appropriate.

Timetable

Date	Description
June 12 – July 7, 2020	Applications entered into OK Grants
July 7, 2020 by 5:00 p.m.	Application must be submitted into OK Grants
June – July, 2020	ODOC Staff Reviews, verifies potential subrecipients
July 14, 2020	Approximate Date for Award Notification
June 12, 2020	ESG CR ESG Contract Start Date
June 11, 2021	ESG CR 2020 contract end date. All funds must be expended by this date.
45 Days after the End Date	ESG CR 2020 Closeout Documentation and Annual Report Due to ODOC.

FY 2020 EMERGENCY SOLUTIONS GRANT CR REQUEST FOR APPLICATION

Background

The original Homeless Assistance Grants were originally established by the Homeless Housing Act of 1986, in response to the growing issue of homelessness among men, women, and children in the United States. In 1987, the Emergency Shelter Grant Program was incorporated into subtitle B of title

IV of the Stewart B. McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371-11378). In May 2009 the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act was signed establishing the newly reauthorized and updated Emergency Solutions Grant Program. This program is still the first step in a continuum of homeless assistance operated by HUD. Since its inception and incorporation into the McKinney-Vento Act, the ESG Program has helped States and localities provide facilities and services to meet the needs of homeless people.

Purpose

In order to make the CARES Act ESG CR funds available, a Substantial Amendment to the current State Consolidated Plan had to be submitted and approved by HUD. Strategies outlined by the Governor's Interagency Council on Homelessness' (GICH) updated five-year Plan supported by the Oklahoma Department of Commerce/ Community Development (ODOC/CD) still continue to advance and energize the state's efforts to identify and combat the issues that result in homelessness. To that end ODOC/CD continues to lead the efforts for the preparation of the Consolidated Plan, devoted to the organization of federal resources to identify, strategize and implement effective ways to relieve the burden of low-income and in many cases homeless individuals and families. The Emergency Solutions Grant (ESG) Program is a component of the state's efforts to alleviate homelessness in Oklahoma. When used in conjunction with other local resources, the ESG program provides the foundation for homeless people moving toward and maintaining independence.

General Program Requirement Overview

- These competitive program funds are to be used to provide services to clients who meet the HUD definition of homelessness, including the new expansion of the definitions at risk of homelessness and other federal regulation definitions of homelessness.
- Grant recipients must be an active participant in their local Continuum of Care.
- Grant recipients must use their local Continuum of Care HMIS database. The only exception is for Domestic Violence Shelters who must have a comparable client-tracking database approved by ODOC. A comparable database must include the capacity to create reports that can be uploaded into the SAGE Reporting System.
- Grant recipients must participate in the Continuum of Care Point in Time Count Survey.
- Grant recipients must be signed up for the federal System for Award Management (SAM) system. The website is www.sam.gov.

Flexibilities and Conditions of the CARES Act ESG-CR

- The funds may be used to cover or reimburse allowable costs incurred by a State or locality before the award of funding (including prior to the signing of the CARES Act) to prevent, prepare for, and respond to COVID-19;
- Funds are not subject to the spending cap on Emergency Shelter and Street Outreach under 14 CFR 576.108 (a);

- Up to 5 Percent of funds may be used for Administrative Costs for the Subrecipient (Agencies who sign contracts after being awarded funds);
- Funds are exempt from ESG Match requirements, including 24 CFR 576.201;
- There will be additional flexibility with procurement of good and services to prevent, prepare for and respond to coronavirus. Waiting on further guidance;
- Individuals and families experiencing homelessness must not be required to receive treatment or perform any other prerequisite activities as a condition for receiving shelter, housing, or other services for which these funds are used, notwithstanding 24 CFR 576.401 (e) (**Housing First**).

ELIGIBLE APPLICANTS

- Private Nonprofits who have a yearly independent audit and have received ESG funds in 2019 may directly apply for an ESG grant without sponsorship.
- Private Nonprofits who did not apply in 2019 may apply for the ESG-CR funds may apply. They will need a letter from the Continuum of Care stating they are essential to helping with the increased needs of the Community/Service Area due to the COVID-19 Pandemic.
- Emergency Shelters that are owned and/or operated by a unit of general local government or a CAA must submit their request for funding through their owner
- Shelters may seek sponsorship from either a unit of general local government , Community Action Agency (CAA) operating in that jurisdiction, or a private nonprofit that has previous experience with following federal regulations and being an umbrella organization. For example, a local United Way or the Nonprofit arm of a Housing Authority.
- Private Nonprofits seeking ESG funding for the first time must have a Sponsor. After the first funded program year, the private nonprofit has received an audit with no major findings and a monitoring report with no major findings, the private nonprofit can request permission from ODOC to apply for ESG funding independently with no sponsor.

SPONSORSHIP RESPONSIBILITIES

The Sponsor (unit of local government or local Community Action Agency) will be the signatory on the contract and the direct recipient of the ESG funds. In turn, there will be a process in which the Sponsor receives documentation, such as invoices, to reimburse the non-profit for the services provided as approved in the written application.

The Sponsor is responsible for the oversight of the financial reporting and Federal Requirements of the sponsored non-profit.

A unit of general local government or CAA may retain prevention or administrative funds to carry out certain activities. Not all funds used by the unit of general local government or CAA for prevention or administrative activities must be used by the shelter.

A Sponsor/Shelter Agreement must be signed and submitted to ODOC before funds can be released.

ODOC/CD funds only those ESG applicants located in and serving non-formula areas. Potential applicants with a shelter located in the jurisdictions of the City of Tulsa or the City of Oklahoma City must apply through their prospective entitlement communities.

LOCAL GOVERNMENT PROJECT APPROVAL

Distribution of funding to CAA/Nonprofit is permitted only when the unit of general local government, in which the assisted project is to be located, certifies that it approves the proposed project. This certification must be submitted to ODOC with the application. If the CAA/Nonprofit intends to provide homeless assistance in multiple jurisdictions, a certification of approval must be submitted by each of the units of general local government in which the project(s) are to be located.

Threshold Requirements for the Emergency Solutions Grant CR

All Emergency Solutions Applicants must meet the listed threshold criteria. ODOC reserves the right to disqualify any applicant who does not meet one or more of the threshold criteria.

- Applicant / Shelter must have an emergency shelter component or partnership to provide emergency shelter services.
- Access to the Shelter or access to beds must be available 24 hours /7 days/365 days a year.
- Applicant/ Shelter must provide documentation of active involvement in Continuum of Care planning and coordination of service efforts.
- Applicant/ Shelter must provide documentation that the applicant is a participating member of the Continuum of Care's Coordinated Intake/Assessment.
- Applicant/ Shelter must provide required data\reporting through their Continuum of Care HMIS or comparable (DV organizations only) database.
- All outstanding monitoring findings and audit or unresolved financial/program issues from previously awarded grants must be resolved.
- All required certifications must be received and signed by the appropriate signatory.
- Must have a complete set of written policies and procedures in which to manage the Emergency Solutions Grant Program.
- Must have Termination of Participation and Grievance Procedures.
- Must have a process for participation of Homeless Persons in Policy-Making and Operations.
- Must have a Confidentiality Policy.
- Must have a current Audit submitted before funds can be requested from grant.

- Must follow all General Record Keeping Requirements, both for financial and client files.
- Must meet all spending timeline requirements. Fifty percent (50%) of awarded funds must be spent by the first six (6) months of the contract; seventy-five percent (75%) must be spent within nine (9) months of the contract and one-hundred percent (100%) must be spent by the end of the contract period.
- Must be activated in the System for Award Management (SAM). Applicant must be clear of any findings and show as eligible for federal contracts and assistance awards.

Selection for Award

After Reviewers individually score each proposal, the combined scores are averaged. The scores and comments reflects the Reviewer's determination of the merit and feasibility of the project. Funds may be awarded, in whole or in part, based on the application's relative score and funding availability determined by the criteria established by ODOC.

ODOC reserves the right to refuse funding to applications for, but not limited to:

- That receive less than 50% of the total points available for the application
- That requested ineligible expenses in their budget not found by the reviewers.

CONTINUUM OF CARE

The Continuum of Care model is based on the understanding that homelessness is not caused by simply a lack of shelter, but involves a variety of underlying needs. ODOC partners with the Continuum of Care for the purpose of alleviating homelessness is through this community-based process that provides a comprehensive response to the diverse needs of homeless persons. Sponsor / Shelter must obtain verification from their Continuum of Care that they are involved in the CoC organization and service delivery process as well as participate in the HMIS data collecting, Point-In-Time Count Survey and Coordinated Intake. The fundamental components of a Continuum of Care system are:

- Outreach and assessment to identify a homeless person's needs.
- Immediate (emergency) shelter as a safe, decent alternative to the streets.
- Transitional housing with appropriate supportive services to help people reach independent living.
- Permanent housing or permanent supportive housing for the disabled homeless.

DISTRIBUTION/REDISTRIBUTION OF NON-AWARDED FUNDS

CoC allocated funding will be redistributed to remaining Continuum of Care entities when:

- The CoC does not comply with the responsibilities listed above

- A CoC is not considered an eligible Continuum of Care.
- Funds are not allocated due to there being no eligible CoC in a region
- Dollars are returned due to lack of eligible applicants in a CoC region.

These funds will be re-distributed to other eligible Continuum of Care organizations through procedure set by ODOC/CD. Any funds not awarded through a first round allocation will be redistributed evenly to the remaining CoC’s to award to their eligible applicants until all funds have been awarded. ODOC reserves the right to recapture any administrative funds not budgeted by the awarded subrecipients equal to the maximum spending requirement allowed by HUD regulations.

Continuum of Care Authority Responsibilities relating to the ESG Program:

- The CoC Governing Board must establish an Appeal Process for a case in which an Emergency Solutions Grant Program applicant has its application rejected. The Process must include the following:
 - Number of days in which the applicant has to appeal in writing;
 - How the Board shall meet to hear the appeal;
 - After local appeal procedures are exhausted; the applicant may appeal the CoC’s decision to ODOC.
- The CoC Governing Board must establish policies/procedures regarding how to redistribute funds that are returned to the CoC if funds are made available after initial awards are granted.
- The CoC Governing Board creates policies/procedures regarding how funds will be awarded/distributed throughout each Continua service area to best answer the Federal/State’s overall “No Wrong Door” goals.

FY 2020 PROGRAM DESIGN

Funds allocated to Rural Continuum of Care.

Funds will be allocated to each of the 7 rural (Non-ESG Entitlement) CoC’s. The allocation to Tulsa County CoC is to award funds to agencies that serve the area outside of the City of Tulsa. Starting with a base of \$140,000, the formula described below will be used to distribute the remainder of the funds; each eligible Continuum will be provided a target allocation of funds for distribution within its service area. Tulsa CoC will receive a base allocation of \$60,000 to be awarded to service providers outside of the City of Tulsa entitlement area. Based on the HUD 2020 CARES Act ESG CV allocation of \$5,743,528.00 (minus the ODOC admin of \$287,528.00) the 2020 Continuum of Care allocations will be as follows:

CoC	Allocation with Base of \$140,000 Tulsa with Base of \$60,000
CLEVELAND	\$ 326,657.00
North Central	\$ 543,451.00
Northeast	\$ 733,035.00

Northwest	\$1,248,274.00
Southeast	\$1,208,003.00
Southwest	\$ 995,707.00
Tulsa (minus City of Tulsa)	\$ 441,225.00

The formula used for ESG CR project funding:

10% - 2014 Estimated Total Population

20% - Weighted Median Income Measure

30% - April 2020 Quintile Tiering Based on Unemployment Rate

30% - 2020 COVID-19 Cases Per County

10% - Uninsured SAHIE as of May 15, 2020

Documentation will be required to show proof of capacity and prior success in managing of programs that match the eligible activities of ESG.

After ODOC has received the requested letters from each Continuum of Care and scored each eligible application, ODOC will enter into contractual agreements directly with the approved subrecipient to carry out the financial and programmatic requirements according to law. The contracts will outline the funding source, funding year, amount of funding, terms and conditions.

ELIGIBLE PROGRAM PARTICIPANTS

In order to receive financial assistance or services funded by ESG, individuals and families—whether homeless or housed—must at least meet the following minimum criteria:

- The household must be at or below 50 percent of Area Median Income (AMI). Income limits are available on HUD's web site.
 - When the household is literally homeless, the below 50% AMI Income limit cannot be used to determine approval for assistance. At the time the household is re-assessed or reevaluated for continued or extended assistance is when the household cannot make above 50 percent Area Median Income (AMI).
- The household must be either homeless or at risk of losing its housing and meet both of the following circumstances:
 - no appropriate subsequent housing options have been identified; AND
 - the household lacks the financial resources and support networks needed to obtain immediate housing or remain in its existing housing.

ELIGIBLE PROGRAM ACTIVITIES

While flexible in terms of the wide range of servings available to homeless sub-populations and preventing persons from becoming homeless, the ESG Program legislation and implementing regulations do limit the types of activities and amounts of funds that can be spent on different activities. Details regarding

eligible activities are listed below. Unlike the previous program guidelines, if the activity/service is not listed, then that activity/service cannot be funded through this program.

All eligibility activities allowed with the regular ESG program will also be allowed with the ESG CR program. The full list of regular eligible activities can be found in Title 24, Part 576.101 – 108)

For the ESG CR grant, these activities are priorities to consider when putting together the application details:

1. Street Outreach Component.

- 1.1 Address urgent needs by providing PPE, toiletries and other supplies to those who are unsheltered
- 1.2 Engagement of unsheltered individuals to connect them to coordinated entry, non-congregate shelter and rapid re-housing
- 1.3 Ramp up Street Outreach efforts/presence, including increased staffing
- 1.4 Linkage to health services
- 1.5 Focus on investments that improve housing focused services, increase effectiveness of engagement, and improve the speed of exit from homelessness systems such as mobile assessment, engagement and case management to support linkages to housing and transportation.

2.0 Emergency Shelter Component.

- 2.1 Coordinate with CoC's to ensure shelter management protocols are updated (social distancing, symptom screening, testing, hygiene/sanitation protocols.
- 2.2 Coordinate with public health to establish non-congregate shelter options (hotel/motels; dorm rooms; converted spaces where people can isolate or quarantine in individual rooms?
- 2.3 Increase staffing ratios and order supplies including PPE
- 2.4 Focus on investments that improve shelter quality, ability to prevent and mitigate the spread of infection, and increase the likelihood of positive exits with shortened stay such as:
 - 2.4.1 Expansion of essential services funding for housing navigation to decrease length of stay in shelter
 - 2.4.2 Improved shelter quality and accessibility through improvements (Note: Any decision to sustain or expand shelter capacity should be supported by inflow data.)

3.0 Homelessness Prevention.

- 3.1 Use of investment in prevention resources as a way to improve linkage and coordination with the larger homeless response system
- 3.2 Focus on coordinating with the many other CARES Act resources

- 3.3 Ensure prevention efforts are focused on the most vulnerable households who would be homeless 'but for' assistance.
- 3.4 Educate clients on CARES Act eviction moratorium information while maintaining strong partnership with legal aid in order to better assist clients at risk of eviction.
- 3.5 Support at-risk diversion efforts.

4.0 Rapid re-housing assistance component.

- 4.1 Rapid Re-Housing is the first priority investment as it has the greatest capacity of all ESG activities to end homelessness.
- 4.2 Scale landlord engagement activities
- 4.3 Maintain a progressive engagement mode.
- 4.4 Ensure people in housing are linked to appropriate services, including health care and employment services.
- 4.5 Ensure People are provided with adequate assistance, based on individualized needs
- 4.6 Strategically employ Rapid Re-Housing in rehousing effort for those in overflow/congregate/non-congregate shelter and unsheltered
- 4.7 Monitor data to ensure that exits to housing are equitable and that returns to homelessness are not racially disproportionate.

5.0 HMIS (or comparable database).

- 5.1. In partnership with CoC and HMIS lead, use HMIS for COVID-19 response (i.e. symptom screening, client tracking, etc.)
- 5.2 Maintain close coordination with HMIS lead agency to ensure accurate and timely tracking.
- 5.3 Establish protocols for frequent data assessments to ensure that they align with need projections and that strategies are as responsive as possible.
- 5.4 Monitor data to ensure indicators show equitable provision of housing and services (entries, exits, services provided, duration, etc.)
- 5.5 Determine administrative, training and support needs related to expansion and training of new sub/providers (be mindful of need for new licenses and/or equipment to support participation).
- 5.6 Support ongoing monitoring and assessment of HMIS participation and HMIS data quality.

6.0 Administrative Activities.

- 6.1. Coordinate with CoC, local and state public health agencies and local health care resources and focus on equity-based decision-making.
- 6.2. Support communication efforts.
- 6.3 Assess effectiveness of strategies and make mid-course corrections as necessary.
- 6.4. Monitor and assess data to project needs for various interventions

6.5. Work with CoC to modify Coordinated Entry policies and protocols to support rehousing strategies.

Policy and Procedures Standards

It is the responsibility of the Subrecipient to keep up with all new guidance and regulations released by the Office of Housing and Urban Development (HUD) and Department of Commerce (ODOC). New guidance or regulations do not have to be added to the above listed documents before the Subrecipient is responsible for implementation of the new guidance and/or regulations.

Each ESG subrecipient must establish written standards for providing ESG assistance. Returning applicants must submit documentation that the Program's Written Policies and Procedures have been reviewed by the Staff and Board at least once a year. Documentation must include a Board Agenda showing the Policies/Procedures as an Agenda item as well as the minutes produced from the meeting showing the discussion and approval of the Policies/Procedures from the Board. New subrecipients must have an established set of Policies and Procedures within ninety (90) days of receiving their ESG Award letter. The new subrecipient must submit a copy of the written Policies/Procedures, Board Agenda showing the Policies/Procedures as an Agenda item as well as the minutes produced from the meeting showing the discussion and approval of the Policies/Procedures from the Board.

The following standards must be applied consistently within the subrecipient's program:

Evaluation of individuals and families eligible for assistance under ESG

Policies and procedures must include:

- Process by which the subrecipient must conduct an initial evaluation to determine the eligibility of each individual or family's eligibility for assistance.
- Process by which the subrecipient conducts assessment in accordance with the CoC's centralized or coordinated assessment requirements.
- Process by which the subrecipient requires the program participant to meet with a case manager (not less than once per month to assist in ensuring long-term housing stability);
- Process by which the subrecipient develops a plan to assist the program participant to retain permanent housing after assistance ends; taking into account all relevant considerations such as current or expected income and expenses; other public or private assistance available to the program participant and relative affordability of the available housing in the area.
- Process by which the subrecipient re-evaluates the program participant's eligibility and the types and amounts of assistance the program participant needs not less than once every 3 months for those receiving homeless prevention assistance and not less than once a year for those receiving rapid re-housing assistance
- Process by which program participant notifies subrecipient of changes to the program participant's income or other circumstances that affect the need for assistance and how such changes will be re-evaluated.

Coordination of services among Emergency Shelter Providers

Policies and procedures must include:

- Where applicable, coordination of ESG-funded services with other services in the local or regional service area of the Continuum of Care or area over which the services are coordinated to provide a strategic, community-wide system to prevent and end homelessness for the area. These programs include:
 - Shelter Plus Care Program
 - Supportive Housing Program
 - Section 8 Moderate Rehabilitation Program for Single Room Occupancy Program for Homeless Individuals
 - HUD-Veterans Affairs Supportive Housing
 - Education for Homeless Children and Youth Grants for State and Local Activities
 - Grants for the Benefit of Homeless Individuals
 - Healthcare for the Homeless
 - Programs for Runaway and Homeless Youth
 - Projects for Assistance in Transition from Homelessness
 - Services in Supportive Housing Grants
 - Emergency Food and Shelter Program
 - Transitional Housing Assistance Grants for Victims of Sexual Assault, Domestic Violence, Dating 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
 - Supportive Services for Veteran Families Program
 - Veteran Justice Outreach Initiative

Coordination with Mainstream resources

Policies and procedures must include:

- Organizations and/or shelters receiving ESG funds must coordinate and integrate wherever possible ESG-funded activities with mainstream housing, health, social services, employment, education and youth programs for which families and individuals at risk of homelessness and homeless individuals and families may be eligible.
- Such mainstream programs include; but are not limited to:
 - Public housing programs assisted under section 9 of the US Housing Act of 1937
 - Housing programs receiving tenant-based or project-based assistance under section 8 of the US Housing Act of 1937
 - Department of Developmental Disability Services

- Supportive Housing for Persons with Disabilities
- Home Investment Partnerships Program
- Temporary Assistance for Needy Families (TANF)
- Health Center Program
- State Children's Health Insurance Program
- Head Start
- Mental Health and Substance Abuse Block Grants
- Services funded under the Workforce Investment Act
- Medicaid
- Supplemental Nutrition Assistance Program
- Women, Infants and Children
- Federal- State Unemployment Insurance Program
- Social Security Disability Insurance
- Child and Adult Care Food Program
- Developmental Screening programs/services for youth
- Sooner Start

Determination and Prioritization of which eligible families and individuals receive homelessness prevention and which ones will receive rapid re-housing services

The State requires that subrecipients create and implement written standards regarding how an individual or family is chosen to receive either homelessness prevention or rapid re-housing services. The written standards must be applied consistently within the subrecipient's program.

Determination of the share of rent and utilities costs that each program participant must pay, if any, while receiving homelessness prevention or rapid re-housing assistance

The State requires that subrecipients create and implement written standards regarding what participants have to pay, if anything, over time. The written standards must be applied consistently within the subrecipient's program.

Determination of 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 State requires that subrecipients create and implement written standards regarding adjusted amount of participant assistance, if any, over time. The written standards must be applied consistently within the subrecipient's program.

Determination of the type, amount and duration of housing stabilization and/or relocation services to provide a program participant

Policies and procedures must include:

- limits; if any, on the homelessness prevention or rapid re-housing assistance that each program participant may receive
- maximum amount of assistance

- maximum number of months the program participant receives assistance
- the maximum number of times the program participants may receive assistance.

Determine the procedures an Applicant Appeals Process

Policies and Procedures must include:

- Process by which equal access to services and resources available under programs funded by ODOC the following steps need to be included in an Applicant Appeals Process:
- The notice of right to appeal shall appear on all application forms used to determine applicant eligibility for any services or resources provided with funds received from ODOC.
- The Contractor shall initiate the appeals procedure, upon request by an applicant, within ten (10) days of the request.
- The applicant appeals procedure shall guarantee that each person seeking services shall
- Have the right to file formal application for services or resources upon request;
- Be afforded an opportunity to have private and confidential interviews pertaining to the case;
- Not be denied assistance on the basis of race, color, gender, creed, religion, age, familial status, political preference or disability;
- Receive timely approval or disapproval of the application; and
- Receive written notification of appeal and appeal procedures, including notices that:
- All aggrieved parties shall be afforded a reasonable opportunity for a fair hearing;
- The applicant or the representative of the applicant shall have access to records relevant to the appeal process; and
- The applicant shall have the right to a timely determination and prompt notice of hearing decisions.
- After all local appeal procedures have been exhausted; an applicant may appeal the Contractor's decision to ODOC. In such cases, the Contractor and appellant shall provide ODOC with all relevant documentation.

Termination of Assistance

Policies and procedures must include:

- Process by which the subrecipient may terminate assistance when a program participant violates program requirements must include:
- 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 or 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.

Homeless Participation Requirement

The organization or shelter receiving ESG funds must provide for the participation of not less than one homeless individual or formerly homeless individual on the Board of Directors or other equivalent policy-making entity of the subrecipient; to the extent that the entity considers and makes policies and decisions regarding any facilities, services or other assistance that receive funding under ESG

If the subrecipient is unable to meet the above requirement; it must instead develop and implement a plan to consult with homeless or formerly homeless individuals in considering and making policies and decisions regarding any facilities, services or other assistance that receive funding under Emergency Solutions Grant. The plan must be included with the application upon submission.

HABITABILITY STANDARDS

The following are a number of basic standards to ensure that shelter and housing facilities, including qualifying rental assistance residences, funded through the ESG program are safe, sanitary, and adequately maintained.

Habitability Standards for Shelter Component and Housing programs

1. Organizations providing rental assistance with ESG funds will be required to conduct initial and any appropriate follow-up inspections of housing units into which a program participant will be moving. Following are the habitability standards that grantees must follow:
 - 1.1. State and local requirements. Each grant recipient under this Notice must ensure that shelter facilities or housing occupied by a family or individual receiving ESG assistance is in compliance with all applicable state and local housing codes, licensing requirements, and any other requirements in the jurisdiction in which the housing is located regarding the condition of the structure and the operation of the housing or services.
 2. Habitability standards. Housing occupied by a family or individual receiving ESG rental assistance must meet the following minimum requirements:
 - 2.1. Structure and materials. The structures must be structurally sound so as not to pose any threat to the health and safety of the occupants and so as to protect the residents from the elements.
 - 2.2. Access. The housing must be accessible and capable of being utilized without unauthorized use of other private properties. Structures must provide alternate means of egress in case of fire.
 - 2.3. Space and security. Each resident must be afforded adequate space and security for themselves and their belongings. Each resident must be provided an acceptable place to sleep.
 - 2.4. Interior air quality. Every room or space must be provided with natural or mechanical ventilation. Structures must be free of pollutants in the air at levels that threaten the health of residents.

- 2.5. Water supply. The water supply must be free from contamination.
- 2.6. Sanitary facilities. Residents must have access to sufficient sanitary facilities that are in proper operating condition, may be used in privacy, and are adequate for personal cleanliness and the disposal of human waste.
- 2.7. Thermal environment. The housing must have adequate heating and/or cooling facilities in proper operating condition.
- 2.8. Illumination and electricity. The housing must have adequate natural or artificial illumination to permit normal indoor activities and to support the health and safety of residents. Sufficient electrical sources must be provided to permit use of essential electrical appliances while assuring safety from fire.
- 2.9. Food preparation and refuse disposal. All food preparation areas must contain suitable space and equipment to store, prepare, and serve food in a sanitary manner.
- 2.10. Sanitary condition. The housing and any equipment must be maintained in sanitary condition.
- 2.11. Fire safety.
 - 2.11.1. Each unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each occupied level of the unit. Smoke detectors must be located, to the extent practicable, in a hallway adjacent to a bedroom. If the unit is occupied by hearing impaired persons, smoke detectors must have an alarm system designed for hearing-impaired persons in each bedroom occupied by a hearing-impaired person.
 - 2.11.2. 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.

Release of Funds

Applicants awarded funds must submit and receive authority to use grants funds prior to expending grant funds. Funds will not be released until all required documentation has been received. Funds expended prior to the authority to use grant funds will not be reimbursed.

Budget

Each recipient must complete a project budget and budget narrative form. Project budget should list the amount of ESG funds to be expended in each separate category and the project narrative should provide a description detailing the anticipated expenditures by category.

Record Keeping

Through the CoC Statewide meetings, a taskforce will be established to review documents used for Record Keeping requirements. This taskforce will review

documents currently used by current subrecipients and establish either a standardized checklist of required documents and/or a set of documents that each subrecipient must use in their intake/assessment and record keeping process to prove Status of Homelessness. Results from the Task Force will be distributed to the CoC Lead Agencies for the purpose of discussing and approving items in regular membership meetings.

Reporting

Emergency Solutions Grant recipients will use HMIS through the applicable Continuum of Care to collect data and report on outputs and outcomes as required by HUD. The required data elements to be collected are included in the FY 2020 HMIS Data Standards September 2019:

<https://files.hudexchange.info/resources/documents/HMIS-Data-Standards-Manual.pdf>

According to HUD’s final ruling over data collection from Domestic Violence Shelters, the revised “VAWA Protections” include that Domestic Violence Shelters are exempt from having to use any shared database such as the HMIS software to collect client information and services provided. However, data collection relating to non-confidential demographics and services provided is required to be reported by the DV shelter. A comparable database can be used to collect such data. The comparable database must meet all HMIS data standards and reporting requirements.

Sage Reporting

SAGE is the online portal for the submission of aggregate, de-identified data from HMIS or comparable databases via a Comma Separated Value (CSV) import. As of October 1, 2017, The Office of Housing and Urban Development (HUD) now requires all ESG subrecipients to upload their CAPER report from HMIS into this database. SAGE replaces the former eCart database system. All Applicants who receive ESG funds will be required to upload Performance Report data to the SAGE System. Domestic Violence Shelters are not exempt from providing required aggregate data to upload into SAGE. The comparable system that the Domestic Violence Shelters use must be able to create a CSV file needed to upload to the SAGE system to meet requirements. If a Domestic Violence Shelter’s comparable database cannot provide required demographic data and cannot provide required reports in the required format (CSV file for SAGE) the Domestic Violence Shelter may be disqualified to be awarded Emergency Solution Grant funds.

Report Type	Reporting Period
Monthly Progress - Due the 20 th of each following month.	For example, the January monthly report would be due no later than February 20 th .

Semi-Annual Progress Reports – Report providing unduplicated numbers due 25 days after each semi-annual period; October – March, April --- September	Period ending March 30 th – Due April 25 th Period ending September 30 th – Due October 25 th
Annual Performance Report – Due 60 days after the end of the contract year for each fiscal year in which ESG funds are expended.	Due November 30th
SAGE Upload – Must be uploaded 45 days before CAPER is due to HUD	Due May 15th

Payments

ODOC shall disburse funds to the Applicants who received award letters upon receipt and approval by ODOC of the Request for Release of Funds. Once the “Authorization to Spend funds” form has been received by the new subrecipient, a reimbursement payment process will be implemented. The following documents must be submitted for review before reimbursement payments are approved and delivered to subrecipient:

1. Monthly Progress Report uploaded in OK Grants
2. Monthly Expenditure Report from General Ledger showing the expenditure details for the totals reported on the Request for Reimbursement form.
3. Monthly Request for Reimbursement form

Deadline for Using Grant Amounts

The grant period for the ESG project is 12 months effective from the first date of the contract. From the date the contract is signed with the Oklahoma Department of Commerce. Extensions to the program (grant) periods are made at the discretion of the State and will only be approved in extreme circumstances.

In addition, timelines within the twelve month contract period have been established to ensure one-hundred percent (100%) of program funds are spent within the program period. Grant funds must be spent within the following timelines: Fifty percent (50%) of awarded funds must be spent by the first six (6) months of the contract; seventy-five percent (75%) must be spent within nine (9) months of the contract and one-hundred percent (100%) must be spent by the end of the contract period.

Obligated

Funds are obligated once ODOC sends an award letter to each eligible Applicant stating the amount awarded and final instructions regarding how to execute contract. Funds cannot be expended until ODOC/CD receives an Environmental Review (if applicable), Sponsor Shelter Agreement or summary

(if applicable) and a Request for Release of Funds. Upon receipt of these documents, ODOC will return to the Applicant a signed Authority to Use Grant Funds.

Certifications

Federal requirements will be assured by certifications in the grant application. Federal requirement certifications that must be submitted by applicants are as follows:

Local Government Certification – This form is signed by the local unit of government Chief Elected Official when the unit of government agrees to be the Sponsor for a nonprofit organization. The local unit of government agrees to follow federal regulations as it relates to building standards, assistance to the homeless along with other Department of Housing and Urban Development (HUD) laws and regulations.

Private Non-Profit Certification – This form is signed by the Executive Director of the Community Action Agency when said agency agrees to be the Sponsor for a nonprofit organization or the independent nonprofit itself. The signing entity agrees to follow federal regulations

Certification of Local Government Approval for Nonprofit Organizations – This form is signed by the Chief Elected Official of the city/town in which the Homeless Assistance program activities are being provided. The local government approves of the services being provided in their city/town.

Applicant Assurances – This is signed by the Applicant. The Applicant agrees that Homeless individuals will receive an appropriate level of service and will be given opportunities to participate in policy making decisions regarding shelter and services provided.

Program Certifications – This is signed by the Applicant. The Applicant agrees to comply with having policies relating to the State's Consolidated Plan, Confidentiality, Discharge Planning, Affirmatively Further Fair Housing and HMIS.

Certification of Consistency with Consolidated Plan HUD 2991 – This form is signed by the Certifying Official at ODOC. The Certifying Jurisdiction agrees that the Applicant's program is consistent with the jurisdiction's Consolidated Plan.

J. Drug-Free Workplace Requirements - The Drug-Free Workplace Act of 1988 (41 U.S.C. 701, et seq.) and HUD's implementing regulations as applied to ESG.

Lead-Based Paint Requirements - The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.), as amended by the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851 et seq.) and implementing regulations at 24 CFR part 35, subparts A, B, M, and R shall apply to housing occupied by families receiving assistance through ESG.

Anti-Lobbying Certification – This is signed by the Applicant. The Applicant agrees that no Federally appropriated funds will be used for lobbying activities.

Request for Release of Funds and Certification – This is signed by the Applicant. The Applicant submits all forms necessary for Environmental Review compliance or states exemption status for Environmental Review process.

Applicant/Recipient Disclosure/Update Report – This form is signed by the Applicant. The applicant must disclose if they are receiving, or expect to receive, assistance from other HUD Programs that are subject to the disclosure requirements of Subpart C of 24 CFR Part 12.

Continuum of Care Lead Agency Participation letter – This is provided by the Continuum of Care Lead Agency. The letter must include that the shelter is a member of the Continuum of Care, the level of participation in the HMIS or comparable data collection database, level of participation during the Annual Point-in-Time Survey Count and any Continuum of Care committees or related participation.

Audit Requirement

All audits of prior awards from ODOC/CD must be in accordance with ODOC/CD Audit Policies and Procedures Manual. An audit is required if \$25,000 or more was received from ODOC/CD. The audit should be completed and the report submitted no later than six (6) months after the end of the contractor's fiscal year.

If the audit has not been submitted or the audit is not closed prior to the release of funds, then contractor may be unable to draw funds unless a good cause is shown and approved by ODOC/CD.

Confidentiality

All ESG recipients must develop and implement procedures to ensure:

1. The confidentiality of records pertaining to any individual provided with assistance; and
2. That the address or location of any assisted housing will not be made public, except to the extent that this prohibition contradicts a preexisting privacy policy of the grantee.

Performance

ODOC reserves the right to recapture Emergency Solution Grant funds under the following circumstances:

1. Failure to obligate and spend within the time periods as specified:
 - a. Fifty percent (50%) of awarded funds must be spent by the first six (6) months of the contract; seventy-five percent (75%) must be spent within nine (9) months of the contract.
2. Failure, without approved modification, to implement the project as set forth in the approved ESG grant application.
3. Failure to meet the specified performance measures.
4. Failure to meet threshold responsibilities during the contract period.

APPLICATION PROCEDURES, SUBMISSION AND SELECTION REQUIREMENTS

CARES Act ESG CR Scoring Process:

1. Applications will be accepted and separated by Continuum of Care Service Area.
2. Applications will be assessed for compliance with all ESG and CoC threshold criteria first. Then an ODOC Committee will score and rank the submitted applications based on the approved rating system.
3. Highest to lowest scoring applicants will be awarded ESG-CR funds until the funds allocated to each Continuum of Care Service Area have been depleted.
4. ODOC will then conduct a Pre-Award Risk Assessment. The results of this survey will determine if an applicant is a Low, Medium or High Risk and will help determine any additional special conditions that will be added to the Applicant's contract. First time applicants that are awarded funds will be automatically scored as a "High Risk" and will have special conditions added to their contract, including additional Technical Assistance, monitoring and submitted source documentation with every expense report.
5. ODOC will enter into contractual agreements with each subrecipient to carry out the financial and programmatic requirements according to law. The contracts will outline the funding source, funding year, amount of funding, terms and conditions.
6. ODOC will send award letters to subrecipients with final instructions regarding how contracts are initiated in OK Grants.

Submission Requirements

In the occurrence of a Sponsor applying on behalf of more than one shelter, separate applications must be submitted for each shelter.

Program Application Guidelines and Submission Requirements

All grant applications must be submitted electronically through the ODOC OKGrants Grant Management System. Here is the link to the grant site and registration instructions:

<https://grants.ok.gov/>

In the instance of a unit of general local government or CAA applying on behalf of more than one shelter, separate applications must be submitted for each shelter. Applicants may present multiple funding requests in a single application. When this occurs, answer the application questions associated with the highest level Tier for which funding is requested and list all Tiers the applicant is applying for under the appropriate application questions. Only one application per shelter will be accepted.

FY 2020 EMERGENCY SOLUTIONS GRANT CHECKLIST (FORM ONLINE IN OK GRANTS)

For Applicants that applied for the 2020 regular ESG Program, you may use the signed forms from the 2020 ESG application.

To be considered for ESG CR funds, an application must contain the items detailed below:

OK Grant Forms

- Application Summary (Form 424)
- All required responses Section I through Section III
- Budget Detail
- Budget Narrative
- Audit

Application Forms; Signatures required Upload to Uploads Page

- Program Certifications and Assurances, which includes:
 - Section I. Applicant Assurances
 - Section II. Program Certifications (formerly ODOC 6)
 - Section III. Drug-Free Workplace (formerly ODOC 7)
 - Section IV. Anti-Lobbying Certification (formerly ODOC 8)
 - Applicant/Recipient Disclosure/Update Report
 - Certification of Consistency with Consolidated Plan HUD 2991
 - Environmental Review Record for Exemptions/Release of Funds
- Required forms for Units of General Local Government
- Local Government Certification
- Or-
- Required forms for Community Action Agency (CAA) or Independent Nonprofit
- Private Non-Profit Certification
- Certification of Local Government Approval for Nonprofit Organizations

Required forms

- Emergency Solutions Grant COVID-19 Community Needs Assessment and Community Action Plan
- Continuum of Care Agreement for HMIS Data Entry
- Continuum of Care Lead Agency Participation letter
- System for Award Management (SAM.gov) PDF Search Verification of Non-DeBarred Status
- Letter from the Continuum of Care Lead Agency stating the agency is essential to helping with the increased needs of the Community/Service Area due to the COVID-19 Pandemic. (Required for applicants that did not apply for the 2019 regular ESG Program.)
- In the case of a Community Action Agency, a signed letter must be submitted by the Unit of Local Government assuring that they will perform the environmental review.

SECTION I – III QUESTIONS

Section I Proposed Use of Funds
Question
I-1) Describe the plans/steps in place to protect both staff and program participants from contracting the COVID 19 virus?
I-2) Describe how many staff plan to be brought back or new staff hired to ensure the applicants plans to provide enough service to all those in need during the grant period
I-3) Describe the organization's Emergency Shelter Component? What Actions/policies have been added to stop the spread of COVID-19?
I-4.) Describe the organization's Street Outreach Services. What actions/policies have been added to stop the spread of COVID-19?
I-5) Describe how clients access requested Rapid Rehousing ; including what documentation is collected/verified regarding the client's program eligibility and how housing is selected.
I-6) Describe what level of case management clients receive at the Shelter. Identify the person(s) responsible for carrying out case management activities. <ul style="list-style-type: none"> ➤ Include the qualifications of the case managers identified in the response ➤ Also include what kind of training is provided to case management staff
Section II Continuum of Care, Coordinated Intake, Partnership Requirements
Questions
III-1) Explain how proposed services fit into the local CoC's plan to take care of those most vulnerable in your service area affected by COVID-19?
III-2). Describe how the Organization will participate in the CoC's Coordinated Intake Priority changes to meet the needs of those affected by COVID-19?
III-3) Describe the mainstream and local partners the applicant is working with to manage the needs of citizens affected by the COVID-19 pandemic.
III-4) What agencies in your area do you collaborate with to provide better care for your clients and to prevent duplication of services?
Section III Community Needs Assessment (Uploaded)
Questions:
III-1) Responses to CNA Section Local Public Health Response
III-2) Responses to CNA Immediate Impacts on the Community
III-3) Responses to CNA Anticipated Near- and Long-term Impacts
III-4) Responses to CNA Addressing Equity Implications

For Applicants that applied for the 2020 regular ESG Program, you may use the signed forms from the 2020 ESG application.

For Applicants that did not apply for Emergency Solutions Grant 2020, please request a copy of the forms that need to be completed for the Application

To Request forms, please contact Rebekah Zahn-Pittser at Rebekah.Zahn@okcommerce.gov .

HUD PROGRAMS SUBJECT TO THE DISCLOSURE REQUIREMENTS

Please read before filling out the Applicant/Recipient Disclosure/Update Report

Following is a list of all the HUD Programs that are subject to the disclosure requirements of Subpart C of 24 CFR Part 12. All applicants for Emergency Solutions Grant assistance must review this list to determine if they are receiving, or expect to receive, assistance from other covered programs.

Applicants must consider HUD funds that are received either directly from HUD or through the State.

- It is the total amount of funds received from all the below sources that the applicant uses to answer the second question of Part II of the Disclosure Report.
- Section 312 Rehabilitation Loans under 24 CFR Part 510, except loans for single-family properties.
- Applications for grant amounts for a specific project or activity under the Rental Rehabilitation Grant Program under 24 CFR Part 511 made to:
 - A State grantee under Subpart F;
 - A unit of general local government or consortium of units of general local government receiving funds from a State or directly from HUD whether or not by formula under Subparts D, F, and G; and
 - HUD, for technical assistance under § 511.3.
- (Excludes formula distributions to States, units of general local government, or consortia of units of general local government under Subparts D and G, within-year reallocations under Subpart D, and the HUD-administered Small Cities Program under Subpart F.)
- Applications for grant amounts for a specific project or activity under Title I of the Housing and Community Development Act of 1974 made to:
 - HUD, for a Special Purpose Grant under Section 105 of the Department of Housing and Urban Development Reform Act of 1989 for technical assistance, the Work Study Program or Historically Black colleges;
 - HUD, for a loan guarantee under 24 CFR Part 470, Subpart M;
 - HUD, for a grant to an Indian tribe under Title I of the Housing and Community Development Act of 1974;
 - HUD, for a grant under the HUD-administered Small Cities Program under CFR Part 570, Subpart F; and
 - A State or unit of general local government under 24 CFR Part 570.
- Applications for grant amounts for a specific project or activity under the Emergency Shelter Grant Program under 24 CFR Part 576 made to a State or to a unit of general local government, including a Territory.
- (Excludes formula distributions to States and units of general local government [including Territories]; reallocations to States, units of general local government [including Territories] and non-profit organizations; and applications to an entity other than HUD or a State or unit of general local government.)
- Transitional Housing under 24 CFR Part 577.

- Permanent Housing for Handicapped Homeless Persons under 24 CFR Part 578.
- Section 8 Housing Assistance Payments (only project-based housing under the Existing Housing and Moderate Rehabilitation programs under 24 CFR Part 882, including the Moderate Rehabilitation Program for Single Room Occupancy Dwellings for the Homeless under Subpart H).
- Section 8 Housing Assistance Payments for Housing for the Elderly or Handicapped under 24 CFR Part 885.
- Loans for Housing for the Elderly or Handicapped under Section 202 of the Housing Act of 1959 (including operating assistance for Housing for the Handicapped under Section 162 of the Housing and Community Development Act of 1987 and Seed Money Loans under Section 106(b) of the Housing and Urban Development Act of 1968).
- Section 8 Housing Assistance Payments - Special Allocations - under 24 CFR Part 886.
- Flexible Subsidy under 24 CFR Part 219 - both Operating Assistance under Subpart B and Capital Improvement Loans under Subpart C.
- Low-Rent Housing Opportunities under 24 CFR Part 904.
- Indian Housing under 24 CFR Part 905.
- Public Housing Development under 24 CFR Part 941.
- Comprehensive Improvement Assistance under 24 CFR Part 968.
- Resident Management under 24 CFR Part 964, Subpart C.
- Neighborhood Development Demonstration under Section 123 of the Housing and Urban-Rural Recovery Act of 1983.
- Nehemiah Grants under 24 CFR Part 280.
- Research and Technology Grants under Title V of the Housing and Urban Development Act of 1970.
- Congregate Services under the Congregate Housing Services Act of 1978.
- Counseling under Section 106 of the Housing and Urban Development Act of 1968.
- Fair Housing Initiatives under 24 CFR Part 125.
- Public Housing Drug Elimination Grants under Section 5129 of the Anti-Drug Abuse Act of 1988.
- Fair Housing Assistance under 24 CFR Part 111.
- Public Housing Early Childhood Development Grants under Section 222 of the Housing and Urban-Rural Recovery Act of 1983.
- Mortgage Insurance under 24 CFR Subtitle B, Chapter II (only multi-family and non-residential).
- Supplemental Assistance for Facilities to Assist the Homeless under 24 CFR Part 579.
- Shelter Plus Care Assistance under Section 837 of the Cranston-Gonzalez National Affordable Housing Act.

- Planning and Implementation Grants for HOPE for Public and Indian Housing Homeownership under Title IV, Subtitle A, of the Cranston-Gonzalez National Affordable Housing act.
- Planning and Implementation Grants for HOPE for Homeownership of Multi-family Units under Title IV, Subtitle B, of the Cranston-Gonzalez National Affordable Housing act.
- HOPE for Elderly Independence Demonstration under Section 804 of the Cranston-Gonzalez National Affordable Housing Act.

Request for Application (RFA) - Definitions

For the purposes of this Request for Application, the following definitions will be used:

Administration: Units of General Local Government and/or Community Action Agencies are allowed 5% of the total award for administration of the ESG grant. These funds may be passed on to the shelter.

At risk of homelessness:

(1) An individual or family who:

(A) Has an annual income below 50 percent of median family income for the area, as determined by HUD;

(B) Does not have sufficient resources or support networks, e.g., family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the "homeless" definition in this section; and

(C) Meets one of the following conditions:

(a) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;

(b) Is living in the home of another because of economic hardship;

(c) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 14 days after the date of application for assistance;

(d) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by Federal, State, or local government programs for low-income individuals;

(e) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 persons reside per room, as defined by the U.S. Census Bureau;

(f) Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or

(g) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan;

(2) A child or youth who does not qualify as "homeless" under this section, but qualifies as "homeless" under section 387(3) of the Runaway and Homeless Youth Act (42 U.S.C. 5732a(3)), section 637(11) of the Head Start Act (42 U.S.C. 9832(11)), section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), section 330(h)(5)(A) of the Public Health Service Act (42 U.S.C. 254b(h)(5)(A)), section 3(m) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(m)), or section 17(b)(15) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(15)); or

(3) A child or youth who does not qualify as "homeless" under this section, but qualifies as "homeless" under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), and the parent(s) or guardian(s) of that child or youth if living with her or him.

Consolidated plan: A plan prepared in accordance with 24 CFR part 91. An approved consolidated plan means a consolidated plan that has been approved by HUD in accordance with 24 CFR part 91.

Continuum of Care: The group composed of representatives of relevant organizations, which generally includes nonprofit homeless providers; victim service providers; faith-based organizations; governments; businesses; advocates; public housing agencies; school districts; social service providers; mental health agencies; hospitals; universities; affordable housing developers; law enforcement; organizations that serve homeless and formerly homeless veterans, and homeless and formerly homeless persons that are organized to plan for and provide, as necessary, a system of outreach, engagement, and assessment; emergency shelter; rapid re-housing; transitional housing; permanent housing; and prevention strategies to address the various needs of homeless persons and persons at risk of homelessness for a specific geographic area.

Co-Occurring Disorder: Persons who have a diagnosis of mental illness and a diagnosis of substance abuse, HIV/AIDS, or other health condition.

Debarment: Debarment is the state of being excluded from certain possessions, rights, privileges, or practices and the act of prevention by legal means. For example, companies can be debarred from contracts due to allegations of fraud, mismanagement, and similar improprieties.

Eligible Applicants: Units of General Local Government and Community Action Agencies (CAAs). Cities of Tulsa and Oklahoma City must apply directly to HUD and are therefore excluded from the receipt of funds administered by ODOC.

Emergency shelter: Emergency Shelter is a facility designed to provide temporary housing for individuals and/or families lacking a fixed, regular, and adequate nighttime residence. Local policy shall determine length of stay in the shelter.

Emergency Shelter services are available to all persons or individuals who meet the definition of homeless. No person or family shall be denied shelter or services if they are a part of the sub-population to be served by the shelter and do not pose a safety risk to themselves or others. Emergency Shelter operators must have a plan in place to assist in the provision of emergency services, including clothing, food, and assistance locating other state and local services and funds. Emergency Shelters shall be available 24 hours a day and seven (7) days per week.

Equipment and Furnishings: Typically large, one-time expenditures essential for the continued operation of the homeless shelter. Office equipment and major furniture replacement or purchase such as beds or cots for an expanding facility, are examples of items to be budgeted under Equipment and Furnishings.

Developmental Disability: As defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002):

1. A severe, chronic disability of an individual that—
 - a. Is attributable to a mental or physical impairment or combination of mental and physical impairments;
 - b. Is manifested before the individual attains age 22;
 - c. Is likely to continue indefinitely;

- d. Results in substantial functional limitations in three or more of the following areas of major life activity:
 - i. Self-care;
 - ii. Receptive and expressive language;
 - iii. Learning;
 - iv. Mobility;
 - v. Self-direction;
- e. Capacity for independent living;
- f. Economic self-sufficiency; and
- g. Reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

(2) An individual from birth to age 9, inclusive, who has a substantial developmental delay or specific congenital or acquired condition, may be considered to have a developmental disability without meeting three or more of the criteria described in paragraphs (1)(i) through (v) of this definition if the individual, without services and supports, has a high probability of meeting those criteria later in life.

Homeless, homeless individual and homeless person:

1. An individual or family who lacks a fixed, regular, and adequate nighttime residence and is:
 - a. An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
 - b. An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by Federal, State, or local government programs for low-income individuals or by charitable organizations and congregate shelters); or
 - c. An individual who is exiting an institution where he or she resided for 90 days or less and who resided in a shelter or place not meant for human habitation immediately before entering that institution;
2. An individual or family who will imminently lose their primary nighttime residence, provided that:
 - a. The primary nighttime residence will be lost within 14 days of the application for homeless assistance;
 - b. No subsequent residence has been identified; and
 - c. The individual or family lacks the resources or support networks needed to obtain other permanent housing;
3. Unaccompanied youth and homeless families with children and youth defined as homeless under other Federal statutes who do not otherwise qualify as homeless under this definition and:

- a. Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 91 days immediately preceding the application for homeless assistance;
 - b. Have experienced persistent instability as measured by three moves or more during the 90-day period immediately before applying for homeless assistance; and
 - c. Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration, and a history of unstable employment; and
4. Any individual or family who:
- a. Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;
 - b. Has no other residence; and
 - c. Lacks the resources or support networks to obtain other permanent housing.

Homeless individual with a disability:

1. an individual who is homeless and has a disability that:
 - a. Is expected to be long-continuing or of indefinite duration;
 - b. Substantially impedes the individual's ability to live independently;
 - c. Could be improved by the provision of more suitable housing conditions; and
 - d. Is a physical, mental, or emotional impairment, including an impairment caused by alcohol or drug abuse, post-traumatic stress disorder, or brain injury;
2. Is a developmental disability, as defined in this section; or
3. Is the disease of acquired immunodeficiency syndrome (AIDS) or any conditions arising from the etiologic agency for acquired immunodeficiency syndrome, including infection with the human immunodeficiency virus (HIV).

Income_Eligibility: A homeless individual shall be eligible for assistance under any program provided by the Stewart B. McKinney Homeless Assistance Act, or by the amendments made by this Act, only if the individual complies with the income eligibility requirements otherwise applicable to such program.

Exclusion: For purposes of this Act, the term "homeless" or "homeless individual" does not include any individual imprisoned or otherwise detained pursuant to an Act of the Congress or State Law.

Families with Children and Youth Defined as Homeless under other Federal Statutes: The term 'families with children and youth defined as homeless under other Federal statutes' means any children or youth that are defined as 'homeless' under any Federal statute other than this subtitle, but are not defined as homeless under section 103, and shall also include the parent, parents, or guardian of such children or youth under subtitle B of title VII this Act (42 U.S.C. 11431 et seq.).

Homeless Management Information System (HMIS): The information system designated by the Continuum of Care to comply with the HUD's data collection, management, and reporting standards and used to collect client-level data and data on the provision of housing and services to homeless individuals and families and persons at-risk of homelessness.

HUD: U.S. Department of Housing and Urban Development.

Long Term Emergency Shelter: The Transitional Shelter that was Grand-Fathered in as of 2010 is no longer an eligible activity for the ESG Program. Applicants are welcome to propose projects for long-term Emergency Shelter. This type of housing would be for clients whose needs to become stable enough for permanent housing will take longer than the regular shelter stay period. Details for approval of an extended length of stay in a shelter environment will have to be provided in the Project Narrative questions portion of the application.

Major Rehabilitation: Rehabilitation that involves costs in excess of 75 percent of the value of the building before rehabilitation. Major rehabilitation undertaken with ESG funds must meet local government safety and sanitation standards under 24 CFR 576.55. In addition, for projects of 15 or more units where rehabilitation costs are 75 percent or more of the replacement cost of the building, that project must meet the requirements of 24 CFR 8.23(a). The facility must be used as an emergency shelter for a period of not less than ten years after the ESG contract is closed or the applicant may be required to repay grant funds.

Nonprofit Recipient: Any nonprofit organization assisting the homeless to which a Unit of General Local Government or CAA distributes ESG funds.

Obligated: The ESG contractor, as appropriate, has placed orders, awarded contracts, received services, or entered similar transactions that require payment from the grant amount.

Operations: Recurring costs incurred by a recipient operating a homeless shelter with respect to administration, rent, food for feeding the homeless, security, maintenance, utilities, fuels, and insurance for the homeless shelter.

Private nonprofit organization: A private nonprofit organization that is a secular or religious organization described in section 501(c) of the Internal Revenue Code of 1986 and which is exempt from taxation under subtitle A of the Code, has an accounting system and a voluntary board, and practices nondiscrimination in the provision of assistance. A private nonprofit organization does not include a governmental organization, such as a public housing agency or housing finance agency.

Program income: Program income includes any amount of a security or utility deposit returned to the subrecipient under 24 CFR 85.25.

Program participant means an individual or family who is assisted under ESG program.

Program year means the consolidated program year established by the recipient under 24 CFR part 91.

Recipient: Any State, territory, metropolitan city, or urban county, or in the case of reallocation, any unit of general purpose local government that is approved by HUD to assume financial responsibility and enters into a grant agreement with HUD to administer assistance under this part.

Rehabilitation: Labor, materials, tools, and other costs of improving the building, including repair directed toward an accumulation of deferred maintenance; replacement of principal fixtures and components of existing buildings; installation of security devices; and improvements through alterations or incidental additions to or enhancement of, existing buildings including improvements to increase the efficient use of energy. Rehabilitation includes the conversion of a building to an emergency shelter where the costs of conversion and any rehabilitation do not exceed 75 percent of the cost of the building before rehabilitation, and includes structural changes necessary to make a facility accessible to persons with physical handicaps. The facility must be used as an emergency shelter for a period of not less than three years after the ESG contract is closed or the applicant may be required to repay grant funds.

System for Award Management (SAM): The System for Award Management (SAM) is a Federal Government owned and operated free web site that consolidates the capabilities in Central Contractor Registration (CCR)/FedReg, Online Representations and Certifications Applications (ORCA) and the Excluded Parties List System (EPLS).

SAM Registration: Register your Business with the System of Award Management (SAM). You need to register your business (non-profit) with the federal government's SAM, the primary database of vendors doing business with the federal government. This registration is sometimes referred to as "self-certifying" your small business.

Subrecipient: A unit of general purpose local government or private nonprofit organization to which a recipient makes available ESG funds.

Transitional Housing: Facility-based or scattered-site temporary housing combined with essential services, with occupancy typically limited to 24 months. The applicant would administer the transitional housing activities and establish eligibility for occupants. Transitional Housing is an eligible activity under the Continuum of Care Grant funds only. Transitional housing also functions to do the following:

- Assist homeless families and individuals overcome the problems/conditions that made them homeless;
- Increase skills and/or income and aid in obtaining and remaining in permanent housing; and
- Provide or coordinate, as required, substance abuse services, mental health services, day care, life skills training, educational services and/or family support.

Transitional Housing, as compared to a general shelter, implies a greater level of responsibility in that residents typically maintain their own home or

apartment without 24-hour supervision, while at the same time receiving essential services from the administrators of the facility, or from a contracted service provider. These services function to teach each resident the necessary skills in order for them to move to permanent housing and independent living. Individual rehabilitation plans are also emphasized over a group treatment approach.

Underserved Populations: The term `underserved populations' includes populations underserved because of geographic location, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Secretary, as appropriate.

Unit of local government: means any city, county, town, township, parish, village, or other general purpose political subdivision of a State.

Value of building: Value of building is defined as the monetary value assigned to a building by an independent real estate appraiser or as otherwise reasonably established. If the value of the building is established other than by an appraisal, ODOC must be advised and provided with written documentation of the method for determining the value.

Please refer to Federal Register, Title 24, Volume 3, revised April 1, 1998 for further clarification and for other related definitions.

Victim Service Provider: 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. This term includes rape crisis centers, battered women's shelters, domestic violence transitional housing programs, and other programs.

Victim Services: The term `victim services' means services that assist domestic violence, dating violence, sexual assault, or stalking victims, including services offered by rape crisis centers and domestic violence shelters, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.