

Date: October 25, 2023

Title: Start Up Session 4 – Grant Administration and Management

Speaker 0 00:00:01 Welcome and thank you for joining today's special NOFO Startup Session grant, administration and management. Before we begin, please ensure you've opened the WebEx chat panel by clicking the associated icon on the bottom right corner of your screen. Please note that all audio connections are muted until the QA portion of the call. You are. However, welcome to submit written questions throughout the presentation. To submit your questions in writing, select everyone from the dropdown menu in the chat panel, enter your question in the message box provided and send. As a reminder, this conference is being recorded. If you require technical assistance, please send a chat to the Teller events host. With that, I'll turn the conference over to Marlisa Grogan from HUD's Office of Special Needs Assistance Programs. Please go ahead.

Speaker 1 00:00:47 Thank you and, and welcome everyone to our fourth session. Um, we are going to, starting off today's session with questions, your questions, any question that you may have posted to the chat, um, pertaining to last session or any that may be coming up. We, um, we will defer any questions that we receive on locs until next week. However, if you'd like to post them now, feel free to do so. Um, but we will just postpone any answers on those until next week. But we have a very robust agenda for today. We'll have, we'll be covering, um, partnering with people with lived homelessness experience and expertise. We'll have Juanita Perry from the Office of Special Needs Assistance Programs, along with, um, Sue Watlov Phillips, one of our amazing technical assistance providers. Uh, Latoya Young is from the SNAPS office, is going to be covering AWA applicability. Brett, Esther's from the Snaps office is going to be covering fair housing requirements as well as standards for housing.

Speaker 1 00:01:54 Uh, April Mitchell will cover calculating program participant income, and then we'll have Tammy Thomas, uh, reviewing program income as well as the compliance perspective to round out our agenda before we finish up with, uh, another q and a session at the end of today's presentation. Next slide, please. So please feel free to use the chat and identify any questions that you have lingering from last week's session or any of the prior sessions. So we really just want to give you all an opportunity to pause for a moment before we start going over new material to cover any questions that you may have.

Speaker 1 00:02:43 So, I'll take a moment to give you all a chance to start putting in your questions. Alright, and I'm, and I'm seeing some of them trickle in. The first question that I'm seeing is how do I find out who does my local environmental review? So I believe that's really a question about who is your responsible entity. And so I can quickly start and then let ev anyone else, um, from the panel chime in. But your responsible entity is typ is typically if you are a nonprofit, the local government that you're working with. So you would go to your city or state, um, and see if they can do an environmental review on your behalf. If you are a local government yourself, then you would be responsible, uh, you would be the responsible entity to cover your own environmental review. However, um, I do want to point out that we have a number of national environmental review records that were completed, um, as part of the special NOFO, uh, the pre preliminary steps taken to get to get those done. Um, that covers HMIS, coordinated entry, other soft costs. So if you have additional questions, um, the session one, um, of this startup training is very helpful, and any other specific questions about, um, project level or the, uh, level

of environmental review needed for a specific project, um, let us know. Does anyone else from the panel have anything they'd like to add?

Speaker 1 00:04:45 Okay. Alright. And there's another question about annual assessments, and I believe, William, this one is for you. Will there be a requirement for annual assessments of program participants? And will this be based on cumulative or consecutive participation?

Speaker 2 00:05:07 I don't think that one actually is me. This isn't a reporting issue so much as a, well, the annual assessment requirement. I don't know if Brett or Ebony are better to respond on that.

Speaker 3 00:05:19 I can start and Ebony certainly add. So there is a requirement in the regulation to do an annual assessment of program participants and their need for services and to adjust the services that your project offers accordingly, based on that annual assessment. And that assessment still stands. Uh, so each year, throughout your three year grant, we would be expecting you to assess annually the supportive service needs of program participants and adjusting what your project is able to offer accordingly.

Speaker 1 00:05:52 Alright, thank you. And it, it looks like those are all the questions that we currently have. So if any additional ones come up during the presentation, please add those to the chat. And then, um, we also have another q and a session at the end, another opportunity for you all to ask your questions. Uh, next slide please. I am now going to hand it over to Juanita Perry from the SNAPS office.

Speaker 4 00:06:22 Uh, thank you Marlisa. Um, so my name is Juanita Perry. I am from SNAPS. Uh, for the next two slides, we are going to be, uh, talking about partnering with persons with lived homeless experience and expertise. Um, as you may or may not be aware, we have a requirement in our CoC regulations that requires all our, uh, CLCs to have at least one formerly or currently homeless individual on their CoC board. Um, throughout the various years, we have expanded upon that requirement and, um, put into our, um, NOFO, uh, additional, um, expectations and requirements that we, uh, want to see from our CoCs. Um, we've also learned a lot of, uh, lessons through our YHDP program, which is basically, um, based and founded on incorporating those who live experience throughout the whole process, um, with incorporating, uh, youth advisory boards as being a requirement for that program. Uh, today, uh, Sue Watlov Phillips will be, uh, talking about the importance of, uh, involving persons live experience, incorporating them in a meaningful and intentional way at the systems level as well as the project level. Um, also, um, talking about different, uh, considerations and elements that you should be incorporating into your, uh, projects as you are, are going along. So with that, I'm going to pass it to Sue to kind of talk through, um, the next two slides. Sue,

Speaker 5 00:08:08 Thank you Juanita. And thank you for inviting me. And, um, good, good afternoon to most of you. And good morning to those of you that are on the West Coast. I'm Sue Watlov Phillips. I experienced homelessness, um, about 50 years ago. Um, I'm honored to have served serving God for the last 57 years in working with people experiencing homelessness. I was the executive director for ELM Shelter and Transitional Housing from 1982 to 2012. Um, I'm a retired psychologist and independent clinical social worker and licensed marriage family therapist, as well as certified sports psychologist. I am a founding member and past president of the National Coalition for the Homeless and Founding, uh, board member, uh, and now currently the executive director of mica, the Metropolitan Interfaith Council on Affordable Housing in the Twin Cities. Throughout my history, uh, people that have experienced

homelessness, uh, housing instability, discrimination, uh, from diverse communities have been the majority of the board of directors that I have had involved in the organizations as well as with staff.

Speaker 5 00:09:11 I have the honor to also serve as a technical assistance provider on the people with lived experience and expertise team, uh, through abt. So why is it important that we include folks that have experienced homelessness? Well, we know what works and what doesn't work and what needs to be changed. And we want to be involved and we want to be at the table. We are the experts. And so it's really important that as we are working together, is that we remember to listen to each other, to respect each other, to not judge and to treat each other as we would want to be treated. Or from my faith tradition is to love others as ourselves. And as we do that, it has major implications on how we do services and how we, how those actually work because the, um, ways that we design our systems then really become, come from the people themselves to really meet the diversity of needs that we have within our community.

Speaker 5 00:10:09 So again, how do you partner with folks? Well, again, it's really important that you know folks' names and that you, uh, listen and listening circles are a great way of doing that and listening. One-on-one, respecting folks, and then making sure that, um, we don't have any, uh, preconceived ideas whether people are competent or not, but really recognizing that we are each bringing our own expertise to the table as equal partners, uh, in the process of making sure that we are preventing homelessness, uh, in our community. So some of the things that you always want to remember is that you're being paid to be probably on this, uh, video, uh, conference call right now. And people with lived experience also need money. And so to pay folks that's, um, a, a living wage for, or a living contract for the time that they are, uh, providing their expertise, and you can do that in a variety of ways.

Speaker 5 00:11:02 And it's important that, um, this is bought in by the entire organization, um, or the, um, system, the continuum of care coordinated entry HMIS system that we're going to pay for the expertise of people that have experienced homelessness. The, a couple things to keep in mind is that you're going to need to do AW nine and, and do a 1099. Uh, that's basically a tax form that if you pay a person more than \$600 that they will need to do. And that doesn't, uh, doesn't depend whether you use any of these different types of, of payment plans or you give out gift cards if that amount goes to over \$600. Um, our understanding from our tax advisors is that you need to be providing a 10 99. And, um, there are many different ways to get those resources to do that. Uh, you may be able to use some of your CoC planning dollars, and then a lot of organizations use private funding to do that, and individual donations to help support that.

Speaker 5 00:11:59 Um, so it is important that as you're onboarding, uh, folks that have experienced homelessness is to recognize that, uh, we all have our own languages that we utilize in our different systems. And how folks talk when they are unsheltered, um, may be very different than the way that you talk in your different meetings. And so we need to learn each other's languages and understand that and take time to help each other know what we're talking about. And, um, obviously there's a lot of acronyms within HUD and within all these systems that we're talking about. And so we want to make sure that we have a way to help folks really, um, feel comfortable in those settings, not feel like everything is going over their head. And so we really want to build the relationship with folks. And one of the ways to do that is to create a buddy system where somebody that is been a part of the system for a while, um, is a buddy with a person that has experienced homelessness.

Speaker 5 00:12:51 And as different things come up, they can help, um, explain, uh, some of the language and vice versa is that folks that are experiencing homelessness can also help explain the language and, and the issues that they are dealing with. Uh, with our different technical assistance team with racial equity and the people with lived experience and expertise, we have what we call community agreements. And this is how we all decide that we're going to work together and to, um, understand and to respect each other and to make sure that everybody's voice is heard and that people talk one at a time, and that everybody has the opportunity to talk and has a common language. So really keeping things as much as possible in plain language that can be tough, uh, with the regulations that we have with HUD and, and our other federal agencies and our state agencies.

Speaker 5 00:13:37 But encourage you to do that. Um, in regards to identifying folks that would be a part of, um, your, uh, organization or your continuum of care or HMIS or coordinated entry that would sit on the boards and staff as equal partners with you. Uh, as decision makers, you want to identify folks that, um, are, are comfortable in different types of settings and also are recognized as being leaders also, uh, within the unsheltered community. In addition to that, you also want to include folks that don't meet that criteria and we'll use their authentic voice to just tell you how it really is. So, um, make sure that you're inclusive of everyone. So it's important that we have folks involved in all stages, uh, from the design of the program, uh, to, um, the implementation, the actual running of the program, being hired as staff and on the board of organizations to the evaluation, and then to the changes that are made to really make sure that the systems that we are creating work for the people, um, uh, what they want and what they need, um, within our systems. If you go to the next slide, please.

Speaker 5 00:14:46 So a couple examples. One that is in draft form right now that hopefully will be coming out soon is a draft of unsheltered homeless data collection developed by people experiencing homelessness. And, um, a couple organizations that I work with here in the Twin Cities, um, Hennepin County, uh, has the Streets to Housing Program, and then Ally Services in Dakota County has, um, their own outreach program. And this was de each of them were designed by people experiencing homelessness. So they sat and listened to folks and, uh, wanted to hear what people wanted and needed and recognizing, yes, we need to address the immediate needs of folks, but really what our goal is, is to move people from, um, the streets to housing. And, uh, that could include shelter, transitional housing and, and permanent supportive housing and permanent housing. But really that's the goal of the work that we're doing.

Speaker 5 00:15:37 Another example is an example that we utilized in Minnesota during Covid with the Trusted Messenger program. This is up on, on HUD's website, uh, as a document, um, in the, um, early days of the, uh, COVID Pandemic in, uh, February. If you talk with anybody in our state, they will tell you that I had talked with every commissioner in the governor's office many times about getting people out of congregate shelters and into hotels, which we did. Um, and I spent a lot of time with, with folks that were living in encampments, um, and helping to create, uh, ways that we could communicate because all the offices were closed at that time. So we were doing Zoom calls from the encampments. And really, as we, uh, talked with folks, it was really important that we recognized, um, that people had a variety of different needs. And then as the vaccines, uh, came out, we really wanted to create a system that would meet the needs of people experiencing homelessness.

Speaker 5 00:16:32 And so we again, listened to folks, uh, what they thought would be helpful. And for a lot of our diverse communities, they've had, um, some really terrible experiences with vaccines and

medications and, and consequences of that. And so we really needed to have a way that, uh, they would trust the folks that would talk with them about what the truth was and not what was they were seeing on social media. And then have easy access to getting vaccinated as well as we paid people to get vaccinated. Um, and so we, uh, created a, a group of trusted messengers that were people that had experienced homelessness or housing instability that were well known within the encampments, um, so that they would spend time with folks and share accurate information and actually transport people to get vaccinated or, and we had vaccination clinics also at the camps, campsites, as well as at our congregate and other types of, of systems. So I think the real key takeaway here is listen, respect, treat other folks the way that you'd want to be treated, make sure that people are equal decision makers at every table. Thank you. And I'd like to turn it over to Latoya now.

Speaker 6 00:17:47 Thank you so much, Sue. That was really, really awesome. Hello everyone. My name is LaToya Young. Um, as, uh, they mentioned earlier, um, I will be going over, um, vow, which is known as the Violence Against Women's Act, um, and the Applic Applicability. Uh, next slide, please. Thank you. So violence stands for the Violence Against Women's Act, um, and it's a federal law that provides housing protections for people applying for or living in units subsidized by the federal government, particularly HUD, um, who have experienced domestic violence, dating violence, sexual assault, or stalking to keep them, uh, safely housed and to reduce the likelihood of experiencing homelessness. Um, one of the important things about VA, um, was that it was developed as a result of extensive grassroots, um, and advocate efforts, um, and has been reauthorized several times. And so for the purposes of this training, we'll be highlighting some of the areas, um, that V has covered, um, currently, and then some of the expanded provisions that Vow 2022, um, has provided for survivors as well.

Speaker 6 00:19:17 Um, one of the things that I do want to mention, um, as we move through this is that although VAWA title refers to women, um, it protections apply equally and completely to peoples of all gender. Um, and so that means all survivors, um, and the survivors, um, particularly that it covers is, uh, anyone who is an applicant or tenant of covered housing project, we'll go over that in a little bit. Um, and the survivors will have to be a survivor of either domestic violence, dating violence, sexual assault, or stalking. And so the survivor could have previously or currently be experiencing, um, domestic violence, dating violence, sexual assault, or stalking, and still be covered as long as they are both an applicant or tenant of the covered housing program. Um, and when we think about the covered housing program, VAWA was explicitly names, um, the McKinney-Vento Programs. Um, but for the purposes of this training, it applies to the Continuum of Care grants recipients and Sub-recipients of all permanent housing and transitional housing programs. And so those components, um, which are rental assistance components, um, are rapid rehousing, transitional housing, and permanent supportive housing under the Continuum of Care grants, um, for the special NOFO. Next, next slide, please.

Speaker 6 00:20:52 Thank you. And so, as I mentioned before, um, I'm going to walk through briefly some of the existing vowel protections. Um, one of the ones that some folks may be aware of or have a, a little bit, um, uh, knowledge around is the prohibition against entering personally identify information into share databases. Um, vow Pro prohibits, um, victim service providers from entering, um, what we call PII personally identify information into HMIS. Now, that doesn't apply to everyone. It specifically applies to, um, all victim service providers. However, um, it's important that we note that a person, regardless if, if they're a survivor or not, has the ability to, um, request that their information not be entered into HMIS and still receive services. And that's for any, um, person receiving services under the

Continuum of Care grants. Um, the next one is the emergency transfer plans, and this one specifically governs how projects respond, um, to requests for emergency transfers from survivors who are seeking safety.

Speaker 6 00:22:05 Um, the next one is documentation requirements. Um, this existing VAWA protection, um, really provides that covered Housing programs, um, which includes both subrecipients and recipients and property owners and landlords, um, will respond to the documentation needs of the survivor, which means that survivor gets to choose which documentations they, um, could, uh, provide in the case that they are requested. Um, it's not required that survivors provide documentation, but if a housing provider, um, requests documentation, then it's totally up to the survivor. Um, and then another, uh, existing protection is the notification, um, protection, which says that applicants and participants must be informed of their rights under VAWA at multiple points. And so those points are typically at the point of admission, um, the point of application, um, and even at the point of eviction and or termination. Um, another one that, uh, is in existing viral protection is also the prohibition against denial of admission or eviction, um, which says that survivors cannot be denied or evicted from any CoC projects solely because of their status as a survivor.

Speaker 6 00:23:27 Um, and in addition to that, there is a protection for, uh, lease addendums, which requires grantees to develop a vowel lease addendum to incorporate, um, all of these applicable requirements so that it raises awareness not only for the survivors, but um, the landlords or ownerships that, uh, the recipients or sub-recipients are working with. Um, and last but not least, the lease bifurcation, um, which allows participants to request to bifurcate their lease, um, which means that they can remove, uh, essentially remove the abuser from the lease and still, uh, be determined eligible to receive assistance from the CoC um program. Next slide, please.

Speaker 6 00:24:14 Thank you. Uh, and so we're going to talk a little bit about, um, the expanded VAWA 2022 provisions, but we're going to really look into some of the ones that I have highlighted here. We won't get a chance to go through all of them, but I do want to at least recognize that these, uh, are the provisions that V 2022, um, has provided, um, including the definition of domestic violence, uh, prohibition on retaliation, which says that, um, providers or, um, housing programs cannot retaliate simply because someone is seeking, um, support around the, uh, type of violence that they're experiencing or, um, their status as a survivor. Um, in addition to the, uh, new, uh, provision that is a right to report crime and health emergencies. So this actually applies to everyone, not just survivors, um, in any CoC, um, or other covered housing programs, um, in which entitles anyone to be able to have the right and ability to re, to seek help, um, and support services from, um, either the police or ambulance or, um, in health emergencies and not be penalized.

Speaker 6 00:25:32 Um, the next one we'll go into a little bit more in depth is to changes to the McKinney-Vento, um, homeless definition, um, and then also the CoC program eligible activities, um, compliance review process, which is a new piece that was added. Um, there's a new, um, enforcement authority, um, that HUD has, um, within our, uh, fair Housing office, similar to how the Fair Housing Act is enforced. Um, HUD is also required to enforce VAWA protections as well. Um, and then VAWA 2022 also added a new vow director and a gender-based violence office, in addition to funding for, um, a study on housing and services needs, um, on the, on survivors of trafficking and vow training and technical assistance. Um, next slide please.

Speaker 6 00:26:30 Thank you. And so, um, as I mentioned, I'm going to talk a little bit more explicitly about, um, certain, uh, VAWA 2022 housing provisions. Um, and so one of those is really the definition of domestic violence. And so via expanded the definition, um, that of, of domestic violence, um, to include felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction receiving grant funding. It also includes, uh, emotional, um, verbal psychological, um, but more importantly economic and technological abuse. Those, uh, key components of what domestic violence may look like, um, is something that may actually stand out and may look a little bit different. Typically, um, most folks may be aware of physical or verbal abuse or other forms of abuse, but, uh, this definition, um, particularly expands the definition to include economic and technological abuse, which are not necessarily always things that, uh, someone will be able to, to say that, you know, I'm experiencing this.

Speaker 6 00:27:50 However, it's going to be important that, um, as providers and as uh, practitioners, they're able to appropriately assess and work with, uh, other victim service organizations, um, so that you can understand how economic and technological abuse may show up. Um, in addition to that, um, VAWA 2022 also adds a new eligible CoC program activity. And, um, Brett actually mentioned this, uh, new definition, um, I'm sorry, we, this is something that we are going to cover, but I just want to say at, fortunately, unfortunately at this time, the VAWA of BLI does not apply to the special NOFO grantees. Um, we may be able to provide additional information on that, but I wanted to at least, um, acknowledge that this is something that was new, um, that was added for CoC program activities, but it unfortunately, it does not apply to the special NOFO grantees. Um, next slide, please.

Speaker 6 00:29:00 Thank you. Um, and so this is the new definition that we have under, uh, VAWA 2022, um, and it expands the current definition and includes, um, areas where there's a particular focus on individuals or families experiencing trauma or lack of safety. Um, it also adds words around being traumatic experiences. Um, and then in bullet 2, it also adds the word safe to, um, bullet two. And then in the, in the last bullet, which is bullet 3, um, it removes, um, other support networks and adds the word safe, um, to other safe permanent housing. Um, now I will say this that, um, I'm, I'm aware that Brett mentioned this new definition in session two, um, and I'm going to cover it today. Um, but as, um, as I want to point out that it's important that you all know that you may use this definition before HUD has completed rulemaking provided that you update your written standards to reflect how the new category for definition will be operationalized. Um, one of the things that I also want to remind you of is that most of you will probably be using, um, the version of the definition that Brett covered in session two until we do rulemaking or your CoC updates is policies and procedures. And so we're fully aware that there is a current definition. And so, um, this actually doesn't, um, stand until either you update your written standards and procedures or, um, rulemaking happens. Next slide, please.

Speaker 6 00:31:00 Okay, so we recognize that understanding VAWA and even implementing VAWA, um, 2022, um, can be challenging. And so, um, one of the key best practices that's going to be really helpful in doing this is, um, using a trauma-informed approach, which is something that HUD, um, definitely supports and encourages because it recognizes, um, trauma and staff, clients and others in the way in which we respond to trauma. And it also impacts, um, our policies, our procedures and practices. And so it's important that we use trauma-informed care approach, um, because it places a priority on restoring survivor's feelings of safety, of choice, and of control, um, particularly around domestic violence and domestic violence, um, being, uh, defined under power and control. And, um, one's ability

to use that trauma informed approach recognizes, um, and places the, the safety and the choice and the control in the survivor's hand.

Speaker 6 00:32:14 It also not only empowers the survivors, but it can be used to empower programs, organization, service providers, and communities to be more trauma informed as well. So it's something that's definitely encouraged. Um, and in addition to that, there are other best practices, um, for how, um, providers can implement VAWA 2022. Next slide, please. Um, that it will be really critical in the approach. And so, um, building partnerships is something that can be really useful and helpful in terms of working with, um, organizations and your community, um, who are also working on domestic and sexual violence prevention and response. Um, it, it looks to really leverage resources, um, and share best practices, and it can actually increase your impact as you're working, um, with the community and then also with, uh, survivors. Um, one of the other key best practices is, um, looking at your training and capacity building, um, working on understanding the, the dy, the dynamics of abuse, um, trauma-informed care approach, and other best practices for working and supporting survivors.

Speaker 6 00:33:32 And this is actually one of the, um, essential components for, um, implementing VAWA 2022. Um, in addition to that, um, we want to make sure that, um, not only are you collecting and reporting data, but you're doing it in a way that's safe. Um, and so by, um, working to collect and analyze data on the prevalence and impact of domestic and sexual violence, um, grantees can identify areas for improvement and also make evidence-based decisions, um, that will help you better serve survivors. Um, this can be done, um, and with survivors informed by survivors, um, in a way that's both safe and confidential. Um, in addition to that, as we're talking about working with survivors, engaging with survivors in a variety of ways, such as providing trauma-informed care services, creating survivor led support groups or involving survivors in the development of policies and programs is going to be a, is going to be key to implementing VAWA 2022, um, approaching survivor engagement with empathy and respect, and recognizing that each survivor's experiences are unique and valid, um, are critical to that approach as well. Um, in addition to that, um, addressing intersectionality and cultural competency, um, really can support, um, grantees understanding and appreciation of the unique cultural backgrounds and experiences of Survivor. And as we've highlighted, um, before, um, in other sessions, the housing first approach is something that, um, we definitely require and we would definitely say is, is going to be critical to supporting survivors as well. Um, that's it for me and I will hand it over to you, Brett.

Speaker 3 00:35:36 Great. Thank you, LaToya. Lots of good information there. Uh, so switching gears a little bit, I'm going to briefly touch on some of the fair housing requirements that you're going to need to follow, um, with these special NOFO grants. If you can go to the next slide, Tegan. Okay. I am just going to briefly touch on the fair housing requirements for the COC program, and these are the requirements that apply to special NOFO grants. Uh, we don't have time today to get into the nitty gritty on these, but there are some really great resources at the end of the presentation to help you familiarize yourself with these requirements. Um, so first and foremost, all projects have to comply with the Fair Housing Act. This, uh, means, means that you cannot discriminate, uh, in your housing, uh, against any of the protected classes. And protected classes include race, color, national origin, religion, sex, and sex, includes gender identity and sexual orientation, familial status and disability.

Speaker 3 00:36:41 Uh, next, all of your projects must implement, be implemented in a way that affirmatively furthers fair housing. This means that your project is making efforts to address any disparities in housing in your community. Uh, it's intentionally working to alleviate segregation or

disparate impact disparate living patterns. Um, some of this includes affirmatively marketing your housing to ensure that you're reaching out to anybody who might be eligible for your housing. And then finally, uh, uh, in section 578.93 of the CoC program in interim role, this contains the CoC program, specific fair housing requirements that sort of add on to the Fair Housing Act and the Affirmatively Furthering Fair Housing, um, requirements. Uh, this is where you are going to find the allowance to do housing for families with children, or when you can do, um, how you can target, uh, your projects. Uh, and I think that's it on Fair Housing, like I said, just a quick and dirty at this point, I'm going to turn it over to April to give you a quick update on calculating program participant income.

Speaker 7 00:37:55 Hi. Thanks Brett. Um, thank you all for, um, your attention to all this great information from our prior, um, our prior speakers. I would say that there's, when you look at calculating program income, you wonder, well, where does people with lived experience come in? Where does V come in? What does racial equity come in? And in fact, when you're working with communities and talking about program income and numbers, you want to take in consideration everything that are, uh, prior speakers have talked about and our resources online about people with lived experience and, and their, their whole package coming in the door to where when you're looking at a participant, it's not just their numbers, it's the whole person. So wanted to just connect the dots between how, how can these topics merge together. So with that, we'll take the next slide. Um, just a little bit about, uh, program income.

Speaker 7 00:38:52 So when we are in the CoC, ESG and YHDP programs, we have, uh, rental assistance that is provided, um, through our, through our funding. So when rental assistance is provided as a part of transitional housing and permanent housing, um, the participants receive that rental assistance that, that you've received, um, in this pot of income that, or this pot of funding that you've gotten. Um, so what do you say? You say, well, what is income actually? So part five, um, is where our attention is focused on in terms of talking about calculating income at this point. So part five's definition of annual income is the gross amount of income of an adult household member that is anticipated to be received during the upcoming, uh, during the 12 month period. Um, there's two resources at the end of all of our slides that you'll receive, um, after it's posted, um, that are encouraged to be looked at.

Speaker 7 00:39:51 Calculating participant income is a very broad category. There's a lot of details that we just don't have time to get into today, but the two resources are, uh, the HUD Occupancy, uh, handbook, chapter five, where it's talks about the per determining income and calculating rent. Um, and then there's also the virtual binders that you'll see as a resource. They're both designed to help communities calculate a participant's income. So when you're looking at those resources, especially the handbook, uh, section one really talks about determining annual income, uh, the requirements regarding, uh, income and procedures for calculating a family's income when in determining eligibility. Um, and that section also includes guidance on determining income, income from assets. Uh, section two of the handbook, uh, talks about determining adjusted income, uh, describes the procedures and requirements for adjusted income and allowable deductions. Um, and then section three talks about verification, um, of income and those, those types of things.

Speaker 7 00:40:55 So there's plenty, plenty, plenty to talk about of the topic, but when we're talking about, um, the amount of occupancy charges owned by program participant, um, using our funds right now, uh, just looking at our, our, our resources that we have available, um, it's the family's annual income less allowable deductions. So mostly we're talking about the number of people in the household,

uh, age of people in the household, anticipated income, anticipated expenses, and anticipated allowable, um, um, anticipated allowances, uh, and anticipated, uh, household pa uh, paid utilities. So that's mainly what you're going to look at. And those are the resources that are listed in the background of our, um, of our, uh, resource, our PowerPoints for today. But if we look at the next slide, we're going to look at, um, Hama for a second. So plenty of you, if you've been involved with calculating a participant's income and things of that nature over the years, you'll know that we have shifted gears, um, into, uh, modernizing how we're looking at a participant's income and what to do.

Speaker 7 00:42:15 So we have a new rule called HOTMA. And so HOTMA makes a, makes numerous amendments to sections three, eight and 16 of the United States Housing Act of 1937. Um, and so there's an in significant changes to income calculation net family as, uh, assets and income reviews. Um, so changes that are within CPDs programs are, will be found in section 102, um, and also in section, uh, 104. So we place this information here for you and it's important to note that as of January of next year, that's when a Hotmail will take place. So we'll transition from our regulations that we currently have, um, in terms of calculating income, and we'll move to, uh, Hama. So that'll be a shift, um, for us in some of our programs and what we're doing. But be for sure that any changes that are, um, made that relate to CPDs programs, that means, um, the CoC, ESG and YHDP programs information will be updated on the HUD website. Um, so you'll see that there. Um, with that you may be swirling and saying, oh my gosh, we shifted from a lot of heavy content, now we're talking about numbers, but rest assure, um, all this information, there's a grand amount of resources available out there and we're here to help. And with that, I'm going to switch gears and switch back to Brett, uh, to talk a little bit more for you.

Speaker 3 00:43:53 Yep. And now we're going to switch gears and talk about housing quality standards. And the name of the game here is also change is a coming. So can we go to the next slide please? Okay. So all housing funded with the CoC program is required to meet certain housing quality standards before you can provide any CoC program assistance. Um, we are in the midst of changing the standards that are used to assess the quality of housing. So as with the last couple of presentations, just bear with us during this shift, and I'm going to talk about it in a minute. But first, like the basics of housing quality. Before you can provide any assistance on behalf of a program participant, you as the recipient or the subrecipient need to physically inspect each unit to ensure that it meets the appropriate housing standards. And all of the units need to be inspected at least annually thereafter.

Speaker 3 00:44:52 And for those of you who might be new to, um, well, let me back up one more minute. For those of you who are familiar with doing housing quality inspections through let's say the housing choice voucher program, it's important to know that under the CoC program, while the units need to be inspected, there is no requirement that the inspector be HQS certified. Um, it can be anyone on your staff who is doing, viewing the apartment, viewing the unit, and doing the housing quality inspection. Okay? So for those of you who are like brand new to our programs, the sort of old housing or the old housing standards were called Housing Quality standards. But on May 10th, 2023, HUD published what we're calling the Inspire standards. And these standards updated the minimum housing quality standards and replaced the housing quality standards. Um, if you can go to the next slide, though, originally when we published Inspire, they were going to go into effect on October 1st, 2023.

Speaker 3 00:46:02 However, we pushed that date back, that compliance deadline date back for community planning and development programs, which includes the CoC program until October 1st, 2024. This means that projects under funded under the special NOFO can continue to use the Housing

quality standards until October 1st, 2024. And these standards, uh, the regulations have been updated to reflect the Inspire standards, but you can find these standards, uh, in the Chapter 10 resource that's under the housing quality standards in the resources on the resource slides. Or you can choose to use the new standards, which you may do if you're operating another HUD program that's already required to use the Inspire standards like a housing choice voucher program. You can choose to either continue to use the original standards, the HQS standards, or you can choose to adopt the Inspire standards to be consistent with your other HUD programs that you're operating, whichever is administratively easier for you. We will be putting out guidance on the Inspire standards. We will be publishing a notice. Um, but all of that, uh, as seems to be the theme for today is still to come. So at this point, I'm going to turn it over to Tami, uh, to talk about program income.

Speaker 8 00:47:28 Good day, everyone. I'm Tami Thomas. Thanks so much, Brett. Um, program income is quite different than calculating participant income, so we're just going to take a minute to clarify the distinctions. Next slide, please. Program income has more to do with your agency's funds versus the client or participants, um, their necessary income. Okay, so program income is income that's received directly by the agency, the recipient or the sub-recipient, uh, that can be generated to support a grant activity. Um, there's interesting examples such as if you've paid a security deposit and the for a client to move into a unit and that individual vacates the unit, the landlord returns those funds to you, they will be tracked fiscally as program income. Program income may be used as match for the special NOFO grant. Important to know, many times individuals get, uh, confused about whether federal funds can match other federal funds.

Speaker 8 00:48:36 So take note, match is required, but for special NOFO program income can support. Um, the Special NOFO grant. Um, special program income can also be added funds to the project from HUD and the recipient consider this though program income must be used on eligible COC program costs. We often find this and want to share to give you guys as much equipment as possible to run your program in a way that we're going to discuss in one second can be audit proof. Consider this that program income, though it might come from another source, will come from another source. As I said, maybe returning security deposits must be used only for eligible activities. So if you have a grant that's CoC funded and you get other funds that are calculated as program income, they cannot be used to help offset other expenses that the CoC grant cannot pay for.

Speaker 8 00:49:45 Got it. Make sure that any program income that comes in is tracked according to your fiscal standards. Those generally accepted accounting principles and that you can support everything with documentation. Um, next slide please. So as we talk about the audit proof that I recommend that I just referenced, let's talk about having a compliance perspective. Next slide, please. If you consider a compliance perspective, because as with anything, when you receive funds, you want to make sure that, um, we want to make sure funds are being used appropriately according to the regulation. And I'll give you an example. I used to be a homeless services provider, have more than 20 years in mental health. And when I received that wonderful funds to go help my, the individual I was supporting, I had to make sure to have receipts and evidence that it paid for what the costs were intended to be paid for.

Speaker 8 00:50:47 So one of the things that you want to make sure that you do is keep a healthy perspective on compliance because it's just making sure that you're doing what the funds were intended to do. I first want to start out by telling you this, we are one mission, one goal. It's all ultimately to serve

those who are in the most need in the communities throughout our country. Um, we don't use a gotcha approach. It is our hope that when we share the grant funds, we don't want them back. <laugh>, we want you to spend the grant funds so that they can assist those who need them the most. You are our partner. Um, and I recommend, again, hadn't been ACOC lead agency and nonprofit executive. Uh, make sure that you reach out to HUD as soon as you need guidance about anything. Remembering that, um, guidance that you receive technical assistance from HUD and the partnership can help you with any type of prevention or misinterpretation of the regulation.

Speaker 8 00:51:52 HUD wants you to be successful and as we think about compliance and even monitoring will never just pop in on you. Communication is everything. Also consider what you do daily as an agency, as an agency to help be successful. Um, effective and efficient systems are key. Ensuring that there's documentation and record keeping that's helping to show that evidence based that audit. Proofness. Think about it this way, if you're ever subpoenaed to go to court, evidence is what they're going to ask for. Many judges, many courts won't accept third party documentation or I'm sorry, third party speculation. In other words, you can't just tell me what someone else said. We need to see the proof. Also, one of the best things you can do is continue ongoing staff training, especially for those who are new staff, and we've got ways to help you with that. If you consider joining the mailing list, you'll receive real-time information that HUD disseminates.

Speaker 8 00:53:05 Uh, we love sharing tidbits, updates, webinars, announcements, and recommend that anyone who touches the program should consider joining the mailing list. Also, bookmark the CoC page for your resource. One of the things that is really important is to know where to go to get key information. These book, these sources and links are available to you and your staff. Next slide please. Continuing with our healthy perspective, HUD is your advocate. We are your resource, not just your monitor. Consider reaching out to your local HUD office and ask for a meeting. Gain insight and be proactive instead of reactive. It helps you to build relationship and understanding. Also, HUD has created many forms that we have already available. Feel free to download them, adapt them, make them part of your processes and consider peer documents. You don't have to create the will <laugh>. There are other entities that are out there across the nation that have already created program evaluations, internal processes, things that you might be stepping into.

Speaker 8 00:54:25 Consider how you can tap into your peers. Now the reality is that HUD is a compliance monitor. We get audited by the office of the inspector general to make sure that any funds we release are used according to their what Congress approved them to do. So HUD learns from you the same way you learn from us. It gives us an opportunity firsthand to hear stories of the wonderful participants. We get to serve those stories of the providers who have stepped into new careers and are excited about the opportunity to do grassroots frontline service. So it's not just that we're coming to gotcha catch you doing something wrong. No, it is our hope that we can offer onsite technical assistance, real time answer questions. You don't have to wait for an email to come back. You've got us right there in front of you. And there's formal processes to monitoring.

Speaker 8 00:55:21 Again, you'll hear all of our information ahead of time. Typically we build strategic planning sessions. We call you to make sure that your staff is available during the time we want to monitor or need to. Um, we want to make sure that if there's two week review or a five day review, it works so that everyone is available. We really don't want to extend a review because we have to keep going back and forth. We'd rather make it convenient for everyone. Okay? So communication becomes

key. And then yes, as you see on your screen, there's processes to how an official document would be released where you also get the opportunity to respond. Officially, family, you can always get any of our guides on the CPD handbook. CPD, the community planning and development is what we're under the, the funds are released under. Okay? We have a monitoring handbook that has exhibits.

Speaker 8 00:56:19 We go question by question, asking you for information. Guess what? You have access to that cheat sheet. Feel free when you know you're going to be monitored to say, Hey, can I see the questions you're going to ask me? Transparency can also help with a healthy perspective. Next slide please. So considering compliance over all, the best way you can help protect you is to have efficient and effective internal controls and record keeping standards. Those wonderful standard operating procedures is key. That's your agency, operations, financial, and then the program specific. Because when we show up, the very first thing we're going to ask for is can you give us your SOPs that will tell us how you intend to do everything. What the structure is your who is responsible for approving every level from client intake all the way to payment, and then reconciling that. So your agency's financial controls are just as important.

Speaker 8 00:57:23 We certainly look at time and activity tracking. Are we paying staff to do what staff is supposed to do? Is it actual time? How do you make sure that you're meeting everything that's ends at two CFR 200 regulation, all of the requirements that we must meet, even those other federal requirements. If it's referenced in the regulation, you want to be aware of it. And if you're unsure, that's when you reach out to your HUD experts. Consider the frequency of how often you review your own internal processes. We come with a third eye when we show up to monitor, we don't know what we're going to see. So how about you have an internal process that helps you see some of the things that you wouldn't want a third eye to catch? For example, I, um, monitored one agency where they instituted an internal policy where the receptionist who had nothing to do with the clinical side of the agency every Friday randomly pulled client records because she would see if there were signatures, missing dates, missing if there were forms.

Speaker 8 00:58:31 Incomplete internal processes to help you stay audit proof. That's not a HUD term, it's a Tami term. <laugh>, you are hiring policies, your procurement standards. If you're paying someone with federal funds, you are responsible. So the recipient, if you're passing through funds to subrecipients, you are responsible for their actions. You signed the grant agreement. Consider what type of standards you have in place because again, that's what will help you be successful and adhere to requirements. Next slide, please. You know, sometimes we are often asked what type of really quick tools and recommendations we could share. If you consider how your standard operating procedures intertwine how the program feeds into the finances, in other words, you're going to approve a client that's going to then have to have a rental payment, right? How is that transfer? How is that process written in your standard operating procedures? Because then when you're monitored, someone wants to be et sea evidence, you actually adhere to your own requirements. That's what makes compliance work. Next slide please. I want to give you cheat, a few cheat tips. Okay? We have national monitoring that we find where the number one findings always tend to be documentation.

Speaker 8 00:59:59 Documentation or should I say the lack thereof. Consider making sure that you're not just aware of the eligibility requirements, but let's say your staff retires. Let's say your staff hit the lottery. Someone needs to fill in and understand what those requirements are and document, because again, monitoring is evidence-based. We're going to ask to see that you adhere to your SOP. Please

reference session two to really walk you thoroughly through the eligibility requirements for the special NOFO. Next slide, please. Also to end the air of documentation. If you can't show that it happened, we oftentimes, sadly have to request repayment. We don't put the funds out hoping to get them back. So please consider how the proof mechanism, the evidence, your record keeping supports how you pay your expenses and why missing an insufficient documentation is one of the number one issues across the nation that require recipients to have to repay money.

Speaker 8 01:01:11 If you can't show us what you did with it, the government will request it back. Um, and then missing comparisons to show costs are reasonable. That's at least three comparisons. Before you decide you're going to spend money, a whole lot of money on that big purchase, we will say, can you show us how you cost, how you chose this cost? Can you show us the comparisons you used? Documentation, not just calling actual evidence, payments of ineligible expenses. If an expense that's paid is not in the regulation, it's not eligible. I'll give you an example. Entertainment costs are not eligible. You cannot use federal funds to take all of your wonderful program participants to an NBA basketball game. It's not eligible. Those funds you will have to repay with non-federal funds. You can't use another federal grant to repay. The United States also costs. That might be unallowable, that means if they're paid outside of the grant term, you have, your program starts March and it ends February.

Speaker 8 01:02:29 You can't pay any other expenses outside of that grant term. It's not allowed. And if it's not even in your budget, your budget approved you to pay certain things that it was a part of your application. You can't then decide, oh well it's in the CoC reg, but, uh, it's not in our budget. We're going to pay it. That's not allowed. Next slide, please come and monitoring findings, given you our cheat tips right here. Family is a sample of an actual document where there was an actual check attached. This was to pay for arrears at the time. This literally what you're seeing as faded, handwritten, was paid to a landlord. We don't make this stuff up. <laugh>, the person was told that they had to vacate the premises. So the agency cut a check. There's no client name, there's no address of a client. There's no not even information about the landlord as part of this bill.

Speaker 8 01:03:36 This invoice that they called it, this was not sufficient documentation had to be repaid to the US Treasury. Next slide please. Giving you another as blurry as this document is, it's actually what was attached. It's a utility bill in this utility bill. Can you see the different expenses? Do you see the address clearly? The, the dates to make sure it's within the grant term. What we did see, whether there were some miscellaneous expenses paid, you can't pay miscellaneous expenses with federal funds. Consider how your documentation wants to support how all costs were clearly eligible so that you move forward successfully. Next slide please. So going back to our healthy perspective internal controls. Your internal review of your controls will help you identify what might be a cause a deficiency. Some examples could be that the SOP, the standard operating procedure wasn't clear or maybe the staff wasn't trained on your newly updated standard operating procedures.

Speaker 8 01:04:54 How about staff turnover? If you know new staff is in place, having part of their learning curve could be the wonderful information and resources we have. Remember joining the Maryland list and then bookmarking the COC page. We'll give them real time information as well. We're going to give you corrective actions when we monitor. We want you to fix it so that you can be successful in your federal fiscal oversight. Next slide please. So as we wrap up this healthy perspective, I just want to give you a personal reminder. Sometimes it might not feel good to hear that you have a finding, but let's remember, remember the beginning, we started with this as a partnership, an opportunity for us to

provide technical assistance. If you do receive a finding from the federal government, from HUD, if you receive a monitoring, we're going to give you corrective actions. Listen, no one's perfect.

Speaker 8 01:05:55 We don't go thinking every agency is perfect. I've monitored for more than 20 years now and yet to have not found anything. However, the gravity of the issue, how egregious it is, is the difference. So consider how you can help isolate mistakes versus systemic issues. We're going to help give you a corrective, a correction and sometimes it's an outside technical assistance provider, but no, whatever we'll do mid-course correction is more important. Serving those folks who need you is more important and continuing to use the grant funds for their, their intended purpose is what's most important. We thank you for your service and for making a difference in your community family. We need you to do what you do. We just wanted to prepare you with how you can do it the best way possible. That's it for the healthy perspective on compliance. Marlisa, back to you.

Speaker 1 01:06:59 Thank you so much, Tami. Alright everyone, um, I'm going to go over a few resources that are available before we head over to the q and a session. All right. So we have a number of resources available for awa. Uh, one is related to when you can use a when you can and should be using a comparable database related to, um, data collection, we've got trauma informed design, a quick reference guide, and then a few, uh, Wawa related requirements that are cited that you should be familiar with. And a, a website that links to state coalitions against domestic violence. There are three resources that we are linking to in the slide, um, the resource slide related to fair housing, including the CoC and binder on the topic, as well as housing discrimination under the Fair Housing Act and an Equal Access Agency assessment tool. Next slide please, and thank you to Ebony, uh, who is posting the links in the chat, so you, you can also copy and paste those if you would like to access these resources immediately.

Speaker 1 01:08:12 Then on the second resource slide, we have a, um, we're linking to chapter five of the HUD occupancy and handbooks, which assists you in determining income and calculating rent. And then we also have a virtual binder on the HUD Exchange that deals with rent calculations. Two resources on the standards for housing include chapter 10 of the housing quality standards, and this is going to be applicable until Inspire standards come into effect. And then we we're also linking to the notice, um, to everyone on the extension of the compliance state for CPD programs, which postpones that applicability date until next year. And then three resources on compliance. We have the CoC program startup trainings, CPD monitoring exhibits, and the lead-based paint requirements and training.

Speaker 1 01:09:10 Next slide, please. Alright, it looks like we're in pretty good shape with, um, answering questions. All, all the questions that we can answer from the chat, but there are, um, a couple that get into the weeds a little bit, and we wanted to save those for the live q and a. So starting with, uh, this eligibility related question for Brett. Um, so the questioner quotes, eligibility must be documented upon intake. So if it takes a while for chronic documentation to be collected, um, can we not engage them for street outreach and other crisis or immediate, um, as assist and, and immediate assistance or offer of housing enrollment while they're still collecting, um, or doing the due diligence, which often takes a lot of time or else, you know, the unintended consequence of leaving them unsheltered or possibly losing contact during that time. How can we balance the two, Brett?

Speaker 3 01:10:18 Yep. So I wasn't quite sure exactly which part of eligibility was taking time. So I first wanted to start with a reminder that unless your CoC'S plan required your PSH projects to serve individuals who are experiencing chronic homelessness, that is not a requirement for us. I do know that

disability documentation is one of those that takes a minute and can, um, it can take be hard to get right at intake. So I will remind folks that the CoC program interim role allows you to take a self-certification of someone's disability, someone's qualifying disability, as long as you then document it with third party documentation of the disability, uh, within 45 days of housing. So we give you a little bit of flexibility for PSH in terms of documenting disability that lets you house somebody immediately. Um, in terms of street outreach, if somebody is living on the street when you're out doing street outreach, at that point, their living situation is on the street, you witnessed it, you document it.

Speaker 3 01:11:21 That's the third party documentation that you can use to provide street outreach services. If there are other things that say your community is requiring that you document for, um, rapid rehousing or permanent supportive housing projects or joint projects funded through this NOFO, that's where I would really lean heavily on your Co C's plan. Um, is there a plan in place for your CoC? Is there a non congregate shelter? Are there hotel motel vouchers? Are, are there ways that your CoC has implemented to keep people sheltered and safe until you're able to collect all of that documentation that you need and house somebody, but we can help you problem solve, or your technical assistance providers can help you problem solve where some of those, um, what's the word I'm looking, where for, where some of those delays are happening and help you streamline them to ensure that documentation is happening as quickly as possible and isn't holding you up from housing people.

Speaker 1 01:12:20 Thanks Brett. Alright, A lot of good questions related to the Violence Against Women Act. LaToya. If a landlord who owns an apartment complex currently accepts HUD rental Assistance dollars for a single unit, would VAWA protections apply to all of the units in the complex? So for example, would the landlord have to apply VAWA protections when screening applicants for other units, such as not discriminating someone has an eviction because they had to flee dv? So how far does the applicability of VAWA extend if, um, a landlord has a complex and accepts HUD rental assistance for one unit?

Speaker 6 01:13:03 Good question. Good question. Um, and so AWA applies to property owners that provide housing for COC participants. Um, so it, it would apply for the federally subsidized unit of the person who's receiving the federal subsidy. Um, it wouldn't necessarily apply to all the units because Vwa does not, um, cover private market rental housing. Um, it only covers federally subsidized, um, programs or, uh, persons who are receiving the federal subsidy, um, from the Covered Housing provider such as, um, section eight, um, housing choice voucher, um, public housing authorities, um, and in this case CoC, um, grants under the special NOFO. Um, and so property owners would be required to, um, sign a lease addendum, um, as a part of the VAWA requirements, um, in protecting participants' privacy and limiting requests for information under the confidentiality calls. Um, but most of the responsibilities under vow ultimately belong to the CoC, um, recipients and subrecipients. Um, but it doesn't relieve the owners from the responsibilities under awa. Um, but it only is tied to the units and the person in which is receiving the subsidy.

Speaker 1 01:14:44 Got it. So how does VAWA apply to non housing pro uh, projects? So for example, if a provider has a project that's providing health and hygiene for unhoused community members, how does vwa applicability work?

Speaker 6 01:15:03 Yeah, um, and we actually get this question a lot. So I want to be clear that, um, VAWA covers all covered housing programs. And so when we say all, we mean all of the housing, um, covered housing programs that are listed on the letter, um, that is included with this information. Um,

the letter that went out to all CoC and ESG grantees, um, which includes McKinney-Vento programs such as continuum of care grants and emergency solution grantees. And so there are a few core statutory protections, um, that apply across the board. Regardless if you are a non housing or a housing project, um, such as the prohibition of denial, um, or termination of assistance, um, because for instance, the, with the example that was given, there is still assistance that is being provided. And so if that assistance is terminated, um, solely because the person is a victim of domestic violence, dated violence, sexual assault, or stalking, then that's, uh, a violation of VAWA.

Speaker 6 01:16:10 Um, there also are confidentiality requirements in addition to the definition of domestic violence, which is covered, um, under both VAWA and VAWA 22, that expands it to economic and technological abuse that a person would be covered. Um, also the McKinney-Vento, um, definition and amendment, um, including, um, the, uh, the al the, I'm sorry, including the new, um, right to report, um, crime and emergencies. Um, as I noted during my presentation, that's across the board and that's regardless if you are a survivor or not. Um, and so that will be covered for anyone who is under the, uh, covered housing program such as CoC, um, and ESG.

Speaker 1 01:17:00 All right, another one for you, LaToya, in regards to VAWA, uh, does it also prohibit information to be added on HMIS as unidentifiable?

Speaker 6 01:17:13 Great question. Um, and so as I pointed out in my presentation, there is a prohibition, um, for victim service providers. Um, and so, um, in 24 CFR we define what a victim service provider is. Um, and so those VSPs, as we call them, um, have a specific prohibition from entering personally ident, uh, I'm, I'm sorry, personally identifiable information, um, known as PII into the HMIS database. However, VAWA explicitly says that covered housing providers has specific obligations to maintain a confidentiality of the fact that a person, um, is a survivor of domestic violence, dating violence, sexual assault or stalking. And so, um, they wouldn't necessarily be, um, prohibited. You wouldn't necessarily be prohibited from entering PII into an HMIS database. However, um, if a person shares, um, that they are a survivor of domestic violence, then because of that, then you would fall under the confidentiality requirements, which means that any information that's provided under the VAWA housing protections, including the fact that they are a vow survivor, must be kept confidential.

Speaker 6 01:18:43 Um, and those obligations could include keeping that information out of the shared database and not disclosing that information to others unless, um, consent is provided in, in writing, um, to such disclosure and it's required, um, in a use of an eviction proceeding or the law otherwise requires it. Um, otherwise, um, the confidentiality, um, piece is separate from the, um, the database piece, although they are, um, tied together, um, explicitly because that means in the case that someone says, Hey, I'm invoking my vow rights, then that's when the information, um, from that point on should no longer be entered into a shared database. Um, now I think what you may be pointing to in terms of unidentifiable is that sometimes, um, we will say, and this is based on not vowel, but HUD's, final VAWA rule, which are two different things because vow is the federal statute, and then after that, HUD takes that and then, um, makes the vow rule, which is when we refer to as rulemaking rule.

Speaker 6 01:19:58 And so under rulemaking, um, what HU has said is that, um, that anyone who is a victim service provider who cannot enter information into a shared database because of the vow prohibition, um, must use a comparable database. And so in that instance, victim service providers are required to use a, uh, a comparable database. However, anyone who is using HMIS, it typically is a best practice to allow, um, participants to opt in, um, to, um, disclose any information, um, around their

status as a survivor, um, which can be, um, oftentimes, uh, avoided by allowing them to use unidentified in information, um, such as different names or, um, other things that will provide them such safety and protections moving forward.

Speaker 1 01:21:00 Thank you. Um, alright, we're going to switch gears a little bit and we have a couple of, um, program income and compliance related questions for you, Tami. Um, can you clarify what funds we can, what funds providers can use on non HUD approved costs?

Speaker 8 01:21:24 Non HUD approved costs, you can use non HUD approved money. I need you to think about it this way. Um, external funds that will help your agency operate make sense. Whether you have boot drives or 20 other grants, foundation and enterprise grants or whatever it is that helps your agency to accomplish the work of your agency, great. But for the purpose of the grant that you receive through the special NOFO and most grants have requirements attached to them, you can't use the money for anything outside of this purpose. So for non HUD approved funds, you want to make sure that you, you, even if you get them as match and you decide to use it as match, you want to make sure that still supports only program eligible expenses. So, um, a lot of times nonprofits get charitable donations. For example, you might receive a big check from the local church or uh, just a lot of donations that happen to come in because you just had a ribbon cutting or you announced that you have this new program and checks right, whatever your, um, the way you receive the funds first, make sure you track it in your financial system correctly as cash coming in, as non-federal funds coming in.

Speaker 8 01:23:03 Remember when we monitor, we ask and look diligently at your financial structure. We will pull your general, I'm giving you guys my cheat sheet here. We'll pull your general ledger, we'll ask for your chart of accounts. We want to know who's touching the dollars, the segregation of duties, how are you ensuring that the same person is not pulling the money, drawing the funds and approving the checks and then signing the checks That totally is not appropriate. So if it's a non-federal dollar, consider how you track it and then you figure out the best way to use it to support the eligible allowable expense.

Speaker 1 01:23:48 Great, thanks Tami. And another one for you. Can you say more about the costs needed for the comparison review? So is there a threshold amount? Can you say more about that?

Speaker 8 01:23:59 Sure. Yeah. Reasonableness, um, reasonableness, if you think of it in the way, how can someone who might come behind you, remember your, once you receive federal funds, your funds can be audited up to five years after you spend the last dollar. You have to retain all of your records called record retention. So you have to make sure that every client, every staff who was paid anything, any trainings, whatever you did with these funds is retained at least five years after the grant expires, after you've drawn your last dollar. So let's say that at year number four, um, the staff who is overseeing the program took a wonderful new job in another state and moved away. Well, when we come and say, why did you pay \$50,000 to purchase a van? Or why did you decide that these trainings you had to stay in the Hyatt Regency and pay for these rooms, why, how did you determine it reasonable?

Speaker 8 01:25:05 Always consider the reasonableness test. Could someone see and understand the same way that you made that result? Could they determine it the same way? Let me answer the threshold question. Federally \$5,000 is the break between supplies and equipment. Anytime you purchase anything that's equipment only because you guys are asking me the question, I strongly recommend working with auditors and the departmental enforcement center that you make sure you

have documented comparisons. However, remember, even for rent, you've got to have reasonableness test. You've got to make sure that before you pay this amount of rent for this unit and the one next to it is half that amount that the landlord didn't just spike it up because he heard it was federal dollars that he knew he would get that rent on time versus other programs. There's reasonableness tests required for most of your expenses. What you want to do is get educated, certainly for any rents it's required and actually in our regulation, but also consider any equipment you purchase and anything that seems like it's a high dollar expense.

Speaker 8 01:26:29 I also recommend, um, when you consider equipment and it's \$5,000, also consider those iPhones, cell phones, those tablets. because we love the fact that the new Apple product is out and you might want to buy it for your case managers. Uh, but we actually had an issue where an entity had to repay funds because they bought their case managers Apple watches so that they could always be available to speak to their program participants. Now when we asked how is that reasonable, there was no justification, how is that reasonable compared to a good old phone? How is it reasonable to pay that high and expense for convenience versus, uh, something else? You are the one that has to document why you made that decision. I want you to consider this marlisa, this is something we share often, that these programs that are federally funded are from tax dollars. What you want, your funds, your taxes that you pay to go for Apple watches. When someone could use a regular cell phone, that would be so much cheaper and so mu it's still efficient for them to communicate what is determined reasonable.

Speaker 1 01:27:55 Thank you Tami. And it looks like we just have a couple of additional questions. I am going to turn it over to Brett to cover those. Um, Brett, great,

Speaker 3 01:28:07 Thanks Marlisa. I will cover the final questions, which I believe are primarily for you. LaToya, I think you actually just answered one in the chat, but I am going to go ahead and ask it out loud. Um, and so the question is, does accepting an application fee that's paid for with CoC dollars put the landlord on the hook for the followup protections? Or do those only kick in if they accept a rental payment?

Speaker 6 01:28:40 Okay, so I did answer this in the chat and typically, um, CoC funds can be used for application fees. Um, but when we think about vow, it's uh, it pertains to landlords who, um, sign lease and vow lease addendums, um, with the participants. Um, and so in this type of situation where you may pay an application fee and um, they, they, you don't act actually have a rental agreement, um, with the landlord, um, they wouldn't necessarily be, um, required to, um, adhere to, um, those certain protections around, um, the confidentiality and other pieces of vow. Um, however, um, the, if there is, um, any form of, uh, denial or, um, eviction related to, um, such lease, then that's when, um, those other type of power protections, um, also are included for the landlord. Um, but there has to be that relationship that has established them as a landlord, um, uh, in order for the survivor to be protected under that.

Speaker 3 01:30:02 Okay. And then if you could just stay with me for one minute, <laugh> to answer that next question. And I think also what is being asked in the chat, um, so if a landlord has a new unit, they're already using CoC dollars in another unit, but now they have a new unit, uh, that isn't currently covered, uh, could they choose not to house, not to accept the voucher on, be on a person who has a DV related eviction because they haven't already accepted rental assistance payments yet. So it feels like there's kind of like this catch 22 situation, right? Where like the protections don't apply until you actually

house someone with the voucher, but at the same time, can they discriminate before someone's housed with the voucher? Does that make sense?

Speaker 6 01:30:50 Yeah, and I think, and I think that oftentimes unfortunately happens a lot, right? There's this, uh, discrimination in terms of, uh, disclosing information about their past, um, evictions, which may actually be related to the domestic violence. And that's what we talk about in our webinar, sorry, in terms of adverse actions, um, such as like credit reports that are impacted by, um, typically abusers or the perpetrators. Um, and the survivor typically, um, bears the, the brunt of, uh, the responsibility and consequences. Um, and so we talk in detail about those adverse actions, um, that can be either past evictions or like I mentioned, um, credit, um, history. Um, and so those things can negatively impact a survivor. Um, however, there are state and local laws that can also provide some, um, ready for survivors in those situations. Um, but typically in this situation, um, survivors will still be, um, protected from, um, denial of admission to the housing program, um, which is why it's so critical for that information around their status as survivor to be protected, um, from, um, instances so that the discrimination does not become a barrier because it should not be, um, something that's contingent on the ability to, um, receive housing, um, pay that rent and other things.

Speaker 6 01:32:33 Um, and so when there is, when there are situations where survivors are applying for different u rental units, um, it's not necessary to disclose their background or their history, um, as a survivor unless they, um, choose to do so in which, um, some landlords may discriminate. Um, but it will be critical to really, um, work with your state and local laws to ensure that there are remedies around, um, how to, um, I, I guess to hold them accountable. Um, the real problem here is that, um, HUD and HUD grantees bear the obligations of ensuring that, um, survivors are protected and that they are, um, that grantees are in compliance with these, um, protections that survivors have. Um, and so, um, and though landlords and owners may receive CoC funding and they accept the funding, um, the, the, the authority that we have, um, really lies with, um, the grantees who receive the funding.

Speaker 6 01:33:52 And so it's going to be up to grantees to support survivors in helping them to navigate vow, but also to have these difficult conversations with landlords, um, in which they may be discriminating, um, so that you can support the survivor. But, um, a landlord, sometimes it's, it's challenging to prove that they're simply denying them simply because of their status or their history as a survivor. Um, and so, um, it's not always, uh, something that we can say like, you know, the landlord can't, can do or can't do because it's really sometimes hard to point at. But the, the reality is that survivors, um, should not be, um, denied um, admission to housing simply because of their status as a survivor.

Speaker 3 01:34:41 And this is where you as housing providers can play a great role, right, through your case management, through your housing navigation skills and working with landlords, right? Because you're not denying to the housing program, you're not denying to the rental assistance, it's just you might run into some challenges with some landlords. Is that fair?

Speaker 6 01:34:58 Yeah, that's, that's fair. And I think the other reality is that we see this across the board, um, as we not only are working with survivors, but um, generally the, the homeless population, right? There are some bias that that tends to happen. And so as grantees and as providers, we definitely encourage you to advocate, um, and support, um, survivors or, um, any persons that are experiencing homelessness, um, with these type of situations.

Speaker 3 01:35:26 Great, thanks. Um, William, I'm going to call on you to help out with this one. So there was a question I came up last week and again this week and it's about match and when will we be reviewing match information? And so maybe you can talk a little bit about financial reporting, how often we're going to be requiring financial reporting for these grants and what we're going to be looking at. Yep.

Speaker 2 01:35:51 So just a quick recap on reporting. In general, you'll be reporting on the client served, right? Your aggregate data reporting quarterly, your financial reports will be reported in that fourth quarter, right? So annually, and in that financial reporting you'll include your match information as well. So you'll only report on match and other financial information on a month on an annual basis.

Speaker 3 01:36:19 Great, thanks. And we also will look at it when we come and monitor, uh, Tammy coming back to you for a minute. Uh, so there has been a string of questions about utilities and obviously you can pay for utilities under the CoC program. And the question is, if you get like a bulk, you get one bill for utilities, how, what are we looking for in the case file in terms for documentation? Are you looking for them to break it out by water electric, et cetera? Or is it okay to just say, this is the utility bill, we paid it?

Speaker 8 01:36:52 Yeah, that's a great question and I would have to say thanks Brett, that it depends. Um, there are some entities for example, where they we're talking about a group home style of project where maybe there are individuals, SRO where everybody has a different room, your youth under the special NOFO, something like that, where there's a house and the utilities are paid differently. Um, there are also programs that might pay for actual, uh, rental units. Um, well the difference is the documentation and how clear it is. So if you know that jewelry paying, um, gas, electric, all of that, there's got to be a breakdown some way that would be sufficient according to generally accepted accounting principles. Um, you can't just say a thousand dollars was paid for utilities because we're going to say, what utilities, how much was this per month? Was this just gas over three months?

Speaker 8 01:37:51 So you'll still have the burden of documentation. Your record keeping has to be clear. Um, how you pay it is up to you. You might cut one check to make sure that you pay the utility, the gas company at one time for all your clients for that one month. That is certainly, and if that's your internal fiscal structure and your standard operating procedures, say that's how you operate, then we'll look to see that that's how you're generating your payment. We don't want individuals homeless returning to homelessness, however, um, it has to be clearly documented to support every single expense. There are very few utility companies where they're the water and the gas and the electric. So typically there's a breakout that has to be identified where we can show that it was for this residence where as Brett presented earlier, met housing standards. Gotta remind folks, remember we have housing in our name, so we, it's important to us that they live in suitable sufficient housing. So whatever goes to pay to retain their safe housing, including having running water, um, that's important. We just need to see how you tracked it and how you paid it.

Speaker 3 01:39:12 Great, thank you. Um, and then there's a question that came in and William, I'm probably going to share this one with you if that works. So it's about how to pay for training and stay compliant with the regs and what is eligible under admin, uh, what can be paid for with grant funds. And so I'm going to answer the question for those grants funded under the unsheltered set aside. And then I'm hoping, William, you can touch a little bit on how it might be paid for under the rural set aside. So under the unsheltered set aside, uh, you can charge training costs to project admin and that's where

training lives and training can only be provided on continuum of care requirements and attending HUD sponsored or HUD approved training. So it's very limited under the admin training budget line item. There are some instances under your planning grant, if you received a planning grant where you could pay to go to a conference or do a training. Um, if it helps you for a CoC planning activity, for example, maybe you're going to go to something on coordinated entry and coordinated entry as a requirement of the CoC. Um, and so those same things apply to grants funded under the rural set aside, but those projects funded under the rural set aside also have a fun new budget line item. Then I'm going to let you cover William.

Speaker 2 01:40:38 Yep. It is a fun new budget item. Uh, the capacity building option is great. Uh, the intent there is actually to give recipients the opportunity to get training on things that, uh, are not necessarily tied directly to the program in the sense that like, it's a CoC program, so you must do CoC program training. It, it, uh, expands to other skills-based training. Uh, we had a fantastic question in our, uh, question pool this last week that essentially said, Hey, we would like to do a little more management and leadership training as we, uh, go and manage this grant. That's fantastic. We love that, we want that. So that's a great thing to ask for. Remember, this only applies if you're a rural recipient who has capacity building dollars. Uh, but we want you to use that. You could use it to build your Excel skills or, uh, to get training on, um, uh, on a database that you're going to use to manage your finances in your organization.

Speaker 2 01:41:37 Again, it's, it may not be directly CoC program in the name or something like that, but it is the skills necessary for you to effectively execute the project. We, we don't know the outer boundaries on that to be totally frank. Uh, we encourage you to ask questions, but think of it in the, in the light of this is about recipients building capacity. So what are you doing to build your capacity as recipient to effectively manage the funds? Those will be, that will be our litmus test for all of this. Uh, so that's a good place for you to start as well.

Speaker 3 01:42:10 Great, thanks. And then there was a follow-up question about training for program participants rather than staff. And I'll just go ahead and say, take a look at the supportive services budget line item there. There are a few supportive services where you can pay for training for program participants like life skills training. Um, there's also some employment job training, uh, eligible costs in there. Uh, if you're working with somebody on, uh, out like outpatient health, there may be some work in there for medication management that you could do some training around. Um, so that information may help you as well. But take a look at the supportive services budget and you might, you'll see your options in there. And I think that actually, uh, rounds out all of our questions for today. Thank you for sticking with us. Um, next week we will be meeting same time, same place. Uh, November 1st, not November 4th. Like someone pointed out the, um, the website said we'll get that fixed. So we will see you here on November 1st, uh, to cover coordinated entry and to close out this training series. So thank you everyone, and we'll see you next week.

Speaker 0 01:43:23 That concludes our conference. Thank you for using Intel events. You may now disconnect.